

PRESIDENTIAL ELECTIONS 2017



# PRELIMINARY ELECTION MONITORING REPORT

ELECTION DAY

2 APRIL 2017



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## PRELIMINARY FINDINGS

The presidential elections were held in Serbia as one single constituency, by application of a majority rule, by voting for a presidential candidate. A total of 6,724,172 voters had voting right on 8,396 polling stations in Serbia and abroad.

The CRTA observation mission "Citizens on Watch" is focusing on observing the quality of the actual Election Day processes and is based on the information gathered from 900 accredited and trained short-time observers deployed to representative random sample of 450 polling stations, as well as from 60 mobile teams that monitored the occurrences outside polling stations in all districts of Serbia. The assessment of the entire electoral process quality in the presidential elections 2017 shall be presented in the CRTA observation mission "Citizens on Watch" final report.

On the basis of the information collected from CRTA observers, Election Day in Serbia passed in accordance with established procedures with isolated cases of irregularities that did not have a decisive impact on the regularity of the process during Election Day, or on the elections results. However, the registered irregularities, some of which had been noted in previous electoral cycles too, demand that competent authorities firmly work on their resolution in the post-election period.

Irregularities on Election Day, on April 2<sup>nd</sup> 2017, were registered on three percent of polling stations, which is one percent less than in extraordinary parliamentary elections 2016. Like in the last elections, these irregularities referred to not checking voters' identification prior to voting, not using the invisible spray, handling of parallel lists with voters' names, pressures on voters outside the polling station, distribution of campaign material less than 50 meters from the polling station. The percentage of cases of distribution of campaign material less than 50 meters from the polling station was reduced to less than one percent by the end of the Election Day, due to polling boards' interventions. The issue regarding the voters list implies serious deficiencies of the electoral administration that gravely undermines the integrity of the electoral process and therefore requires an urgent attention.

During Election Day, the CRTA election observation mission "Citizens on Watch" filed three criminal charges to the Novi Sad Prosecutor's Office against NN persons concerning the actions undertaken in Temerin (polling stations 1, 3, 4), Novi Sad (polling station 90) and Beočin (polling station 3), due to suspicion of a criminal offence bribery at elections (the so-called "vote buying"). The allegations on "vote-buying" marked one period of the very election campaign and that is why Election Day is only one phase of the election process, the quality of which can only be determined by a comprehensive insight into the overall electoral process.

The CRTA election observation mission "Citizens on Watch" continues to monitor processes after Election Day and in the weeks to come after the official announcement of the election results by the Republic Electoral Commission (the REC), it shall publish the final report on its analysis of the electoral process, as well as specific recommendations for its improvement.

## POLITICAL CONTEXT

The ordinary presidential elections in Serbia took place on April 2<sup>nd</sup> 2017. This was the fourth time in the last five years that citizens of Serbia went to polls.<sup>1</sup>

Serbia welcomed the presidential elections as a candidate country for accession to the European Union with eight open chapters. Moreover, Serbia entered these elections with an obligation to amend the Constitution as defined by the Action Plan for Chapter 23<sup>2</sup> that should have to be undertaken by the end of 2017.

The society of Serbia is still excessively polarised. Surveys<sup>3</sup> show that a majority of citizens is in favour of membership of the European Union, but that they are also satisfied with the existing cooperation with Russia and against NATO membership. At the same time, one notes the strengthening of anti-European and pro-Russian forces in Serbia.<sup>4</sup> This is also supported by the fact that during the extraordinary parliamentary elections 2016, parties and movements that had openly advocated pro-Russian and anti-Western political options won seats at the parliament, which had not been the case in the 2014 elections.<sup>5</sup>

These presidential elections took place less than a year after the extraordinary parliamentary elections and a mere eight months after the forming of the Government. The new Government of the Republic of Serbia, led by the old-new Prime Minister Aleksandar Vučić, had been formed just before the expiration of the legal deadline following the extraordinary parliamentary elections, on August 11<sup>th</sup> 2016. This fact is even more significant if we bear in mind that the candidate of the most powerful party, the Serbian Progressive Party, was exactly the current Prime Minister Aleksandar Vučić. Additionally, this fact caused concern as it enabled the presidential candidate Aleksandar Vučić to access the media and other resources thanks to his current function, which can put other candidates in an unequal position. The very fact that the presidential candidate Aleksandar Vučić still held his position of a Prime Minister was not a violation of law; nevertheless it was not either in the spirit of international practice for free and fair elections.

After the extraordinary parliamentary elections in 2016, the picture of the parliament changed drastically in comparison to the previous Parliament convocation. A nearly two-third majority of the Parliament convocation of 2014 has significantly decreased<sup>6</sup> whereas the opposition block, although unconsolidated, strengthened. Although formed on June 4<sup>th</sup> 2016, the Parliament operated effectively only for three months, with frequent sessions interruptions and numerous discussions showing the lack of democratic culture and dialogue. A regular spring session of the Assembly that begins on the first working day in March lasted only 15 minutes after which it was decided that the Assembly would not be in session during the presidential campaign.<sup>7</sup>

The pre-electoral atmosphere in this presidential campaign began rather early. Speculations about potential presidential candidates began as soon as the new Government was formed. On the other hand, up until the very last legal deadline for presidential elections announcement, the public wild guessed whether in spring 2017, the citizens of Serbia would vote only in presidential elections or also in the new extraordinary parliamentary

<sup>1</sup> 2012 presidential and parliamentary elections, 2014 and 2016, extraordinary parliamentary elections and 2017 ordinary presidential election.

<sup>2</sup> Action plan for chapter 23 adopted at the government session on April 27<sup>th</sup> 2016, <http://www.mpravde.gov.rs/tekst/12647/akcioni-plan-za-pregovaranje-poglavlja-23-usvojen-na-sednici-vlade-srbije-27-aprila-2016.php>

<sup>3</sup> Belgrade Centre for Security Policy research „[Stavovi građana o spoljnoj politici Srbije](#)“

<sup>4</sup> The media monitoring performed by the CRTA, that includes eight dailies, four weeklies, five online media, as well as prime shows on three most viewed televisions, shows domination of the contents of pro-Russian orientation – mainly those that eulogise the Russian military force, but also its diplomacy and its alleged benevolence towards Serbia. The contents advocating values of the European Union or the USA are far less represented.

