



INTERNATIONAL ELECTION OBSERVATION MISSION Republic of Serbia – Early Parliamentary Elections, 17 December 2023

STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS

PRELIMINARY CONCLUSIONS

The 17 December early parliamentary elections, though technically well-administered and offering voters a choice of political alternatives, were dominated by the decisive involvement of the President which together with the ruling party's systemic advantages created unjust conditions. The frequency of early elections has further eroded public confidence in the functioning of democratic institutions and together with the lack of political will left needed reforms unaddressed. Fundamental freedoms were generally respected in the campaign, but it was marred by harsh rhetoric, bias in the media, pressure on public sector employees and misuse of public resources. The underrepresentation of women in the campaign demonstrates a need for greater commitment to ensure adequate involvement in political life. The work of the Republic Electoral Commission benefited from improved transparency. The oversight bodies for campaign and electronic media remained largely ineffective in deterring violations during the election period. While media covered all electoral contestants in line with the law, most national broadcasters lacked genuine analytical reporting, detracting from the voters' ability to make an informed choice. Election day was smoothly conducted but was marked by numerous procedural deficiencies, including inconsistent application of safeguards during voting and counting, frequent instances of overcrowding, breaches in secrecy of the vote, and numerous instances of group voting.

On 1 November, the president dissolved the parliament and scheduled early parliamentary elections for 17 December, citing demands from the opposition for early elections. These were the third parliamentary elections in less than four years, and they unfolded amidst heightened social polarization and intense competition among contrasting political agendas. Following two mass shooting incidents in May 2023, weekly mass protests emerged, involving the representatives of opposition parties and civil society, and strikes have been held across various segments of the society, demanding economic and political reforms. In September 2023, tensions and instances of violence escalated in northern Kosovo, further amplifying the public debate on the situation in Kosovo.¹ Prior to the elections, a number of concerns about the respect of freedom of expression and intimidation and harassment of civil activists, LGBTI, other human rights defenders and journalists remained unaddressed.

The legal framework provides an adequate basis for the conduct of democratic elections. However, despite recent amendments that addressed a number of previous ODIHR and Venice Commission recommendations, several key issues remain outstanding, including those related to ensuring a level playing field, measures to prevent misuse of public office and state resources, separation between the official functions and campaign activities, and effective mechanisms to prevent intimidation and pressure on voters, including vote buying. Several International Election Observation Mission (IEOM) interlocutors cited insufficient political will to address key problematic aspects of the process as the reason for the lack of further reform and underlined the need for proper implementation of the existing legislation.

¹ All references to Kosovo, whether to the territory, institutions or population, should be understood in line with [United Nations Security Council Resolution 1244/99](#).

The election administration efficiently and transparently conducted the electoral preparations, despite challenges posed by the short timelines and concurrent local elections. Numerous stakeholders acknowledged the improved communication and transparency of the Republic Electoral Commission (REC), leading to increased confidence in its work. Contrary to previous ODIHR and Venice Commission recommendations, participation in the training for polling board (PB) members was not made mandatory, and the high number of last-minute changes in their composition was of concern. The scope of voter education was limited, and primarily disseminated through digital platforms. Most voter education and election material were not adapted for voters with visual, hearing or cognitive impairments, limiting accessibility.

Voter lists were updated through the Unified Voter Register (UVR) on the basis of municipalities' records, inputs provided by state institutions, and voters' requests. The final number of voters stood at 6,500,666. Restrictions on voting rights of citizens fully deprived of legal capacity through a court decision are at odds with international standards and previous ODIHR and Venice Commission recommendations. While there were no concerns about the inclusiveness of the voter lists, allegations that numerous persons deceased, including abroad, remained in the register, along with claims of voter migration in connection with local elections, diminished trust in its accuracy. The REC published voter registration data disaggregated per municipality and polling station, providing stakeholders with the opportunity for additional scrutiny. The longstanding ODIHR and Venice Commission recommendation to conduct a full audit of the UVR had not been implemented, which the authorities attributed to legal restrictions on personal data privacy.

In an overall inclusive process, the REC registered candidate lists from 18 political parties and contestants, including 7 representing national minorities, and rejected the registration of two lists for deficiencies in nomination documents. The REC inconsistently applied the criteria for considering national minority status while processing applications from lists that declared to represent national minorities. A voter may sign in support of only one list, contrary to international good practice and previous ODIHR and Venice Commission recommendations.

The overall subdued campaign was dominated by the incumbent president, and was characterized by hardened polarization, aggressive rhetoric, personal discreditation, verbal abuse and inflammatory language. Freedoms of expression and assembly were generally respected in the campaign, and the elections offered voters a choice between genuine political alternatives. However, instances of pressure on public sector employees, misuse of public resources, and voter inducement schemes raised concerns about voters' ability to make a choice free from undue pressure. These practices, in addition to some challenges in accessing public venues for the opposition, tilted the playing field, and blurred the line between state and the party, at odds with international standards and paragraph 5.4 of the 1990 Copenhagen Document.

The recent 2022 legislative changes improved regulation of campaign finance and addressed several ODIHR and Venice Commission recommendations. However, prior recommendations including those pertaining to the improvement of the oversight mechanism and introduction of a campaign expenditure limit remain unaddressed, which reduces transparency of the oversight, facilitates high campaign spending and potentially undermines the level playing field. Moreover, the lack of regulation on spending by third parties leaves room for circumvention of campaign finance rules. The lack of public intervention by the Agency for the Prevention of Corruption (APC) regarding misuse of public offices reduced the dissuasive effect of its sanctions.

Despite some efforts to promote women's participation, women remain generally underrepresented in elected and appointed offices. All registered candidate lists complied with the requirement that among every five consecutive candidates, at least two must be of a different gender. Of the total 2,817 parliamentary candidates, 1,205 (43 per cent) were women. Women headed two candidate lists (11

per cent). Women were also underrepresented in the election administration comprising only 11 per cent of the REC's extended composition, some 43.6 per cent of the LECs and 42 per cent of the PBs. The visibility of women as candidates was limited, and issues related to gender equality were rarely addressed in the campaign events.

Despite the large number of media, the diversity of views is reduced by significant polarization and a strong influence of the government on most outlets. The opposition highlighted their persistent lack of access to broadcasters in presenting their views prior to the elections. The IEOM received numerous reports about critical journalists subjected to verbal insults, including by state officials, as well as co-ordinated attacks by pro-government media. Despite welcomed legislative changes extending the ban on coverage by broadcasters of public officials participating in public infrastructure inauguration events, the extensive promotion of governmental infrastructure projects during the campaign period by public officials who were not candidates tilted the level playing field. While all monitored national channels covered campaign activities of the election contestants in line with the law, the ruling parties and positive coverage of the President dominated the media. The absence of genuine analytical reporting on most monitored media impacted voters' opportunity to make an informed choice. The oversight body Regulatory Authority for Electronic Media (REM) maintained a notably passive approach to regulating media conduct during the campaign.

Depending on the subject matter, the legal standing to file complaints is granted to submitters of candidate lists, political parties, candidates, parliamentary groups and voters, but not to citizen observers, which limits the effectiveness of their observer role. The REC handled 23 complaints, following substantive discussions, but some of these complaints were rejected on formalistic grounds. The Administrative Court decided on seven appeals before election day, and published well-reasoned decisions. All complaints and appeals were considered within the deadlines. Some IEOM interlocutors indicated that they had limited trust in the impartial resolution of their complaints by election commissions and courts. The online register of complaints and appeals maintained by the REC was regularly updated, contributing to the transparency of the electoral dispute resolution.

The law explicitly provides citizen and international observation, and a number of organizations carried out nation-wide long-term observation, and some focused on certain aspects of the process, including conducting media monitoring and analyzing campaign finance. Contributing to the transparency of the electoral process, the REC accredited a total of 5,112 observers from 9 CSOs and 475 international observers from 25 organizations. Several CSOs noted to the IEOM a climate of pressure and a diminishing space for civic activities.

Election day was smooth but marred by isolated instances of violence, procedural irregularities and frequent allegations of organizing and busing of voters to support the ruling party in local elections. While voting procedures were generally assessed positively by the IEOM, observers noted frequent instances of overcrowding and inconsistent application of procedures, reiterating the need for adequate training. Further instances of serious irregularities, including vote-buying and ballot box stuffing were observed. Measures for ensuring vote secrecy were insufficient, at odds with previous ODIHR and Venice Commission recommendations. Frequent instances of group voting, some incidents of undue influence on voters, unauthorized tracking of voter turnout, and photographing of ballots were also observed. Vote counting at polling stations and results tabulation at LECs were assessed as overall efficient, however, there was a lack of consistent implementation of procedural safeguards in these processes. Following the closure of polls, the REC began releasing results online, and the Prime Minister declared a victory for the ruling party based on projections from unofficial data.

