



## **Technical Assessment Mission - Presidential Elections - Serbia**

### **RE-RUN OF THE PRESIDENTIAL ELECTION REPUBLIC OF SERBIA DECEMBER 7, 1997**

#### **PRELIMINARY STATEMENT**

##### **INTRODUCTION**

The Final Report on the 1997 Parliamentary and Presidential Elections concluded that the overall election process was fundamentally flawed. It emphasised in particular that an election is not a one-day event, and raised concerns for the overall election process, including the serious issues of the 1996 Gonzalez Report.

The Technical Assessment Mission has conducted a focused observation of the election administration, and in particular assessed any steps taken to address the serious concerns and recommendations contained in the recent OSCE/ODIHR Final Report on the 1997 Parliamentary and Presidential Elections.

##### **CONCLUSIONS**

While recognising that there were no possibilities to formally change the election law in line with the OSCE recommendations between the September and December elections, the OSCE notes that the Republic Electoral Commission (REC) has committed itself to endorse certain recommendations, including:

- q the need to safeguard the integrity of the ballot in future elections, by stamping individual ballots as they are issued at the polling station, thereby greatly reducing the possibility of ballot related fraud;
- q recognition that party representatives on the expanded membership of the election commissions are full and equal members of the commissions and should participate equally in each and every stage in the process.

However, the Technical Assessment Mission regrets that certain of the recommendations that could have been achieved before the re-run, were not seriously addressed, including:

##### **Media**

According to the assessment made by the Osservatorio di Pavia<sup>1</sup>, and confirmed by the European Institute for the Media, the State Television continued to show significant bias in the news programming toward the candidate from the ruling party. While there was a commendable effort to provide all the candidates with free political advertising, the main news programs allotted a disproportionate amount of time to the candidate of the ruling party. Moreover, according to the Osservatorio di Pavia, 74% of the coverage of Mr. Milutinovic was assessed to be positive, while the positive coverage for Mr. Draskovic and Mr. Seselj was considerably less, at 45% and 9% respectively. The European Institute for the Media also found that the programming of the municipal station, Studio B, was biased in favour of the Mr. Draskovic, while the programming on BK TV was generally balanced.

### **Accreditation of domestic observers**

The Serbian authorities continue to deny the application of domestic observers.

### **Transparency of the process**

The REC has so far failed to recognise the importance of publicly distributing a bulletin detailing the results of the election polling station by polling station. The political parties, authorities at central and local level and relevant civic organisations should have access to such a bulletin, so that the official results can be verified. Such a document is essential to instil confidence in the process.

### **The Kosovo region**

There is clearly a distinct pattern in the Kosovo region, characterised by low voter participation, and a flawed election administration. In addition to polling stations that did not open or closed before the official hour, there were reports that the political party representatives of the expanded boards were discouraged to undertake their duties on election day.

### **Other serious problems identified in the election process**

- q the introduction of a collection point for the polling station materials at municipal level, was not envisaged by the law. There is no guarantee of multi-party representation at this stage of the vote aggregation, thereby violating the spirit of the law and introducing a lack of confidence in the process;
- q copies of the protocols detailing results are still not systematically displayed in public at polling station level, contrary to the law, and to the detriment of full transparency in the process;
- q many of the permanent core staff of the election commissions are state employees, thereby their independence may be questionable. The legal requirement that no political party has a majority of members on the election commissions therefore cannot be verified under existing procedure;
- q the voters registers are still not sufficiently cross-checked against the citizens register to avoid inaccuracies;
- q the evident lack of training of the election administration in some parts of the country, which is detrimental to a uniform application of the law;

---

<sup>1</sup> As part of the OSCE Technical Assessment Mission, and financed by the Italian Ministry for Foreign Affairs, the Osservatorio di Pavia has conducted a media monitoring mission, with full coverage of the two State television channels during the two rounds of this election.

- q the fees have still not been paid to some expanded board members, even for the second round of the presidential election on October 5;
- q the delay of payment of the state allocated campaign funds to the candidates until just two days before the election.

In the expectation of an upcoming review of the election laws and procedures, the need to achieve a broad consensus through a genuine political dialogue should be achieved, as emphasised in the Gonzalez Report. This dialogue should involve all parties, beyond the regular legal procedure of the parliamentary consultations, if it is to create an environment whereby the electorate, as a whole, wishes to participate in the democratic process.

A timetable should be established for consideration and implementation of recommendations of the OSCE. The passive acknowledgement of OSCE recommendations is not sufficient to seriously address the flaws in the system, and a more active approach on the part of the Serbian authorities is necessary, if the general distrust in the overall system is to be overcome. The OSCE has made it clear that it remains available to assist in the implementation of the recommendations and to bring the election process in the Republic of Serbia into line with the OSCE standards.

Finally, the Technical Assessment Mission would like to acknowledge the co-operation of the Serbian authorities throughout its assessment.

*Upon receipt of an official invitation, on August 14, to the OSCE Chairman-in-Office from the Federal Minister for Foreign Affairs of the Federal Republic of Yugoslavia, the OSCE observed the Parliamentary and Presidential Elections on September 21 and October 5, 1997, and established a Technical Assessment Mission for the December 7 re-run of the Presidential Election.*

*Mr. Anthony Welch was appointed as the overall Co-ordinator for this mission and Mr. Nikolai Vulchanov, ODIHR Election Advisor, served as the Technical Co-ordinator. Thirty Election Experts were deployed at central and regional level to observe the legal and administrative aspects of this election process and were willing to provide advice upon request.*

*For more information, please contact the OSCE Technical Assessment Mission; Intercontinental Hotel - Belgrade (Phone: 381 11 311 33 33 / Fax: 381 11 311 19 11)*