<sup>5</sup> The Serbian Radical Party, the Democratic Party of Serbia and the movement Dveri won a total of 13% votes at the 2016 parliamentary elections. Also, the Democratic Party of Serbia, the movement Dveri and the Serbian People's Party signed with the ruling coalition in Russia – the United Russia – the Declaration of military Neutrality.

<sup>6</sup> Although the coalition gathered around the Serbian Progressive Party won approximately 100,000 votes more, nevertheless, as the coalition DSS/Dveri and LDP/LSV/SDS had passed the threshold, the SPP won 27 MPs less.

<sup>7</sup> [http://www.danas.rs/politika.56.html?news\\_id=339892&title=Gojkovi%C4%87%3A+Zasedanje+skup%C5%A1tine+se+nastavlja+posle+izbora](http://www.danas.rs/politika.56.html?news_id=339892&title=Gojkovi%C4%87%3A+Zasedanje+skup%C5%A1tine+se+nastavlja+posle+izbora)

elections, and even in the extraordinary election for the Assembly of the City of Belgrade. There were also speculations about the election date, which paralysed all state institutions and even the entire society in view of any constructive political dialogue.

Although some opposition candidates announced their candidatures and began their campaigns before the elections were called, the public waited up until the very last moment to find out who would be the presidential candidate of the strongest, ruling party. The public was given the answer after a number of dramatic turns of events, when the current president Tomislav Nikolić declared not to run for a re-election. On the other hand, the current Prime Minister Aleksandar Vučić, decided to run for Serbian presidency although he had previously declared many times that he did not intend to be a candidate. He accepted the nomination “in order to secure the stability of the country”.

For a while, it had been indicated in the public that the opposition should unite behind a joint candidate. Nonetheless, the opposition failed to achieve consensus about it. One of the features of these elections is that the opposition candidates who had more chance to succeed according to opinion polls were nonpartisan candidates. In previous presidential elections, the candidates had most often been party leaders.

These elections were held in a referendum-like atmosphere: on one side, there was a Prime Minister running for presidency and on the other all other candidates.

Publicly accessible opinion polls (Ipsos Strategic Marketing<sup>8</sup>, Demostat<sup>9</sup>, Faktor Plus<sup>10</sup>) showed that the Prime Minister and the leader of the Serbian Progressive Party Aleksandar Vučić had more than 50 percent support and a big chance of winning in the first round. “The imperative” of the first round victory was being publicly repeated by the close associates and coalition partners of the current Prime Minister. Furthermore, the opposition believed the second round to be a victory, inviting voters to go to the polls in the largest possible number.

During the extraordinary parliamentary elections held in Spring 2016, CRTA election observation mission “Citizens on Watch” recorded irregularities in the work of election administration, negative election campaign, unequal media coverage, frequent allegations of votes bribery and intimidations, as well as visible misuse of public resources in the campaign, which exhibited a whole range of issues requiring a systemic solution. The public opinion survey performed for the CRTA by Ipsos Strategic Marketing in July 2016 showed that 44 percent of citizens believe that there were irregularities during the extraordinary parliamentary elections in 2016.

Although national (CRTA<sup>11</sup>, CESID<sup>12</sup>) and international (OEBS/ODIHR<sup>13</sup>) observers came up with a number of recommendations as to how to improve the electoral process, in the one-year-period, between the parliamentary and presidential elections, administrative authorities were not ready to open a public debate on this topic.

The new composition of the Republic Electoral Commission (REC), established in August 2016, held only seven sessions until the announcement of elections on March 2<sup>nd</sup> 2017 and mainly passed on decisions on the assignment of the deputy mandates.

The Oversight Committee of the National Assembly of the Republic of Serbia had not been formed for these elections either, although it was supposed to exercise “general oversight over the actions of political parties, candidates and mass media during electoral process”<sup>14</sup>, and also to launch initiatives to initiate proceedings before the competent authorities “if any participant in the electoral campaign calls to violence, spreads national, religious or racial hatred by their conduct, or encourages gender discrimination”. Even if the Law on the election

<sup>8</sup> <http://www.politika.rs/sr/clanak/374364/Ipsos-vidi-Vucica-na-vise-od-50-odsto>

<sup>9</sup> [http://www.danas.rs/izbori.1180.html?news\\_id=341329&title=Demostat%3A+Vu%C4%8Di%C4%87+57+odsto%2C+Beli+3+odsto](http://www.danas.rs/izbori.1180.html?news_id=341329&title=Demostat%3A+Vu%C4%8Di%C4%87+57+odsto%2C+Beli+3+odsto)

<sup>10</sup> <http://www.blic.rs/vesti/politika/ekskluzivno-istrazivanje-faktora-plus-vucic-531-odsto-jankovic-najblizi-sa-145-odsto/9w5mg1b>

<sup>11</sup> <http://izvestaj.gradjaninastrazi.rs/>

<sup>12</sup> [http://www.crnps.org.rs/wp-content/uploads/CeSID-preporuke\\_03.06.pdf](http://www.crnps.org.rs/wp-content/uploads/CeSID-preporuke_03.06.pdf)

<sup>13</sup> <http://www.osce.org/sr/odihr/elections/serbia/259021>

<sup>14</sup> Law on election of deputies, articles 99 and 100 [http://www.paragraf.rs/propisi/zakon\\_o\\_izboru\\_narodnih\\_poslanika.html](http://www.paragraf.rs/propisi/zakon_o_izboru_narodnih_poslanika.html)

of representatives of the Republic of Serbia explicitly stipulates that an Oversight Committee must be formed during the elections in order to engage in the electoral campaign, no government has done so since 2000.

Serbia welcomed the presidential elections restricted capacities of independent institutions that play an important role in the electoral process control: the Anti-Corruption Agency (the Agency) and the Regulatory Body for Electronic Media (the REM).