PRELIMINARY FINDINGS

Background

On 13 October 2023, President Aleksandar Vučić announced plans to hold parliamentary elections by the end of the year, citing demands for early elections from most opposition parties.² On 1 November, in line with the Constitution, and based on the proposal of the government, the President dissolved the parliament, and scheduled early parliamentary elections for 17 December.³ On the same day, local elections for 65 of the 174 self-governing units, including the capital, were called by the Speaker of the Parliament, following the sudden and simultaneous resignation of mayors from the ruling party.⁴ On 16 November, provincial assembly elections in the Autonomous Province of Vojvodina were set to be held on the same day.⁵ These were the third parliamentary elections in less than four years. Frequent early elections have further undermined people's trust in democratic institutions and electoral processes and do not contribute to efficient democratic governance.

The political landscape is shaped by the continued dominance of the ruling Serbian Progressive Party (SNS) and the incumbent president Mr. Vučić since 2012.⁶ In the April 2022 early parliamentary elections, the SNS received 120 out of 250 seats, while the opposition coalition 'United for Victory of Serbia' won 38 seats, and the Socialist Party of Serbia (SPS) 31 seats.⁷ Following two mass shootings in May 2023, large-scale weekly 'Serbia against violence' protests emerged in response to perceived government inaction, and requested political reforms.⁸ In the following months, strikes and protests were organized across various sectors, including by farmers, teachers and postal employees, with economic demands. In September 2023, tensions and instances of violence escalated in northern Kosovo, further amplifying the public debate on the situation in Kosovo.

The early parliamentary elections unfolded amidst hardened polarization and discontent with Serbia's economic and social state within the society. Most contestants formulated their strategies around two major alliances: SNS-led 'Aleksandar Vučić – Serbia Must Not Stop', and the other consisting of parties associating themselves with the 'pro-European opposition', known as 'Serbia Against Violence'.⁹ Several long-standing issues highlighted by domestic and international organizations

² Several opposition parties demanded early elections between June and October in order to "stabilize the social conditions". In the same period, some opposition members of the parliament started to boycott parliamentary sessions.

³ Based on the information published by the government, the proposal stated that "Holding new parliamentary elections [...] would ensure a higher degree of democracy, reducing the tensions created between opposing options in society, rejecting exclusivity and hate speech, and affirming the right to freely express opinions and views on certain political, economic and other issues, including further affirmation of European values". The full text of the proposal was not made public.

⁴ Several opposition and civil society stakeholders publicly expressed concerns that the early local elections were called without clear explanation and stated that the municipalities in question were generally SNS strongholds.

⁵ As of 28 September, mayors from the ruling coalition started resigning, enabling the holding of local elections.

⁶ In May 2023, Mr. Vučić stepped down as the SNS president, and Minister of Defense Miloš Vučević succeeded him.

⁷ In addition, *NADA* won 15 seats, *Moramo* 13, *Dveri* and *Zavetnici* 10 each, the Alliance of Hungarians of Vojvodina (SVM) 5, the Party of Justice and Reconciliation (SPP) 3, the Party of Democratic Action and Together for Vojvodina 2 each, and the Coalition of Albanians of the Valley 1.

⁸ In two incidents, nine children and a security guard were killed at a Belgrade primary school on 3 May, and eight people were killed in Mladenovac on 4 May. Protestors demanded resignations of various officials, including the Ministers of Interior and Education; the Head of the Security and Information Agency; the public broadcaster and the media regulatory body (REM) executives; and the revocation of the broadcasting licenses of *TV Pink* and *TV Happy*.

⁹ The parties of the outgoing ruling coalition, including SNS, SPS, United Serbia (JS), SVM, SPP, and the Democratic Alliance of Croats in Vojvodina, are contesting with their own lists. The Serbia Against Violence coalition is led by the Party of Freedom and Justice (SSP), the People's Movement of Serbia (NPS), and the Green-Left Front (ZLF), along with 11 additional parties and movements.

regarding the respect for freedom of expression, as well as cases of intimidation and harassment of civil activists, LGBTI, other human rights defenders, and journalists, remained unresolved prior to the elections.¹⁰

In 2021, Serbia adopted a 2021-2030 National Strategy for Gender Equality, accompanied by a 2022 action plan. However, efforts to promote women's participation have not yet been sufficient, and women remain generally underrepresented in elected and appointed offices.¹¹ The representation of women in the outgoing parliament was 34.8 per cent.¹² Women held 11 out of 29 ministerial positions, including the prime minister, a decrease from the previous composition of the government from 46 to 38 per cent.

Legal Framework and Electoral System

Serbia is party to international and regional instruments related to the holding of democratic elections.¹³ The legal framework for parliamentary elections is comprised of the 2006 Constitution, the 2022 Law on Election of Members of the Parliament (LEMP), and other legislative acts, as well as instructions and decisions of the Republic Electoral Commission (REC).¹⁴ Following two wide-ranging inter-party dialogue processes between the ruling parties and the opposition, the election-related legislation was last significantly revised in 2022, when a number of prior ODIHR recommendations related to election administration, campaign finance, and election dispute resolution were addressed. It remained largely unchanged since then, with the exception of the two new laws on information environment and media, adopted in October 2023 (see *Media section*).

Overall, the legal framework provides an adequate basis for the conduct of democratic elections. However, several previous ODIHR and Venice Commission recommendations, as well as measures outlined in the European Parliament facilitated Inter-Party Dialogue have not been sufficiently addressed, including those related to ensuring a level playing field, measures to prevent misuse of public office and state resources, separation between the official functions and campaign activities,

¹⁰ A May 2023 European Parliament [resolution](#) deplored the “further deterioration of freedom of expression, the cases of hate speech and smear campaigns and the increasing number of strategic lawsuits against public participation”.

¹¹ The 2021 report titled [EU Gender Country Profile for Serbia](#) concludes that “gender norms and stereotypes [...] permeate all levels of society and impact institutional awareness, knowledge and capacities to implement mandates, coupled with limited human and financial resources.” The 2023 UN [Gender Brief on Serbia](#), while recognizing “slow but stable progress”, added that “in 2022, out of 145 municipalities in Serbia, 17 have women municipal presidents (11.7 per cent), while 5 out of 29 city mayors (17 per cent) are women”. According to the [Global Gender Gap Report](#) 2022, Serbia ranks 23rd out of 146 countries in terms of women's political empowerment.

¹² In 2023, Serbia ranked as 47th on the Inter-Parliamentary Union World Index of women in national parliaments.

¹³ Including the [1966 International Covenant on Civil and Political Rights](#), [1979 Convention on the Elimination of All Forms of Discrimination Against Women](#), [1965 International Convention on the Elimination of All Forms of Racial Discrimination](#), [2003 Convention against Corruption](#), [2006 Convention on the Rights of Persons with Disabilities](#), and the [1950 European Convention on Human Rights](#).

¹⁴ Relevant provisions are found, *inter alia*, in the 2022 Law on Financing Political Activities (LFPA), the 2009 Law on Unified Voter Register, 2019 Law on Prevention of Corruption, the 2009 Law on Political Parties, the 2009 Law on Administrative Disputes, the 2016 Law on Administrative Procedures and the 2005 Criminal Code.

and effective mechanisms to prevent intimidation and pressure on voters.¹⁵ In addition, the lack of harmonization within the legal framework leads to omissions and occasional inconsistencies.¹⁶

The government-led inter-agency Working Group on Co-ordination and Follow-up of the Implementation of Recommendations for the Improvement of the Electoral Process was reconstituted in March 2023; however, it reached limited progress in further addressing outstanding issues, with government interlocutors attributing this to the time constraints before the early elections.¹⁷ Several IEOM interlocutors cited insufficient will to address key problematic aspects of the electoral process and underlined the need for proper implementation of the existing legislation.

The 250 members of the parliament (*Narodna Skupština*) are elected for a four-year term through a proportional representation system with closed candidate lists from a single nationwide constituency. Mandates are distributed among candidate lists that receive at least 3 per cent of the votes cast. Lists representing national minorities are exempt from this threshold.¹⁸

Election Administration

The elections were managed by a three-level election administration, headed by the REC, and comprised of 166 local electoral commissions (LECs) and 8,273 polling boards (PBs).¹⁹ Members of the election commissions are nominated by political parties, in proportion to their representation in the parliament and local assemblies.²⁰ The 2022 legal amendments mandate equitable gender representation and the inclusion of persons with disabilities in election administration bodies. However, due to the absence of an enforcement mechanism, these provisions were not proactively implemented.

The REC comprised 17 permanent and 18 additional members of the extended composition, nominated by electoral contestants; of these, 11 (31 per cent) were women. The REC conducted regular sessions open to media and observers, and streamed online, and published all its decisions within 24 hours, as required by law, contributing to transparency.²¹ The background materials were timely distributed to all members well ahead of sessions, facilitating meaningful discussions on agenda items. The REC implemented an electronic documents management system and, for the first time, introduced electronic voting for decision-making in sessions, contributing to the efficiency of its work.

¹⁵ See the 2022 ODIHR and Venice Commission [Joint Opinion](#) on the Constitutional and Legal Framework Governing the Functioning of Democratic Institutions, which recommended “undertaking wide-scope measures to prevent misuse of office and state resources, including a detailed regulation of such practices, the provision for mechanisms of compliance and enforcement, and the provision for proportionate and dissuasive sanctions”.