The Anti-Corruption Agency has the power to exercise control of the electoral campaign financing and the so-called government officials' campaign that marked the parliamentary elections in 2016, according to international observers' OSCE/ODIHR reports. For the first time, Serbia had faced an unusual situation – the current Prime Minister was a presidential candidate at the same time. Aleksandar Vučić's decision to hold his position of a Prime Minister while running for presidency was not a violation of law, nevertheless the citizens could hardly manage to perceive a difference whether the candidate acted or was represented in the media as a Prime Minister or as a presidential candidate.

The Anti-Corruption Agency has no director, or deputy director, but only an acting director on account of the failed first round in the new director recruitment process. During the election campaign, the Board of the Agency rejected three applications submitted through the public announcement. Moreover, the Board of the Agency works within its restricted composition, as it only has six out of nine members. In the beginning of April, the term of office shall expire for four more members of the Board which indicates that this authority shall not be able to pass on the decisions. Despite of that, the Board decided to pursue with the director recruitment procedure event though "it is most likely that it shall not be able to complete the procedure" until the mandate expiration of four members of the Board.<sup>15</sup> Furthermore, the Anti-Corruption Agency had less funds from the budget for this campaign monitoring and nearly three time less observers than during the parliamentary elections.

The media influence is undeniable, particularly bearing in mind the fact that a vast majority of voters gets informed about social and current issues from the electronic media. Between two election campaigns, the rhetoric used by and about the media became more combative, raising concerns about their role and influence on the outcome of elections. By interpretation of the freedom of media in Serbia, journalists are divided into "hack writers" and "fawning journalists". "Soft censorship" and economic pressure on the media and journalists are mentioned in this context. The reports prepared by observers' missions of OSCE/ODIHR and CRTA "Citizens on Watch" mission regarding extraordinary parliamentary elections indicate unequal presence in media of different political options.

The Regulatory Body for Electronic Media (the REM) did not monitor the work of electronic media during the presidential campaign, but that it only exercised its competences following citizens' complaints about perceived irregularities. The REM has not published the last year's report on pre-electoral programme monitoring, although the Council of the REM considered several statistic overviews of the campaign.

The OSCE Office for Democratic Institutions and Human Rights (ODIHR) did not observe these presidential elections in its full capacities. The OSCE ODIHR mission did not consist of long-term and short-term observers, but only of experts who analysed the electoral process in Serbia.

<sup>15</sup> <http://www.acas.rs/%D1%81%D0%B0%D0%BE%D0%BF%D1%88%D1%82%D0%B5%D1%9A%D0%B5-%D1%81%D0%B0-%D1%81%D0%B5%D0%B4%D0%BD%D0%B8%D1%86%D0%B5-%D0%BE%D0%B4%D0%B1%D0%BE%D1%80%D0%B0-%D0%BE%D0%B4%D1%80%D0%B6%D0%B0%D0%BD%D0%B5-22/?pismo=lat>

## ELECTION LEGISLATION AND ADMINISTRATION

The presidential elections are held in Serbia as one single constituency, by application of a majority rule, by voting for a presidential candidate. A total of 6,724,172 voters had the right to cast their ballots on 8,396 polling stations in Serbia and abroad. The candidate who wins the majority of votes shall win. If no candidate receives the required number of votes, an absolute majority of more than 50% of votes, the second round shall take place no more than 15 days later, between the two candidates who won the most votes. The winner is the one who receives the most votes in the second round.

The presidential elections of the Republic of Serbia are mainly regulated by the *Law on Electing the President of the Republic of Serbia (ZIPR)*, while the issues that are not specifically defined by this law are stipulated by the *Law on the Election of Members of the Parliament (ZINP)*. Apart from laws there are also bylaws of the Republic Electoral Commission (REC) that define more precisely the electoral process and the very Election Day - *The Instructions for the Conduct of the Voting in the Presidential Election* and *The Instructions for the Work of Election Boards for Conduct of the Voting in the Presidential Election*.

### News in Instructions for the Conduct of Voting

The Republic Electoral Commission brought at the session held on March 2nd 2017 the Instructions for the Conduct of the Voting in the Presidential Election (hereinafter: the Instructions). In the largest part of dispositions, the 2017 Instructions are identical to the 2016 ones, but they do have certain news:

- Training of the members of the Election Administration and Bodies

The Instructions give the detail about the training methods for working bodies and polling boards. A special emphasis refers to the procedure of election materials handover from polling boards and working bodies before and after the vote. Moreover, an assiduous attention is to be paid that the members of electoral committee know the rules regarding the filling of the Minutes on the work of polling boards and the rules regarding the conduct of logic and mathematic operations during the calculation of the elections results.

- Proposal for appointing the members of the polling board

The 2017 Instructions explicitly prescribe the obligation of the working body to accept proposals for appointing the members of polling boards before it receives from the REC the list of persons authorised to submit proposals. Further action shall be deferred until the time that a working body receives a lists and determines that the nominator is on the list. Besides, the Instructions foresee (but do not stipulate) to the nominators that the gender structure of the proposed members be equal. Every member of the polling board must have an identification card issued by the REC.

- Gathering of supporting statements

Before they start collecting supporting signatures, political subjects must validate the Agreement on coalition, i.e., the Agreement on citizens' group creation. Supporting statements must be validated by notaries, whereas the Magistrate Court does it only in municipalities with no appointed notary, which emanates from harmonisation with the Law on validation of signatures, handwritings and copies.

- Obligation on voters list display

The municipal/city administration is held to display the voters list to public. Voters had to be informed about the voters list display through media or in other appropriate ways.

- Safeguard of election material by "security lock" for beg sealing

In the presence of working body and polling board members, begs for the election material were for the first time sealed by a "security lock", the serial number of which had to be entered in the minutes about handover of election material.

- Procedures for observers accreditation to monitor the work of the REC and polling boards

The 2017 Instructions allowed that domestic associations accredit more observers to monitor the work of a polling board/polling station. In contrast to the 2016 extraordinary parliamentary elections, the only limitation now is that two observers ahead of the same association cannot simultaneously observe the work of a single polling board.

- Authorisation of the REC coordinator to correct logic and calculation errors

The Instructions for 2017 have for the first time regulated the process of verification and initialling of the polling board records by REC coordinators. All the steps in the statistical treatment of data have been specified in detail regarding the existence of logic and calculation errors that are an obvious omission in filling of the records and that do not influence the election results. In that case, the Instructions give an authorisation to the REC coordinator to make and initiate the change of such omissions together with representatives of the Statistical Office of the Republic of Serbia, under conditions defined in the Instructions.

- Instructions on polling stations work

At the session held on March 6th 2017, the REC adopted the Instructions on polling stations work in the conduct of the presidential elections 2017 in order to more narrowly define the work of polling boards during the presidential elections. The following table shows the differences in rules for polling boards in 2016 and 2017.

Difference/question	Election 2017	Election 2016
<b>For what elections do polling boards conduct the elections?</b>	Polling boards conduct elections for the president of the Republic.	Polling boards conducted parliamentary, local and provincial elections (if polling boards were located in the territory of Vojvodina)
<b>Identification of members of the polling boards</b>	Members of polling boards must wear identification cards while working at the polling stations.	Identification cards were not given to members of polling boards. They were identified only according to the decision on making polling boards.
<b>Determining votes</b>	The polling board also gets the control form which serves to help members of the polling board to determine electoral results through logic operation and calculation at the very polling station. Polling board first have to fill in the control form and then after that the voting results are entered in the polling board record.  Also, the order of entering data in the polling board record is different.	The polling board enter voting results only in the polling board records.
<b>Securing the election material</b>	The election material is sealed and closed with a special safety lock. After the end of the voting, the safety lock must be handed in to the working body of the REC. The serial number of the safety lock is entered in the special record.	The election material is sealed only with wax.
<b>Banning political propaganda</b>	Symbols of a presidential candidate for the Republic of Serbia, symbols of candidate proposers (political parties, party coalitions, groups of citizens) and other propaganda material cannot be displayed	Symbols of submitters of electoral lists (political parties, party coalitions, groups of citizens) and other electoral propaganda material cannot be displayed at the polling

	at the polling station and within the radius of 50 metres around the polling station.	station and within the radius of 50 metres around the polling station
<b>Presence of members of polling boards</b>	The chairman of the polling board must enter the names of present members and deputy members of the polling board in the polling board record before the polling station is opened.	All members of the polling board had to be present during the closure of the polling station and the process of counting the votes.
<b>Determining the identity of voters</b>	Voters can vote with the valid ID card, valid passport and the valid driver's licence where the personal identification number is stated. Besides, voters can even vote with the ID card which has expired provided they can also submit the confirmation from the Ministry of Interior that they have submitted the request for the new ID card to be issued.	The regulations about the work of the polling board for 2016 give detailed explanation on what ID card is considered valid: <ul style="list-style-type: none"> <li>- ID card on the old form issued before 27 January 2007, with the expiry date which is still valid;</li> <li>- ID card on the old form issued after 27 January 2007, with the expiry date "27 July 2011";</li> <li>- ID card issued on the new form, with the contact micro-controller chip, with the expiry date which is still valid;</li> <li>- ID card issued on the new form, without the contact micro-controller chip, with the expiry date which is still valid.</li> </ul>
<b>Signing the voters list</b>	Voters who cannot write their own names and surnames in the voters list because of the bodily or sensory disability (disabled voters), sign their names by using a stamp containing data about their personal identity, i.e. the stamp with an engraved signature.  Illiterate or disabled voters who do not have the stamp with the data of their personal identity, i.e. the stamp with an engraved signature, do not sign themselves in the voters list; it is done by their aides who came with them to the polling station in order to help them fill in the ballot.	Regulations about the work of the polling board do not prescribe how disabled or illiterate persons sign themselves in the voters list. However, blind, illiterate and disabled persons can bring to the polling station with them an aide who can help them fill in the ballot.
<b>Entering names in the voters list</b>	The regulations of the work of the polling board emphasise that the polling board must not additionally enter in the voters list the name of the person not entered in the register even though they claim that they vote in that polling station or that members of the polling board know him personally.	The regulations of the work of the polling board do not explicitly ban additional entering of names in the voters list. However, only persons entered in the voters list can vote at the polling station.
<b>Record of illiterate, disabled or blind voters</b>	The register of the work of the polling board records information about the	The register of the work of the polling board records the total number of voters who voted – there

	number of blind, illiterate and disabled voters who have voted.	is no record of blind, illiterate and disabled voters who voted.
<b>Voting outside of the polling station</b>	<p>Only weak persons and persons who were prevented from coming can vote outside the polling station (persons who cannot come to the polling station due to health problems, disabled persons and weak old persons).</p> <p>Regulations of the work of the polling board emphasise that persons who cannot vote at the polling station during the time the polling station is open due to the nature of their work are not considered weak and prevented from coming.</p>	Persons who were not blind, illiterate and disabled could also vote outside the polling station.
<b>Voting of persons in uniform</b>	Regulations of the work of the polling board enable policemen in uniform to enter the polling station, where they are registered in the voters list, in order to vote on condition that they are not carrying a weapon and other means of enforcement.	Regulations of the work of the polling board did not define voting of persons in uniform.
<b>Logic operations, calculation and determining the results</b>	<p>The polling board must make sure that the control ballot is not registered as a voting ballot. Besides, in case the polling board sticks one voting ballot on the ballot box, that the ballot must be counted as an unused ballot after the election.</p> <p>The polling board first determine votes through logic operations and calculation and then they determine the results of the election.</p>	The polling board first determine the results of the election and then they determine votes through logic operations and calculation.
<b>Delivery of election material after the voting</b>	All members and deputy members of the polling board have the right to attend the receipt and delivery of the electoral material to the working body of the Republic Electoral Committee after the election.	Regulations of the work of the polling board do not regulate who has the right to attend the delivery of the material to the working body after the election.

### VOTING IN KOSOVO AND METOHİJA

At the session held on March 22<sup>nd</sup>, the Republic Electoral Commission passed the Instruction for the conduct of the voting in the presidential elections called for April 2<sup>nd</sup> 2017 on the territory of the Autonomous Province of Kosovo and Metohija. The Instructions foresee that the Office for Kosovo and Metohija on April 2<sup>nd</sup> 2017 at seven o'clock pm at the latest inform the Republic Electoral Commission whether there are safe conditions to determine the voting results on the polling stations, on the basis of the information received by the OSCE. The Instructions define that the voting material, with the support and assistance of the OSCE mission be transported to the centres in Vranje and Raška, where the voting results by polling stations would be determined.