¹⁶ For example, the Law on Local Elections (LLE) prescribes that complaints against LEC decisions should be filed within 72 hours, but also makes a reference to the LEMP, where the deadline for appeals is 48 hours. Polling boards are formed differently under the LEMP and the LLE, and in case of simultaneous elections, the LLE only states that voting should be conducted by “the same” polling boards.

¹⁷ According to the government, the working group contributed to implementing practical and regulatory changes, including in election administration instructions, the enhancement of training for the Agency for Prevention of Corruption (APC), and in facilitating the inclusion of citizens without a permanent residence in voter lists. Several IEOM interlocutors stated that work of the group lacked transparency.

¹⁸ Moreover, alongside the exemption from the threshold, the quotients for national minority lists that receive less than 3 per cent of the votes cast are increased by 35 per cent during the seat allocation process.

¹⁹ Including special polling stations (PSs) established in 29 penitentiary institutions and 81 in Serbia’s diplomatic representations across 35 countries to manage out-of-country voting.

²⁰ All election management bodies operate in permanent and extended compositions, the latter including members appointed by registered electoral contestants can have substitutes (deputy members).

²¹ While the information was fully accessible in the database, it was not made accessible in a user-friendly format, as decisions of the election administration could only be filtered by the type of election or the nature of the decision; the system did not allow for searching documents using specific keywords.

The REC efficiently conducted the election preparations, despite its limited human resources, and the short time available before the early elections. It largely enjoyed confidence from most stakeholders in its organizational capacity, with many CSO and political party representatives noting improved communication and transparency. Partially addressing some prior ODIHR and Venice Commission recommendations, including those aimed at tackling overcrowding and the timely publication of election results disaggregated by polling station, the REC amended ten existing instructions and adopted two new instructions.²² Some political parties and CSOs criticized certain new provisions, pointing out a lack of clarity in the deadlines for replacing PB members in the extended composition, and that the instruction does not require the full text of complaints to be included in the PB result protocols. While REC opposition members raised objections during several sessions, decisions were always adopted by members representing the parliamentary majority in line with the initial proposals.²³

Most LECs efficiently managed technical preparations; however, some of them raised concerns about the simultaneous organization of parliamentary and local elections, shortage of nominations for and the high number of last-minute changes in the composition of PBs. Due to an overlap in membership and infrastructure between LECs and local authorities with the dominant position of the ruling coalition, many LECs were susceptible to political influence. In line with the law, LEC decisions and other relevant material were published on the REC website. To ensure transparency, some municipalities also published these documents online. Women constituted an average of 43.6 percent of the permanent membership of LECs, and some 42 per cent of the polling boards members.²⁴

Five LECs and 51 PBs were formed for voters residing in Kosovo. Due to the inability to form polling stations in the municipalities of the voters' residence, polling stations were set up in the city of Vranje and municipalities of Kuršumljica, Raška, and Tutin.

The REC trained lower-level commissions online and in-person, and improved its training manuals, focusing on lessons learnt from previous elections, election day procedures, determination of results, and complaints adjudication. From most PB training sessions, ODIHR EOM long-term observers (LTOs) reported low attendance, noting the trainers' occasional lack of preparation and engagement, with the training predominantly conducted in lecture format and using non-user-friendly visual materials. Despite previous ODIHR and Venice Commission recommendations, participation in the training was not mandatory.²⁵ Voter education conducted by the REC was limited in scope and focused on voter mobilization and verification of voter registration data by the citizens. It was primarily delivered through online platforms, with additional coverage in broadcast media. Several CSOs undertook voter education efforts, mostly online and by conducting "go out and vote" campaigns.

²² New provisions, *inter alia*, mandated local authorities to collect and use data on accessibility when allocating polling stations, specified the deadlines for replacing of PB members, prescribed additional functions to the queue and ballot box controllers on election day to avoid overcrowding and ensure secrecy of vote, provided for the regular publication of voter turnout data and election results by polling station, and detailed the publication of documents by LECs.

²³ On 8 December, several REC members representing the opposition initiated drafts of instructions related to the work of prosecutors' offices with electoral complaints, storage of electoral materials in LECs, status of PB members in case of simultaneous parliamentary and local elections, and the manner of placing screens in the polling stations. The number of these REC members was insufficient to initiate a session. On 15 December, the REC Chairperson convened a session, however, these proposals were not supported by sufficient votes to be included in the agenda. At this session, the REC members from opposition stated that these actions undermine the REC's collegiality and leave a number of electoral shortcomings unaddressed.

²⁴ In the LECs, the lowest representation of women (less than 10 percent) was observed in Bujanovac, Plandište, Preševo, and Sjenica, while the highest representation (over 70 percent) occurred in Belgrade-Grocka, Irig, Ivanjica, and Novi Kneževac.

²⁵ Several political parties informed the ODIHR EOM that they trained the PB members they nominated.

The law requires polling stations to be accessible to voters with physical disabilities. The REC mandated local authorities to allocate polling station venues based on mandatory accessibility assessments. However, the adherence to this requirement varied among the local authorities (see Election Day section). While the REC website and some voter information videos were supported by sign language interpretation, most voter education and election material were not adapted for voters with visual, hearing or cognitive impairments, limiting accessibility. The REC did not maintain any data on polling station accessibility.

Voter Registration

Citizens of at least 18 years on election day have the right to vote, except those fully deprived of legal capacity through a court decision. The disenfranchisement based on intellectual and psychosocial disabilities is at odds with international standards and previous ODIHR recommendations.²⁶

Voter registration is passive. The Ministry of Public Administration and Local Self-Government (MPALSG) is responsible for maintaining the Unified Voter Register (UVR). Following the 2022 amendments, the LEMP no longer prescribes permanent residence as a prerequisite for the right to vote. In practice, citizens without permanent addresses were previously automatically removed from the UVR. In September 2023, the MPALSG and the Ministry of Interior issued a clarification that voters without a permanent address will remain included in the voter list based on their last registered address. The ODIHR EOM was not able to verify the practical implementation of this arrangement, due to limited access to voter registration data.²⁷

Voters could inspect their registration data at local authority offices or online, and request corrections by 13 December. Since September 2023, verification and requests for corrections could also be done through the electronic government portal.²⁸ While most IEOM interlocutors did not raise concerns about the inclusiveness of the voter lists, widespread concerns that the UVR contains numerous entries of persons deceased, including abroad, and many allegations of voter migration in connection with the local elections diminished trust in its accuracy.²⁹ The longstanding ODIHR and Venice Commission recommendation to conduct a full audit of the UVR had not been implemented, which the authorities attributed to legal restrictions on personal data privacy.³⁰

²⁶ See Article 12 and Article 29 of the [2006 Convention on the Rights of Persons with Disabilities \(CRPD\)](#). Paragraph 9.4 of the 2013 [CRPD Committee's Communication No. 4/2011](#) states that “an exclusion of the right to vote on the basis of a perceived or actual psychosocial or intellectual disability, including a restriction pursuant to an individualized assessment, constitutes discrimination on the basis of disability, within the meaning of article 2 of the Convention”.

²⁷ The clarification issued does not specify if voters whose addresses have been “passivized” before September 2023 will be reincluded into the register. Despite multiple requests, the MPALSG did not provide clarification to the ODIHR EOM.

²⁸ According to the MPALSG, since the call of elections, 461 citizens requested corrections in their voter registration data through the electronic government portal.

²⁹ The authorities publicly refuted claims of hundreds of fictitious registrations in Belgrade per day allegedly aimed at increasing support for the ruling coalition, pointing to voter registration data that indicated stability in the number of registered voters in the capital. The MPALSG responded to concerns about discrepancies between voter registration figures and census data by [pointing](#) out that census-based population and voter register figures do not permit a proper comparison, due to the different methodology of processing the two sets of data.

³⁰ In September 2019, the MPALSG established a working group, involving CSOs, to audit the UVR. However, the audit did not take place due to legal restrictions on personal data privacy and an opinion of the Commissioner for Information of Public Importance and Protection of Personal Data that limited CSOs' audit capabilities.

Special voter lists were compiled for voters in military and in penitentiary institutions.³¹ The law allows mobile voting requests to be submitted on behalf of other voters, without their consent or any formal proof, until 11:00 on election day. The current provisions on mobile voting lack the necessary safeguards against misuse, and a large number of applications could potentially jeopardize the work of PBs. The final number of voters for these elections was 6,500,666. The REC published voter registration data disaggregated per municipality and polling station, providing stakeholders with the opportunity for additional scrutiny.

Candidate Registration

Citizens eligible to vote have the right to stand for parliament. Political parties, coalitions and groups of at least ten voters may submit candidate lists to the REC, provided they are supported by at least 10,000 signatures from voters (5,000 for lists representing national minorities). Two of each five consecutive candidates on each list must belong to the other gender.

Support signatures must be certified by public notaries, municipal authorities or courts. The certification of each signature costs 30 RSD, which posed a financial burden on some smaller political parties.³² Further, a voter may sign in support of only one candidate list, contrary to international good practice and previous ODIHR and Venice Commission recommendations.³³ According to the REC, four per cent of valid support signatures were disqualified as voters had already signed for another list.³⁴ Two nominees submitted support signatures which were rejected by the REC for not being properly certified.³⁵

Contestants may rectify deficiencies in their nomination documents within 48 hours following the publication of the respective REC decision. However, by law, submitters are not provided with this possibility if a proposed candidate cannot be found on the voter lists or has already registered on another list. The REC denied registration to the ‘Russian Minority Alliance’ list, arguing, that one of its candidates was not in the voter register, and did not provide the party with an opportunity of rectifying the deficiency.

Overall, candidate registration was inclusive. In total, 20 contestants submitted candidate lists. The REC rejected two lists, and registered 18, including 7 representing national minorities.³⁶ The candidate lists were from 10 coalitions, 6 parties, and 2 groups of citizens. Of the total 2,817 parliamentary candidates, 1,205 (43 per cent) were women but women only headed 2 (11 per cent) of the candidate lists.

³¹ According to the REC, 39,270 voters registered abroad, and 6,876 detainees and prisoners were added to special voter lists.

³² 1 EUR equals 117 RSD (Serbian Dinar).

³³ Paragraph 196 of the [2020 ODIHR and Venice Commission Guidelines on Political Party Regulation](#) recommends that “a requirement that a citizen be allowed to sign in support of only one party should be avoided, as such a regulation would affect his/her right to freedom of association.”

³⁴ In total, some 6,000 support signatures were invalidated because the voter had signed for another list. For those political parties that submitted their nominations close to the deadline, the disqualification rate exceeded 10 percent. For instance, the ‘Čedomir Jovanović – It Must Be Different’ list had a disqualification rate of 10.9 per cent, while the ‘Albanian Democratic Alternative – United Valley’ list had a disqualification rate of 12.4 per cent.

³⁵ The REC enquired with the respective municipalities, which confirmed that they had not certified the signatures in question. Subsequently, the municipalities reportedly initiated legal proceedings with the relevant law enforcement bodies. In addition, some CSOs [urged](#) the Prosecutor’s Office to take action on all alleged cases of signature and certification forgery, including in connection with the local elections.

³⁶ In addition to the ineligibility of one of its candidates, the ‘Russian Minority Alliance’ list was rejected for several other reasons, including the submission of support signatures without proper certification. The ‘Enough! European Path’ list was rejected due to an insufficient number of support signatures. Both parties appealed to the Administrative Court that upheld the REC decisions.

Campaign Environment

The election campaign officially started with the call of the elections and ended on 14 December at midnight. The elections offered voters a genuine choice between political alternatives. Freedoms of expression and assembly in the campaign were generally respected, but instances of pressure on public sector employees, misuse of public resources, and voter inducement schemes raised concerns about voters' ability to make a choice free from undue pressure. These practices, in addition to some challenges in accessing public venues for the opposition, tilted the playing field, provided undue advantage to the ruling party and coalition, and blurred the line between state and the party, at odds with paragraph 5.4 of the 1990 Copenhagen Document.³⁷

The campaign activities observed by the ODIHR EOM were generally subdued, with contestants primarily engaging in small gatherings, door-to-door canvassing, and distribution of flyers.³⁸ The campaign across most of the country was dominated by the prominent visibility of the incumbent president and SNS, while the opposition concentrated its efforts in some major cities and overall enjoyed limited visibility. The campaign period was marked many cases of use of inflammatory language, harsh rhetoric, verbal attacks, and smear campaigns.³⁹ The IEOM received a number of reports about opposition parties and candidates having difficulties to secure venues for campaigning.⁴⁰ The campaign focused predominantly on economic issues and, to a lesser extent, on Serbia's EU accession policy and international relations, the status of Kosovo, and migration. While the ruling coalition highlighted its achievements, the opposition placed significant emphasis on calling for the ousting of the president, the fight against corruption, and prevention of violence, particularly in response to the May mass shootings.

Contrary to previous ODIHR and Venice Commission recommendations, campaign regulations fall short of ensuring a level playing field and lack effective enforcement mechanisms. The law allows public officials, including the president, to participate in political activities, unless it conflicts with their office. President Vučić, while not a candidate for these elections, assumed a central role in campaigning through heavy involvement in SNS events, televised campaign appearances and

³⁷ Paragraph 5.4 of the 1990 [OSCE Copenhagen Document](#) provides for "a clear separation between the State and political parties". ODIHR and the Venice Commission's [Joint Guidelines for Preventing and Responding to the Misuse of Administrative Resources during Electoral Processes](#) requires the legal framework to "provide for a clear separation between the exercise of politically sensitive public positions, in particular senior management positions, and candidacy."

³⁸ The ODIHR EOM observed a total of 46 campaign events of 12 electoral lists and 26 political parties. In total, 20 per cent of the speakers and 36 per cent of the attendees were women.

³⁹ In addition, harsh and confrontational articles were published on the SNS website against leading opposition figures, including [Dragan Đilas](#); [Miloš Jovanović](#), [Vojislav Mihailović](#) and [Borko Stefanović](#); on 16 November, the SSP premises in Belgrade were covered with offensive [graffiti](#) and stickers targeting the party's chairperson; and Nazi messages and [swastika](#) were sprayed on the house of a People's Movement of Serbia (NPS) activist of Roma ethnicity. On 4 December, Marinika Tepić, Serbia Against Violence candidate, referred to criminal activities of a government member; on 5 December, SSP leader Dragan Đilas criticized SPS for being "an accomplice in crimes", creating an "evil machinery" that destroys the country; on 5 December, Ecological Uprising, a movement part of the Serbia Against Violence coalition, [accused](#) President Vučić for creating a "rotten and collapsing system", characterized by "corruption, crime, tyranny and manipulation".

⁴⁰ Representatives from Serbia Against Violence and other opposition parties informed the ODIHR EOM about being denied access to public venues in Čačak, Kikinda, Kragujevac, Niš, Novi Sad, Pančevo, Subotica, Užice, Žitište and Zrenjanin. In some cases, owners of private venues allegedly refrained from giving access to opposition parties for fear of retribution. Paragraph 7.7 of the 1990 OSCE [Copenhagen Document](#) requires participating States to "ensure that law and public policy work to permit political campaigning to be conducted in a fair and free atmosphere in which neither administrative action, violence nor intimidation bars the parties and the candidates from freely presenting their views and qualifications, or prevents the voters from learning and discussing them or from casting their vote free of fear of retribution."

billboards, providing an undue advantage to his party.⁴¹ Numerous opposition representatives raised concerns that the list of the SNS-led coalition was named after Mr. Vučić, which, along with the use of his name and image of the campaign, challenges the constitutional principle that the president needs to express the state of unity of Serbia.

Opposition party representatives, voters, and CSOs raised numerous allegations of pressure, particularly on public sector employees, to support the ruling party and participate in its campaign events.⁴² Several concerns were raised about citizens receiving unsolicited phone calls from call centres affiliated with the ruling party.⁴³ Moreover, while not against the law, social welfare initiatives, announced during the campaign period, were perceived by many IEOM interlocutors as targeting vulnerable or low-income groups, such as pensioners, persons with disabilities, and students, for electoral gain.⁴⁴ The ODIHR EOM noted some social network posts about gifts provided to voters by the ruling party.⁴⁵

Women had limited visibility as candidates or in campaign events, with the exception of those representing two lists, Marinika Tepić, top candidate of Serbia against Violence, and Milica Đurđević Stamenkovski, representing Zavetnici. Issues related to gender equality were rarely addressed in the campaign events of most political parties.⁴⁶ There were no specific messages targeting persons with disabilities. According to the ODIHR EOM observations, some 67 per cent of the venues used for campaigning, mainly indoors, were accessible for persons with physical disabilities, but no other accessibility measures were taken in observed events.

All contestants were active on social networks, with political actors employing different tactics as the election campaign unfolded.⁴⁷ The accounts of SNS and President Vučić recorded the highest engagement, while most opposition parties' posts logged medium to high engagement.⁴⁸ While parties initially utilized their accounts to communicate their positions on critical issues and engage with citizens, the focus later shifted towards criticizing their opponents, often resorting to harsh

⁴¹ President Vučić was the main speaker at many SNS rallies, including on 5 November in Leskovac, 9 November in Pirot, on 12 November in Smederevo, on 26 November in Kraljevo, on 29 November in Užice, and on 2 December in Belgrade, on 8 December in Vranje, on 11 December in Prokuplje and on 12 December in Novi Pazar.

⁴² ODIHR EOM observers received reports about pressure on public employees from Belgrade, Čačak, Kragujevac, Novi Sad, Smederevo, Subotica, Užice, Zaječar, and Zrenjanin. In addition, ODIHR interlocutors reported similar instances in Bujanovac, Futog, Kragujevac, Leskovac, Niš, and Novi Sad, Novi Sad, Voždovac and Vršac.

⁴³ In November, the Centre for Investigative Journalism of Serbia (CINS) published a [report](#) about a call centre allegedly affiliated with SNS. The report indicated that the operators were recruited under the condition of voting for SNS, and the source of voters' data was unclear. On 5 December, president Vučić [visited](#) the call centre, suggesting its connection with the ruling party. There were reports of a similar call centre set up in Niš.