## **CRTA ELECTION OBSERVATION MISSION “CITIZENS ON WATCH” HOW DO WE MONITOR THE ELECTION PROCESS**

The Centre for Research, Transparency and Accountability (CRTA) is monitoring the entire electoral process under observation mission “Citizens on Watch”.

### **PRE-ELECTION PERIOD**

During this period, CRTA election observation mission “Citizens on Watch” team of long-term observers assessed several aspects of the electoral process before the actual Election Day: election campaign (general information related to the campaign; major topics addressed in the campaign; general campaign climate; possible frauds and major violations of election laws during the campaign), the performance of the election administration, the use of public resources in the campaign and the reporting of the media about the candidates and the campaign.

From March 13th until Election Day on April 2nd 2017, 60 long-term observers, trained in accordance with the highest international standards, were deployed to all electoral counties to ensure equal opportunities for obtaining information about the course and occurrences during the entire pre-election day process across Serbia.<sup>16</sup>

The essential role of long-term observers was to monitor and assess the efficiency and impartiality of the election administration, the implementation of election laws and regulations, the nature of election campaign and political climate. To that end, CRTA election observation mission “Citizens on Watch” long-term observers established and maintained contact with the presidential candidates’ elections headquarters and representatives of the civil society, institutions and media.

CRTA “Citizens on Watch” mission’s election observation methodology was based on the highest international election observation standards (The Declaration of Principles for International Election Observation<sup>17</sup>, *the Code of Conduct for International Election Observers*, *the Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organisations*<sup>18</sup> and *the Code of Conduct for Nonpartisan Citizen Election Observers*), which enabled the reporting on the quality of the actual electoral process.

### **ELECTION DAY – April 2<sup>nd</sup> 2017**

On Election Day, CRTA election observation mission “Citizens on Watch” focused on observing the quality of the actual Election Day processes. A total of 900 CRTA election observation mission “Citizens on Watch” short-term observers were deployed to representative random sample of 450 polling stations.

Having undergone an intense training course by CRTA's team, CRTA election observation mission “Citizens on Watch” observers monitored and reported on the election process quality from 450 polling stations. They were present at the polling stations from the preparations to open the polls until all polling boards announced election results for their respective polling stations, thereby providing full insight into all occurrences at the polling stations on Election Day.

During Election Day, the CRTA election observation mission “Citizens on Watch” had 60 mobile teams that monitored the occurrences outside polling stations in all districts of Serbia.

### **POST-ELECTION PERIOD**

During and after Election Day, the CRTA observation mission “Citizens on Watch” monitors the work of the Republic Electoral Commission until it declares official election results. CRTA also observes the resolution of electoral complaints about the performance of polling boards and the Republic Electoral Commission.

<sup>16</sup> The CRTA observation mission “Citizens on Watch” did not have observers deployed on the territory of Kosovo and Metohija

<sup>17</sup> <https://www.ndi.org/dop>

<sup>18</sup> <https://www.ndi.org/DoGP>

## BASIC FINDINGS OF THE LONG-TERM OBSERVATION

The electoral campaign for the presidential elections was short, intensive, with an unequal media representation of the candidates, allegations of voters' intimidation, and different types of misuse of public resources with a very restricted control of independent bodies. The observation mission "Citizens on Watch" wishes to emphasise that this time too, a proactive communication was lacking between the institutions about how to enable citizens to exercise their rights, i.e. to enrol in the voters list or to modify the data in the voters list. In the very finish of the campaign, at the expiration of all deadlines, there was a problem of the unregulated voters list which undermined public confidence in the electoral process. Dozens of citizens complained about various issues – notifications sent on names of long deceased family members or of people who had never lived at addresses the notification was sent to, as well as about the impossibility for Serbian citizens who live abroad to vote. There were also other administrative omissions during the enrolment or data modifications in the voters list.

The general impression was that this time, the campaign was far more intensive in the media and on social networks than on the field. Nearly all methods of communication with voters could be seen only in the campaign of the presidential candidate Aleksandar Vučić. A large majority of other campaigns used merely two means of communication in the campaign: public events – primarily different types of gatherings and rallies – and the internet campaign. Locally, the campaigns were of a relatively low intensity that culminated before and during the arrival of the candidate in a particular place.

The electoral process was marked by a negative campaign. Thanks to the ruling coalition's clearly articulated desire to win the elections in the first round shown in the media, government and opposition were trying to turn these elections into a referendum about the Prime Minister Aleksandar Vučić's success of work. All this led to overly heated messages that were being sent and at certain times transformed into hate speech.

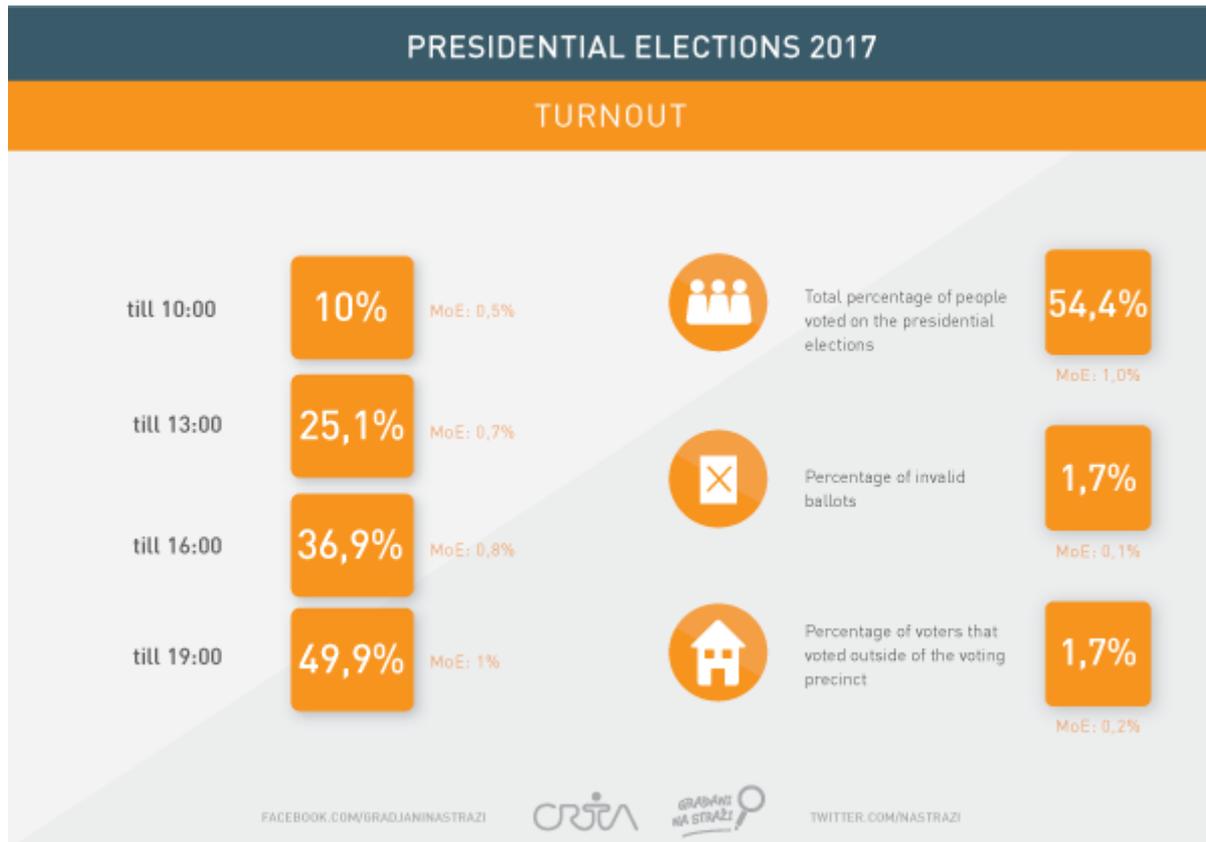
In the electoral process, the Republic Electoral Commission undertook activities from its field of expertise in accordance with the legal framework. There were some news introduced in the regulations stipulating the conduct of elections referring to persons' with disabilities electoral rights, the implementation of logic and calculation operations by polling boards and the setting up of additional safety measures for guarding of polling materials. Accreditation procedures were simplified for national observers for monitoring the work of electoral process authorities. The work of the REC was marked by the question asked by some members of the REC whether the constitution of the REC was legally valid, by the significance of the REC coordinators' role in entering corrections in the polling board records (logic and calculation errors), as well as by the debate on the legal validity of submitted candidacy of Luka Maksimović.

## ELECTION DAY PROCESS ANALYSES

### TOURNOUT AND RESULTS

In accordance with the REC's decision on the publication of the total number of voters in the Republic of Serbia adopted at the 33<sup>rd</sup> REC's session held on March 31<sup>st</sup> 2017, the total number of voters in all self-government units amounted to 6,724,949 deployed on 8,396 polling stations as of March 30<sup>th</sup> 2017.

According to sample results gathered from 450 polling stations, the voters' turnout at the presidential elections held on April 2<sup>nd</sup> 2017 was 54.4 percent with the margin of error of +/- 1 percent.



Although traditionally, the presidential elections turnout is higher than in the parliamentary elections, the turnout decreased by 2.3 percent in comparison to last years' parliamentary elections. Compared to the 2008 presidential elections, this year's turnout was nearly seven percent lower, whereas compared to 2012, the decrease was 3.3 percent.

There were 1.7 percent of invalid ballots, with a margin of error of +/- 0.2 percent. On the basis of data obtained from all sampled polling stations, the election results including the said margin of error are the following:

## PRESIDENTIAL ELECTIONS 2017

## RESULTS

1. ALEKSANDAR VUČIĆ - koalicija SNS, SPS, SDPS, JS, PUPS, PS, SPO, Pokret Snaga Srbije, SVM	54,7%	Moe: 1,5%
2. SAŠA JANKOVIĆ - GG "Za Srbiju bez straha"	16,3%	Moe: 1,1%
3. LUKA MAKSIMOVIĆ - GG "Ljubiša Preletačević Beli, Beli - Samo jako"	9,5%	Moe: 0,5%
4. VUK JEREMIĆ - GG "Moramo bolje"	5,8%	Moe: 0,3%
5. VOJISLAV ŠEŠELJ - Srpska radikalna stranka	4,4%	Moe: 0,2%
6. BOŠKO OBRADOVIĆ - Srpski pokret Dveri	2,3%	Moe: 0,2%
7. SAŠA RADULOVIĆ - GG "Dosta je bilo"	1,4%	Moe: 0,1%
8. ALEKSANDAR POPOVIĆ - Demokratska stranka Srbije	1,2%	Moe: 0,1%
9. MILAN STAMATOVIĆ - GG "Za zdravu Srbiju - Milan Stamatović"	1,2%	Moe: 0,2%
10. NENAD ČANAK - Liga socijaldemokrata Vojvodine	1,2%	Moe: 0,2%
11. MIROSLAV PAROVIĆ - Narodno slobodarski pokret	0,3%	Moe: 0,1%
<b>INVALID BALLOTS</b>	<b>1,7%</b>	<b>Moe: 0,2%</b>

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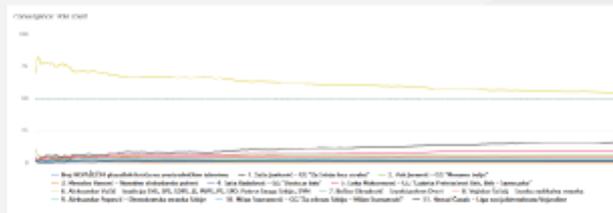


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Based on the convergence curve representing the change in voting in real time during the collection of data from the representative random sample, it can be concluded that the CRTA observation mission's results projection is stable and reliable.