⁴⁴ Several payments were announced or issued during the campaign period, including 1,000 RSD being [pre-uploaded](#) on student cards; 10,000.00 RSD provided to beneficiaries by the Ministry of Labour, Employment, Veterans, and Social Affairs; and 20,000 RSD paid to [pensioners](#), financed by the Republic Pension and Disability Insurance Fund.

⁴⁵ SNS local branches in Kraljevo, Mladenovac and Vrbas posted on social networks about the delivery of gifts of various nature.

⁴⁶ According to ODIHR EOM observations, in its campaign events, Dveri addressed the challenges of female entrepreneurs; SPS voiced support to gender equality and equal representation in the parliament and stressed the importance of the traditional role of women; some SNS campaign events emphasized women's role as the pillar of the family; SSP underlined the importance of fight against violence against women, while Zavetnici vowed to improve the health care system for women.

⁴⁷ The ODIHR EOM conducted qualitative analysis of the narrative and tone of the campaign discourse online, based on content posted on Facebook and X (formerly Twitter), by 57 electoral contestants and stakeholders.

⁴⁸ The ruling party was also the most active with an average of 11-20 posts per day compared to most opposition parties posting between 6 and 10 times per day.

rhetoric, which was observed from both sides of the political spectrum.⁴⁹ Regarding paid advertisements on social networks, the largest spenders were SNS and Narodna; however, the spending of most parties combined was surpassed by that of President Vučić.⁵⁰

IEOM interlocutors made multiple allegations of disinformation being employed to discredit political opponents in the campaign, including through the utilization of automated social media accounts (bots).⁵¹ The potential for foreign interference to manipulate the information environment was pointed out by some IEOM stakeholders as a concern.

Campaign Finance

Campaign finance is primarily regulated by the 2022 LFPA and the 2019 Law on Prevention of Corruption (LPC). While the 2022 LFPA improved the campaign finance legal framework and addressed several ODIHR and Venice Commission recommendations, some previous recommendations remain unaddressed, including those pertaining to improvement of the oversight mechanism and introducing a campaign expenditure limit.

Political parties represented in parliament receive annual public funding in proportion to their results in the last elections, which can be used for campaigns.⁵² In addition, public funds are also allocated to election campaigns, disbursed in two payments. The first instalment is contingent upon posting a deposit of the same amount, which may negatively affect the participation of small parties.⁵³ According to the Ministry of Finance, seven candidate lists posted the required deposit and received the first instalment of RSD 25.4 million per list. The second disbursement is paid after the announcement of the final election results in proportion to the results.⁵⁴

Campaigns may also be financed from monetary and in-kind donations, loans, membership fees, and other sources of private funding. Donations can only be made by bank transfer, and those exceeding one average monthly salary must be disclosed on the website of political parties within eight days of receipt.⁵⁵ For most parties, donations did not appear to be a major source of campaign funding, and a

⁴⁹ Prime Minister Brnabić [alleged](#) that Mr. Đilas and Ms. Stamenkovski would form an alliance that operates against Serbian national interests. Miroslav Aleksić, second on the list of candidates of Serbia Against Violence, stated that a special prosecutor's office will be established to investigate corruption by SNS and the incumbent president, as "[money from the Serbian budget disappears](#)". Similarly, the [Novi DSS](#) on X denounced the "corruption and crime of SNS members and public officials".

⁵⁰ According to data from [Meta Ad Library](#), between 3 November and 14 December, SNS was the largest spender on Facebook/Meta Ads, with a total expenditure of EUR 30,044, followed by People's Party (Narodna), which spent EUR 12,318 and Dveri, which spent EUR 4,078. In terms of individual politicians, President Vučić led with an expenditure of EUR 65,715, followed by Aleksandar Šapić, the incumbent SNS mayor of Belgrade, with EUR 33,484 and Bálint Pásztor (SVM) with EUR 23,319. In the fourth and fifth positions, there were other SVM candidates who spent EUR 12,306 and EUR 3,957, respectively.

⁵¹ In the months leading up to the elections, the Bureau for Social Research (BIRODI) [raised concerns](#) and urged legislative steps in connection with the suspected use of some 14,000 bots to manipulate the public discourse in favour of the ruling party.

⁵² In 2023, the total amount of public funding allocated to parliamentary parties was RSD 1.7 billion.

⁵³ The first instalment, paid after candidate registration, divided into equal amounts between all registered lists, amounts to 40 per cent of the total RSD 1.14 billion budgetary allocation for election campaigns.

⁵⁴ The second instalment, paid in proportion to the seats obtained, regardless of actual campaign expenses, amounts to 60 per cent of the total budget allocation. Unused funds from election campaigns must be returned to the budget. Transparency Serbia's [analysis](#) of reports from the 2022 elections found that in most cases, the declared expenses of contestants matched the budgetary funds they received, even though these expenses were incurred before the exact allocation to each electoral list was determined.

⁵⁵ An individual may donate up to 10 average monthly salaries (in September, the average monthly salary was RSD 85,000), while a legal person up to 30 monthly salaries annually. In election years, these limits are doubled. The law prohibits financing of political entities by, *inter alia*, foreign and anonymous donors, public contractors, trade unions and churches.

number of them did not declare any donations.⁵⁶ Campaign spending by third parties remains unregulated, leaving a prior ODIHR and Venice Commission recommendation unaddressed and impacting the effectiveness of campaign regulations.⁵⁷

Oversight over the finances of political parties and election campaigns is carried out by the Agency for the Prevention of Corruption (APC). Political parties are required to report their campaign income and expenditures, including online, to the APC first no later than seven days before election day, and second, within 30 days of the publication of election results; these reports are to be published on the website of the APC.⁵⁸ Prior to election day, the APC published 14 interim reports, providing additional information for scrutiny for voters. The APC is mandated to report on its control of campaign expenditures within 120 days of the submission of final reports by the political entities. For these elections, the APC deployed 144 field monitors to collect information on campaign expenditures, enabling it to compare the expenses reported in the final reports with its own field data.

During the campaign, the APC received reports alleging the misuse of public resources in election campaigns, and issued 15 public decisions related to parliamentary and local elections.⁵⁹ The APC is also authorized to investigate the potential misuse of public offices for campaigning in breach of the LPC, but its warnings are not made public while heavier sanctions are published only after the conclusion of the administrative appeal process, which remains lengthy, limiting the effectiveness of this remedy, despite a prior ODIHR and Venice Commission recommendation.⁶⁰ The APC informed the ODIHR EOM that it investigated over 30 such cases, but did not publish any decisions before election day. The lack of public intervention by the APC reduced the dissuasive effect of its sanctions.

While the legal framework provides for the requisite transparency of campaign financing, the absence of a reasonable limit on campaign expenditure, at odds with a prior ODIHR and Venice Commission recommendation, facilitates high campaign spending, potentially affecting the playing field.⁶¹ Moreover, the lack of regulation on spending by third parties leaves room for circumvention of campaign finance rules.

Media

Television remains the primary source of information, followed by online media and social networks. Despite the large number of media outlets, the diversity of views is limited by significant polarization

⁵⁶ Five political parties contesting the elections, either independently or in coalitions, disclosed recent donations; 15 did not declare any recent donations, 8 provided no information about donations on their websites, and several minority parties did not have websites. Among the parties that reported donations, SPS was the first with RSD 107.5 million, followed by SDS, with RSD 1.86 million.

⁵⁷ Potential spending by third parties emerged from the investigative [reporting](#) by a journalist on an SNS-affiliated call centre. The ODIHR EOM also observed negative campaign posters, often targeting opposition politicians, without any publication data, including in Belgrade and Zrenjanin.

⁵⁸ The preliminary report on election campaign expenditure covers the period from the date of calling of elections until 15 days before election day. The final report covers the entire campaign period, and is published within 7 days of receipt.

⁵⁹ The three decisions related to the parliamentary elections concerned claims that website and social network posts by public officials benefited SNS. The APC found no violations of the law.

⁶⁰ The LPC prohibits public officials from using public resources for the promotion of political parties. Violations of these prohibitions may be investigated by the APC *ex officio* or upon a complaint, and during election campaigns, a decision must be issued within 5 days following the initiation of investigation. These decisions may be appealed within 15 days to the Agency Board, which has up to 60 days to issue a final decision.

⁶¹ See [General Comment 25 to the ICCPR](#), which underlines that “Reasonable limitations on campaign expenditure may be justified where this is necessary to ensure that the free choice of voters is not undermined or the democratic process distorted by the disproportionate expenditure on behalf of any candidate or party”. Also, see Paragraph 248 of the 2020 [ODIHR and Venice Commission Guidelines on Political Party Regulation](#) and Paragraphs 96 and 97 of the 2022 ODIHR and Venice Commission [Joint Opinion](#).

and strong government influence on most media.⁶² Most opposition parties highlighted their persistent lack of access to national public and private broadcasters in presenting their views prior to the elections. At the same time, some private broadcasters noted that opposition politicians regularly decline to participate in their programmes, citing bias and potential reputational harm. The IEOM received numerous reports about journalists critical of the government being subjected to verbal insults, including by state officials, as well as co-ordinated attacks by pro-government media.⁶³ Several journalists, particularly from the regions, reported threats and enduring pressure and intimidation, including targeted legal actions.⁶⁴

In October 2023, the Law on Electronic Media and the Law on Public Information and Media were adopted, following extensive consultations with relevant stakeholders. The laws, *inter alia*, provided a new definition of political advertisement, and introduced provisions aimed at preventing censorship and undue interference in the work of media service providers, as well as strengthening the independence of the Regulatory Authority for Electronic Media (REM).⁶⁵ While acknowledging the positive aspects of these changes, some IEOM interlocutors raised concerns about the effective implementation of certain provisions, including those related to editorial independence. Moreover, the new laws permit state-owned telecommunication companies to own media outlets, which, in the opinion of several IEOM interlocutors, could result in an increased state influence over the media.⁶⁶

The law obliges all broadcasters to provide information about contestants in a non-discriminatory manner. Several IEOM interlocutors reported limited trust in the information provided by the public broadcasters and, based on their political affiliations, in certain private outlets. The legislative changes extended the ban on coverage by broadcasters of public officials participating in public infrastructure inauguration events, if they are candidates, from 10 to 30 days. This provision was largely adhered to.⁶⁷ However, both public and most private media extensively promoted

⁶² Two out of four private TV channels with national coverage informed the ODIHR EOM of their alignment with government policies, while the other two stated that they are entertainment-oriented and avoid political topics.

⁶³ On 2 November, the prime minister called journalists from Danas “[uncivilized sadists and haters](#)”, and [accused](#) the opposition media of organizing the strike of postal workers. On 2 November, Minister of Trade Tomislav Momirović called journalists “scum” and “garbage” in an Instagram [post](#), adding that the journalists “will pay for this and will be cleaned in these elections”. On 13 November, SNS officials Vladimir Đukanović and Nebojša Bakarec [called](#) editorial staff of Danas “trash from Đilas’s tabloid” and “shameless bastards” on X. Similar accusations were often extensively discussed in current affairs shows, instigating further threats against the targeted journalists, including via anonymous messages.

⁶⁴ The Independent Association of Journalists of Serbia (NUNS) [reported](#) 8 physical attacks, 101 cases of pressure, and 36 other verbal threats affected journalists in 2023. The Association of Journalists of Serbia (UNS) registered 111 cases of violation of journalists’ rights in 2023. According to the Supreme Public Prosecution Office, as of 31 October, 70 criminal cases concerning the safety of journalists were initiated in 2023. The public *RTS* and *RTV* received numerous bomb threats, disrupting the normal work and regular broadcasting.

⁶⁵ According to these, political advertisements must be clearly marked as such and cannot be disguised within information or entertainment programmes. The new provisions define the REM’s responsibilities during the campaign, and detail the sanctions to be applied in case of a misdemeanour.

⁶⁶ The new legal provision on state-ownership of the media is at odds with the [Media Strategy 2020–2025](#), reference to which was removed from the law. See the European Commission’s [Serbia 2023 Report](#), which states that “the legislative process was not finalized fully in line with the EU *acquis* and European standards.”

⁶⁷ On 28 November, Bálint Pásztor, the top candidate of SVM, participated in the inauguration of a newly opened railway line between Subotica and Szeged (Hungary), an event covered on the Hungarian language television outlet registered in Serbia, *PannonRTV*. On 23 November, Mr. Pásztor, accompanied by another candidate from the same list, inaugurated new sidewalks in Stara Moravica, which was covered by *PannonRTV*. On 8 December, Ivica Dačić, leader of the SPS list and Minister of Foreign Affairs, opened a Serbian consulate in Bosnia and Herzegovina, which was covered by several broadcasters, including TV *Prva* and TV [Novi Pazar](#).

governmental infrastructure projects during the campaign period, and covered public officials, who were not candidates, further tilting the level playing field.⁶⁸

Among the national broadcasters, Radio Television of Serbia 2 (*RTS2*), in line with the law, and the commercial *TV Pink*, on its own initiative, provided the contestants with free airtime to present their platforms, while the other broadcasters opted not to do so.⁶⁹ Broadcasters have the option to sell airtime to contestants, provided they set non-discriminatory pricing. While most major TV channels offered such paid airtime, cable channels *NI* and *Nova S* decided not to, arguing that this could benefit the ruling parties, which have more substantial funds and are able to start their campaign earlier due to their early registration. This decision was criticized by the ruling coalition, which contended that it hindered their ability to campaign.⁷⁰

The majority of broadcasters with national frequencies limited most of their election-related news blocks to compilations of short clips pre-recorded by the contestants and failed to provide objective reporting.⁷¹ Positively, *RTS* refused to broadcast materials containing negative campaigning from all contestants. In the run-up to the elections, the public *RTS* and some private broadcasters, including *NI* and *Insajder*, organized several televised debates. While featuring prominent party representatives from the ruling party and opposition, these often turned into accusatory exchanges lacking in-depth discussion, hindering the voters' opportunity to learn more about the contestants.

The ODIHR EOM monitored primetime broadcasts of the public *RTS1* and *RTV1*, and the private TV channels with national coverage *TV B92*, *Happy TV*, *TV Pink* and *TV Prva*, starting from 21 November and it established that coverage of the President dominated the prime-time news of the monitored broadcasters.⁷² The President and the ruling party combined featured in 91 per cent of the non-election related newscasts on national channels. More than a half of their coverage was in a positive tone, while the opposition was often portrayed in a negative tone on *TV Pink* and *B92*.⁷³

The ODIHR EOM media monitoring observed that all national broadcasters covered campaign activities in line with the law, providing equal airtime to contestants. Contestants who registered early, such as SNS, SPS and Dveri, as well as Serbia against Violence, were more prominently

⁶⁸ The media covered several governmental projects, including on 25 November, when Goran Vesić, Minister of Energy, opened a bridge in Mrčajevci; on 26 November, Minister Vesić signed a deal for benefits for public employees; a road opening in Šabac on 27 November, with the participation of the President; on 3 December, the President and Minister Vesić opened a new railway line from Subotica to Szeged (Hungary); on 6 December, the President announced the construction of new airports across Serbia; on 7 December, the President drove his car on a new highway in the Kruševac area. On 11 December, Mr. Vučić inaugurated the Serbia-Bulgaria natural gas interconnector in Niš with the presence of the President of Azerbaijan and Bulgaria.

⁶⁹ The law obliges public broadcasters to provide all contestants with equal conditions to present their platforms free of charge. *RTS2* provided 35 minutes of live broadcasting, and *RTV1* provided 15 minutes of airtime per contestant in the entire campaign period. The order of the appearance of contestants was determined by lottery.

⁷⁰ Furthermore, the ruling party and the government accused the channels of selective coverage and bias, disinformation, and expressed complaints that *NI* and *Nova S*, being cross-border channels, are not subject to Serbian media laws.

⁷¹ The broadcasters generally justified these decisions with their stated policy of not interpreting campaign messages and cited their limited resources for covering such events.

⁷² In addition, the main news programmes of the cable TV channels *Informer TV*, *Kurir TV*, and *TV NI*, as well as the content of seven daily newspapers, were also monitored.

⁷³ Some 64 per cent of the non-election-related news on *RTS1*, 72 per cent on *B92*, 75 per cent on *TV Pink*, 61 per cent on *TV Prva*, and 52 per cent of the regional public *RTV1* featured the President. Between 52 and 79 per cent of his coverage on national channels was in positive tone. The cable channel *NI*'s news programs covered the president in 23 per cent of their content and 55 to the ruling party, and of this coverage, 55 and 60 per cent, respectively was in a negative tone.

featured in the election-related news on most national TV channels.⁷⁴ While this coverage was generally neutral or positive, Serbia against Violence was negatively covered on *B92* and *TV Pink*. In current affairs programmes, almost exclusively of the coverage of Serbia against Violence on *TV Pink* was negative, while the coverage of SNS and the ruling party was mostly positive. Among the news programmes monitored on cable TV networks, most provided mainly positive and neutral coverage of the election contestants and authorities, while *TV NI* presented a critical portrait of the President, the ruling parties and authorities. The monitored newspapers frequently featured the President on the front pages, praising the government's achievements, while criticizing the opposition.⁷⁵

The REM is vested with the oversight of the broadcast media and adjudication of media-related complaints. The REM Council, following the recent legislative changes, will be re-elected in 2024. Most IEOM interlocutors reported critically low public trust in the independence and efficiency of the current composition of the REM, citing the potential of political influence.⁷⁶ Overall, the REM maintained a notably passive approach to regulating media conduct during the campaign.⁷⁷ The REM did not publish any monitoring results during the campaign, nor did it initiate any procedures based on these results. While receiving 22 complaints, the REM did not issue any public responses prior to election day, arguing that complaints cannot be addressed in an expedited manner, which continued to significantly undermine its effectiveness.⁷⁸

Election Dispute Resolution

The February 2022 legislative changes addressed a number of prior ODIHR recommendations by extending legal standing to voters registered in a polling station and prolonging the timeframes for filing and reviewing complaints. Depending on the subject matter, the legal standing is granted to submitters of candidate lists, political parties, candidates, parliamentary groups and voters. Citizen observers can only submit complaints related to their right to observe the printing and handover of ballots, which limits the effectiveness of their watchdog role. Complaints against actions and decisions of the election administration are handled by the REC, whose decisions may be appealed to the Administrative Court. The deadlines for filing and resolving complaints range between 48 and 72 hours, in line with international good practice.