## PRESIDENTIAL ELECTIONS 2017

## CONVERGENCE GRAPH FOR ELECTION RESULTS ON 100% PROCESSED SAMPLE



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## POLLING STATIONS OPENING

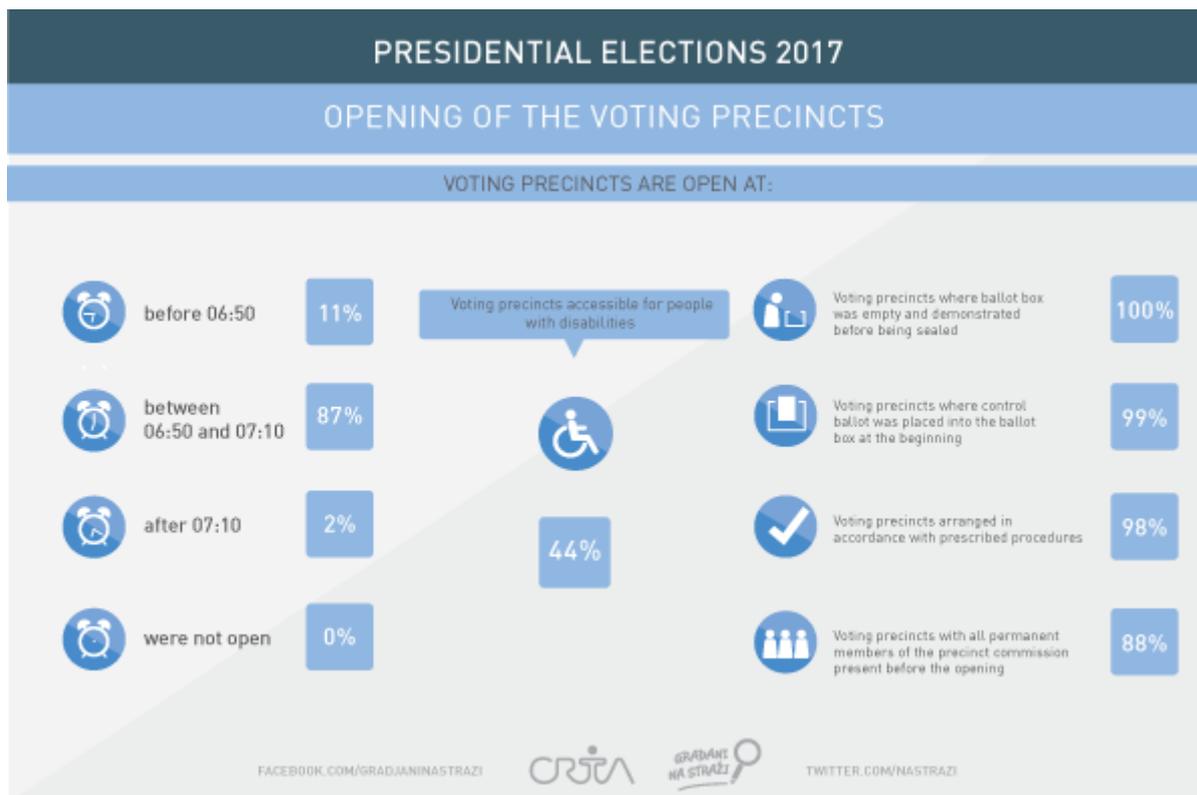
Opening of the polling stations for the presidential elections in Serbia went mainly in accordance with established procedures. All the CRTA election observation mission “Citizens on Watch” observers were granted the access to their polling stations.

The total of 87 percent of polling stations were opened on time, 11 percent were opened before 7 am, while two percent of polling stations were opened with delay. On the basis of the information put forward by the CRTA observers, one polling station in Valjevo was opened with more than two-hour delay.

At all polling stations bags with election material were secured with the security locks, whereby control ballots were casted into the ballot boxes in all observed polling stations. Two percent of the polling stations were not organised in accordance with established procedures, mainly in southern Serbia. All the activities were not recorded in polling board records at five percent of polling stations throughout Serbia. Such cases were the most frequent in the South of Serbia, but also in Belgrade and Vojvodina, far above the average in Serbia.

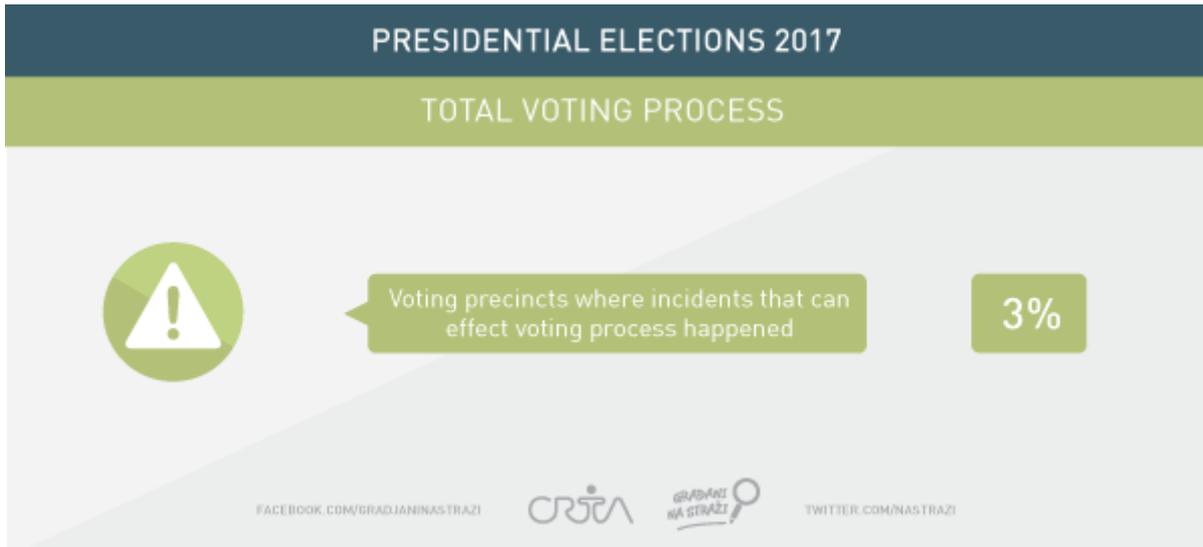
The total of 56 percent of polling stations were not accessible to people with disabilities, which is three percent less than in the last year’s parliamentary elections. This is a positive step forward, but at the moment it is impossible to evaluate whether it is the result of an effort made by the election administration upon requests filed by organisations that advocate for the respect of people with disabilities’ rights, or a pure coincidence.