⁷⁴ SNS received 10 to 26 per cent of coverage, SPS between 6 and 14, and Dveri 6 to 14 per cent in neutral or positive tone. Serbia against Violence received between 10 and 36 per cent, however, with a mainly negative tone on B92 and TV Pink, and neutral or positive tone on other channels.

⁷⁵ For instance, an opposition politician was referred to as “human disgrace” (in *Večernje novosti*, November 30), and Serbia Against Violence was described as a gathering of “drug addicts, criminals, and thieves” (*Informer*, December 2). Ten days prior to the elections, the weekly *NIN* featured an extensive interview with the President, also published in video format.

⁷⁶ The Council's current management, by law, was nominated by the parliament and the Provincial Assembly of Vojvodina. The last opposition-nominated member resigned in June 2023, following the protests demanding the dissolution of the REM Council. From 2024, the parliament will no longer have the mandate to nominate members.

⁷⁷ Out of 22 complaints published on the REM website, 8 were regarding *TV Pink*, 4 about *B92*, 3 concerning *TV Prva*, and 3 about *TV Happy*. Most of these complaints were about violations of balanced coverage in information programmes. During its seven sessions held in the campaign period, the REM did not consider any election-related cases. The REM only responded proactively in one instance, which involved the transmission of a pornographic video featuring a politician from Serbia Against Violence during a morning show on *TV Pink*.

⁷⁸ According to the law, the REM shall initiate a procedure for investigating violations concerning the election campaign *ex officio* based on its monitoring, the report of a natural or legal entity, or other available data, within 48 hours. The broadcaster will have between 3 and 15 days to make a statement. The decision to conclude the enquiry procedure will be communicated within 72 hours of the initiation of proceedings. According to the REM final report of the 2022 election campaign, following 12 violations reported to the REM and 4 identified through its own monitoring, the body filed 8 requests for initiating misdemeanor proceedings.

The REC handled 23 complaints before election day, primarily related to the registration or rejection of candidate lists.⁷⁹ All complaints were considered within the deadlines and in public sessions, sometimes following substantive discussions, but some complaints were handled formalistically.⁸⁰ The register of complaints and appeals, maintained on the REC website, was regularly updated and included LEC decisions and appeals, contributing to the transparency of the electoral dispute resolution and addressing a prior ODIHR recommendation. Recent changes in the jurisdiction regarding appeals against LEC decisions related to local elections were a cause of confusion for some stakeholders.⁸¹

The Administrative Court upheld all seven REC decisions that were appealed to it.⁸² The Court's decisions were reasoned and timely published on its website. While the law requires oral public hearings, in practice, the Administrative Court decided on appeals on the basis of written submissions, limiting the transparency of the decision-making process and contrary to international good practice, leaving a previous ODIHR recommendation unaddressed.⁸³ Some IEOM interlocutors opined that election commissions and courts are potentially susceptible to political influence, and therefore, they had limited trust in the impartial resolution of their complaints.

Complaints against misuse of public resources and office in election campaigns are submitted to the APC. The law also establishes an *ad hoc* Committee for Campaign Oversight, which may issue public statements on campaign violations. However, this committee lacks the mandate to address individual complaints, and its appointment formula guarantees a majority for the ruling political parties.⁸⁴ Before election day, the committee issued two statements urging contestants to act with integrity. It did not endorse a member's proposal to issue a statement concerning President Vučić's involvement in the campaign.

Participation of National Minorities

The Constitution guarantees the rights and freedoms of national minorities, including those related to political association, cultural institutions, education, and access to information in their own languages. There are 23 national minorities in Serbia, which exercise their rights through their respective National Minority Councils.⁸⁵ Out of the 121 political parties listed in the registry administered by the MPALSG, 71 are registered as representing national minorities. The 2009 Law

⁷⁹ Fifteen complainants argued that President Vučić acting as a list bearer was incompatible with his constitutional role. These complaints were dismissed as falling outside the REC competence. Other complaints related to the registration of minority lists, the composition of LECs, and the appeals process.

⁸⁰ For instance, on 30 November, the REC rejected a complaint regarding the non-registration of electoral list "Enough! European path", as the complaint was submitted by an unauthorized person, even though the same individual was previously authorized to apply for the registration of the list. In the same session, REC declined a complaint against non-registration of the "Russian Minority Alliance", despite evidence refuting the grounds for the list's non-registration.

⁸¹ Following the entry into force of legislative amendments adopted in February 2022, appeals against LEC decisions on local elections are no longer handled by the Administrative Court but by the higher court located within the territorial jurisdiction of the respective LEC. For example, on 3 December, the REC declined to handle a complaint submitted due to a mistake made by a LEC in indicating the appropriate legal remedy. The LEC incorrectly stated in its decision that it could be appealed to the REC instead of the local higher court.

⁸² Three appeals related to REC decisions on complaints about President Vučić as a list bearer.

⁸³ The 2009 Law on Administrative Disputes provides that courts decide "based on the facts identified in oral public discussion". The Administrative Court informed the ODIHR EOM that this provision is not applied in light of the short deadline for electoral disputes. Paragraph II.3.3.h of the Guidelines on the Council of Europe's [Venice Commission's Code of Good Practices in Electoral Matters](#) advises for the applicant's right to a hearing involving both parties to be protected.

⁸⁴ The committee comprises ten prominent public figures appointed by the parliament, with five members nominated by the government and five members nominated by parliamentary groups.

⁸⁵ Minority groups together represent some 12 per cent of the population, with ethnic Hungarians, Bosniaks, and Roma being the largest, comprising some 2.8, 2.3, and some 2 per cent of the population, respectively.

on Political Parties contains provisions promoting the participation of national minorities in public life, including providing preferential criteria to register political parties.⁸⁶ ODIHR EOM interlocutors stated that some political entities that do not belong to minorities intended to misuse such preferential provisions for accessing the related benefits, including enhanced representation, allocation of campaign funds, media coverage, and exemption from the three per cent threshold.⁸⁷

The REC has the authority to grant minority status to candidate lists.⁸⁸ However, it did not apply the criteria consistently to all contestants when considering this status.⁸⁹ For these elections, seven national minority candidate lists were registered, representing the Albanian, Bosniak, Croat, Hungarian, Montenegrin, Russian, and Vlach national communities, respectively. No candidate list representing the Roma community applied for registration, despite it being the third largest minority in the country. The IEOM received several reports indicating that members of the Roma community are vulnerable to pressure and vote buying due to socio-economic factors.⁹⁰

Citizen and International Observers

The law explicitly provides citizen and international observation. Civil society organizations registered with a statutory purpose related to elections may nominate observers up until seven days prior to the elections, while a deadline of ten days prior to elections applies to international observers. One citizen and two international observers can be present at a given election commission at the same time.

The Center for Free Elections and Democracy (CeSID) and the Center for Research, Transparency and Accountability (CRTA) carried out nation-wide long-term observation. Other organizations, such as the Bureau for Social Research (BIRODI) and Transparency International (TI), examined various aspects of the process, including conducting media monitoring and analyzing campaign finance. Contributing to the transparency of the electoral process, the REC accredited a total of 5,112 observers from 9 CSOs and 475 international observers from 25 organizations. Several CSOs noted to the IEOM a climate of pressure and a diminishing space and for civic activities.⁹¹

⁸⁶ By law, national minorities can register a political party with 1,000 certified support signatures from voters; the registration of other parties require 10,000 signatures.

⁸⁷ In addition, Paragraph 140 of the 2022 ODIHR and Venice Commission [Joint Opinion](#) notes that “The current system of national minority status for electoral lists does not guarantee the representation of all national minorities. In particular, the Council of Europe’s Advisory Committee on the Framework Convention for the Protection of National Minorities has stated that the current system benefits mainly a few larger minorities and has recommended a revision.”

⁸⁸ A national minority list may only be nominated by a political party representing a national minority, or a coalition exclusively composed of political parties of national minorities. The REC is responsible for determining whether a list genuinely represents a national minority, and if the list’s primary objective is to represent minority interests and protect minority rights. In this process, the REC has the authority to consult with the relevant national minority council. The REC retains significant discretion in denying national minority status to a list, particularly if any of its candidates are known to belong to a political party that does not represent a national minority or if there are other clear indications of an attempt to circumvent the law.

⁸⁹ For example, the REC cited the absence of the relevant national minority council’s opinion as a reason for not registering the ‘Enough! European Path’ list. However, this opinion was not sought for a few other lists that were granted national minority status, as they were considered “well-established national minority parties” by the REC. Moreover, the REC decided on registering the lists declaring representation of national minorities (or requested additional signatures) prior to determining the national minority status of such lists. Such order of consideration allowed for selective application of the registration criteria to national minority lists.

⁹⁰ On 2 December, following an SNS rally in Belgrade, members of the Roma community [alleged](#) they had been paid by SNS to attend the event and were promised an additional RSD 2,500 (EUR 21) for their votes per person.

⁹¹ The European Commission’s [Serbia 2023 Report](#) noted “verbal attacks and smear campaigns against CSOs”. In the pre-electoral period, alleged spyware attack attempts on mobile phones of CSO members were [reported](#).

Election Day

Election day was generally orderly but there were isolated incidents of physical attacks. A vehicle belonging to CRTA observers was damaged in Odzaci, and there were assaults on polling board members and an activist.⁹² While campaigning in the traditional media is banned 48 hours prior to election day, these regulations do not apply online. All contestants campaigned on social networks, including on election day. There were multiple allegations of voters living abroad being organized and bused by the ruling party for to cast their ballots for local elections in Belgrade.⁹³

The polling stations observed generally opened on time, with the IEOM positively assessing the opening procedures in 118 out of 132 polling stations. While procedures were generally adhered to, some shortcomings noted included: in 12 polling stations, the chairperson did not demonstrate to all present that the ballot boxes were empty; in 4 cases, control sheets were not signed or properly inserted in the ballot boxes; and in 9 polling stations, the PB did not properly seal the ballot boxes. Twelve polling stations observed experienced delays in opening.

The IEOM positively assessed the voting in 93 per cent of the 1,220 polling stations observed. Negative assessments were primarily attributed to overcrowding and inadequate measures to ensure secrecy of the vote, at odds with long-standing ODIHR and Venice Commission recommendations.⁹⁴ Serious irregularities observed by the IEOM included 9 cases of vote buying and 5 cases of ballot box stuffing. The IEOM noted instances of group or family voting in some 19 per cent of polling stations. In 14 instances, unauthorized persons were observed monitoring voter turnout. The IEOM also witnessed 22 instances of voters taking photos of their ballots, and 20 attempts to influence voters for whom to vote.

Additional procedural shortcomings were noted in 39 per cent of the observations, primarily due to PB members' improper implementation of procedures, potentially indicative of the lack of adequate training. These included ballot boxes not being properly sealed in 9 per cent of observations, inconsistent verification of voters' identities in about 4 per cent, improper checking of voters' fingers for invisible ink in 9 per cent, and a lack of inking voters' fingers at the time of voting in 9 per cent of the cases. Unauthorized persons were present at polling stations in 3 per cent of the observations, at times with an intimidating presence.

Although PBs are legally required to inform voters about the voting process and their right to a secret vote, this was not followed in over one third of the observed polling stations. The IEOM followed some instances of mobile voting and found that a few voters included on the mobile voters' lists had not requested homebound voting and, consequently, refused to cast their vote using this procedure.

⁹² On the eve of the election, the Ministry of Interior met with leaders of the Serbia against Violence list, alleging that the opposition planned to storm the REC premises on election night, a claim that the opposition subsequently denied. On election day, media reported on instances of physical attacks on polling board members appointed by ZLF in Ruski Krstur and Zvezdara, carried out by unknown perpetrators, and an SNS activist assaulted in Novi Sad.

⁹³ By law, providing bus transport to voters is not prohibited, except when it is provided in exchange for votes. Video footage surfaced on social networks depicting Stark Arena, purportedly being used as a hub for organizing voters from Bosnia and Herzegovina registered in Belgrade. The Prime Minister denied any wrongdoing in this regard in a social media post.

⁹⁴ In 24 per cent of the observations, not all voters marked their ballots in secrecy, which is a high number and of concern. In 21 per cent of polling stations, secrecy of the vote was compromised by inadequately positioned voting screens, and in 7 per cent, by the incorrect folding of ballots. See Paragraph 23 of the 2022 ODIHR and Venice Commission [Joint Opinion](#) on the Constitutional and Legal Framework Governing the Functioning of Democratic Institutions.

In 9 per cent of the observations, mainly due to the small size of premises, the layout of polling stations was not adequate for voting. This, combined with the large number of PB members, led to overcrowding in 10 per cent of the observations. Some 60 per cent of the polling stations lacked independent access for persons with physical disabilities, and in 25 per cent, the layout was not accommodating for such voters, despite efforts to improve accessibility. Citizen observers monitored the process in one out of four polling stations, enhancing transparency.

Due to significant procedural errors or omissions, the IEOM assessed the counting negatively in 10 of the 117 polling stations observed. These included PBs not following the prescribed order for counting electoral contests (first parliamentary, then local elections) observed in 17 cases, and failing to count voters' signatures before opening the ballot boxes, noted in 13 cases. Further, in 13 observations, PBs had difficulties reconciling the number of ballots found in the ballot box with the ballots issued; in 21 observations, PBs had difficulties in reconciling results in the protocols. Contrary to procedures, the protocol was pre-signed by PB members in 12 cases, and in 15 cases, election materials were not properly packed and sealed at the end of counting. In 26 observations, the results protocols were not posted at the entrance of the polling station, as required by the law, negatively impacting transparency.

The first hours of the tabulation were observed in 91 LECs and assessed positively in all but 3 cases. Negative assessments were primarily due to instances of not adhering to the procedure for the receipt of PB results protocols, and cases of limited transparency in the tabulation process. Discrepancies in PB results protocols during intake at LECs were observed in 32 cases, resulting in LECs making corrections based on the inspection of election materials in 16 cases. IEOM observers reported overcrowding in 9 LECs, and noted tension or unrest in 3 instances.

Shortly after the closure of the polls, the REC began publishing electoral results by polling station. Prime Minister Ana Brnabić declared victory for SNS at 21:30 for the ruling party based on projections from unofficial data. Shortly thereafter, the REC chairperson conducted a press briefing and shared partial preliminary election results. Based on information from the REC website on the morning of 18 December, voter turnout was 58.58 per cent.

***The English version of this report is the only official document.
An unofficial translation is available in Serbian.***

MISSION INFORMATION & ACKNOWLEDGEMENTS

Belgrade, 18 December 2023 – This Statement of Preliminary Findings and Conclusions is the result of a common endeavour involving the OSCE Office for Democratic Institutions and Human Rights (ODIHR), the OSCE Parliamentary Assembly (OSCE PA), the Parliamentary Assembly of the Council of Europe (PACE) and the European Parliament (EP). The assessment was made to determine whether the elections complied with OSCE commitments and other international obligations and standards for democratic elections and with national legislation.

Reinhold Lopatka was appointed by the OSCE Chairperson-in-Office as Special Co-ordinator and Leader of the OSCE short-term observer mission. Farahnaz Karimi headed the OSCE PA delegation, Stefan Schennach headed the PACE delegation and Klemen Grošelj headed the EP delegation. Ambassador Albert Jónsson is the Head of the ODIHR EOM, deployed from 16 November.

Each of the institutions involved in this International Election Observation Mission (IEOM) has endorsed the 2005 Declaration of Principles for International Election Observation. This Statement of Preliminary Findings and Conclusions is delivered prior to the completion of the electoral process. The final assessment of the elections will depend, in part, on the conduct of the remaining stages of the electoral process, including the count, tabulation and announcement of results, and the handling of possible post-election day complaints or appeals. ODIHR will issue a comprehensive final report, including recommendations for potential improvements, some months after the completion of the electoral process. The OSCE PA will present its report at its next meeting. The PACE will present its report at its January 2024 part-session. The EP will present the report at the next meeting of the Delegation for relations with Serbia.

The ODIHR EOM includes 11 experts in the capital and 30 long-term observers deployed throughout the country. On election day, 361 observers from 45 countries were deployed, including 30 long-term and 201 short-term observers deployed by ODIHR, as well as a 71-member delegation from the OSCE PA, a 23-member delegation from the PACE and 13-member delegation from the European Parliament. Opening was observed in 135 polling stations and voting was observed in 1,208 polling stations across the country. Counting was observed in 117 polling stations, and the tabulation in 91 LECs.

The observers wish to thank the authorities for their invitation to observe the elections, and the Republic Electoral Commission and the Ministry of Foreign Affairs of the Republic of Serbia for the assistance. They also express their appreciation to other state institutions, political parties and civil society organizations and the international community representatives for their co-operation.

For further information, please contact:

- Ambassador Albert Jónsson, Head of the ODIHR EOM, in Belgrade (+381 61 616 7773);
- Katya Andrusz, ODIHR Spokesperson (+48 609 522 266), or Kseniya Dashutsina, ODIHR Election Adviser, in Warsaw (+48 603 793 786);
- Nat Parry, OSCE PA Director of Communications (45 60 10 81 77);
- Sylvie Affholder, Head of PACE Election Observation and Support Division (+33 760197505)
- Raffaele Luise, Administrator, European Parliament (+32 477 85 52 67)

ODIHR EOM Address:

4th floor, TLD Belgrade

Bulevar kralja Aleksandra 18

11000 Belgrade, Serbia

e-mail: office@odihr-serbia.org

website: www.osce.org/odihr/elections/serbia/556500