Irregularities such as the lack of control of voters’ identification cards, not using the UV lamp and distribution of campaign material less than 50 meters from the polling station were recorded at one percent of polling stations. These irregularities referred to isolated cases and could not be perceived as a trend.



## VOTING PROCESS

On the basis of the sample information, the voting process during Election Day passed without major problems, mostly in accordance with established procedures. A total of three percent of polling stations were registered with irregularities that could influence the course of voting.



These three percent of recorded irregularities during voting included voting without identification documents, not using the invisible spray, distribution of campaign material less than 50 meters from the polling station, as well as handling of parallel lists with voters' names. The percentage of cases of distribution of campaign material less than 50 meters from the polling station was reduced to less than one percent by the end of the Election Day, due to polling boards' interventions.

Irregularities recorded until the end of Election Day could only be characterised as isolated cases and could not be considered a trend.

On the basis of information obtained through its mobile teams, the CRTA election observation mission "Citizens on Watch" filed three criminal charges to the Novi Sad Prosecutor's Office due to suspicion of criminal offence of votes bribery in Vojvodina (Temerin, Novi Sad and Beočin).

Moreover, throughout the day, the CRTA observation mission "Citizens on Watch" regularly received information from citizens reporting on potential irregularities. Following citizens' reports, the observation mission mobile teams visited polling stations 73 and 75 in Zemun polje and determined that a parallel record of voters was being kept outside the polling stations. Furthermore, an unauthorised person was bringing voters inside to cast their ballots giving them special green-ink pens.

The CRTA observation mission "Citizens on Watch" registered few isolated cases where voters were not allowed to vote since someone else had already voted on their behalf, as evidenced through the voters list. The two such cases were recorded in Leskovac and one in Novi Sad and one in Smederevo and Sombor. In Novi Sad, Smederevo and Sombor and at one polling station in Leskovac, those voters were ultimately allowed to cast a vote by placing the signature at a different place in the voters list.

Citizens also reported several cases of unusually high number of voters who requested to vote outside of polling stations in Kovin, Dolovo, Starčevo, Alibunar and Savski venac in Belgrade.

One incident of physical violence was recorded at the polling station 16 in Leskovac, where a political party activist assaulted the president of the polling board and caused him minor injuries, so the police and the ambulance intervened. The police also intervened at the polling station 67 in Pančevo, due to the gathering of extremist groups in front of the polling station.

Citizens whose identity card expired were allowed to cast their vote provided they submitted a confirmation of the Ministry of Interior on the request for the issuing of a new identity card. In Zaječar, Alibunar and Knjaževac police stations were opened outside of working hours with the purpose to issue the confirmation that voters without a valid ID card had submitted the request for the issuing of the new ID card. The CRTA election

observation “Citizens on Watch” mobile team confirmed that the replacement of ID cards was organised by unknown persons for 50 voters.

### **VOTERS LIST PROBLEMS ON ELECTION DAY**

At 16 percent of polling stations, there were cases where people reported to have been registered in the electronic voters list, but could not be found in the voters list excerpt. Nonetheless, such irregularity concerned 0.2 percent of cases. Furthermore, at 11 percent of polling stations, there were isolated cases of voters who were unable to find their names in the voters list, which indicates isolated problems with voters list in 27 percent of polling stations in Serbia. Once again, one cannot raise the issue of a large number of voters who were unable to cast their ballots, but rather the issue of prevalence of such problems in the entire country. The CRTA election observation “Citizens on Watch” cannot determine whether the voters had mistaken their polling station or there was a problem with voters list.

The CRTA election observation “Citizens on Watch” received more than 20 citizens’ reports on deceased persons registered in the voters list. Some reports were accompanied by photos of personal data from the voters list and death certificates of persons in question.

The CRTA election observation “Citizens on Watch” does not have a confirmation that such persons “casted their votes”, which means that it is impossible to determine serious violation of the Law on Election or systematic irregularities that influence the results of voting.

All these cases undeniably imply deficiencies of the voters list that CRTA election observation “Citizens on Watch” indicated after the 2016 parliamentary elections considering that this issue needs to be thoroughly examined and rectified.

During Election Day, a certain number of citizens living abroad contacted the CRTA election observation “Citizens on Watch” because they had a voting right in Serbia and expressed concern that somebody else might vote on their behalf, as they were unable to come and cast their votes.

### **CLOSING OF POLLING STATIONS AND VOTE COUNTING**

The closing of polling stations in the presidential elections in Serbia proceeded generally in accordance with established procedures. Several cases of serious irregularities were registered, but they did not influence the regularity of the electoral process.

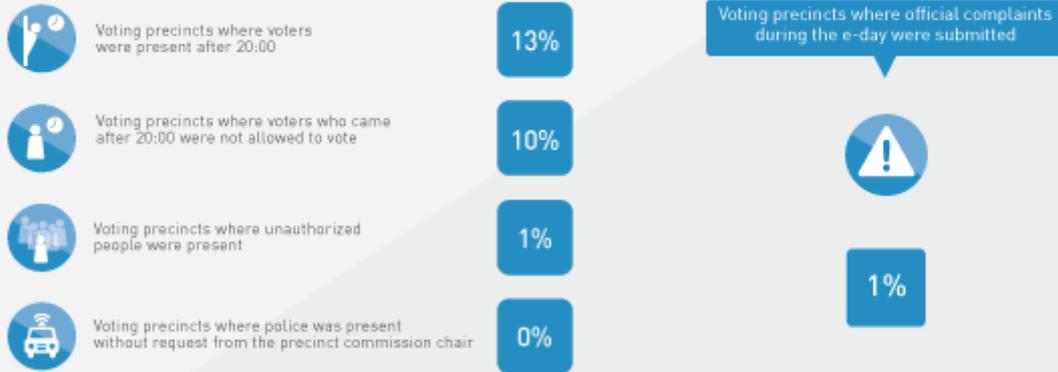
At two percent of polling stations voters remained at polling stations after 8 pm, but only at 2.9 percent of these polling stations voters were allowed to cast ballots after 8 pm.

At 1.3 percent of polling stations, unauthorised persons were present at one time during the electoral process. At one percent of polling stations (four cases) complaints were filed to polling boards.

CRTA did not register the presence of the police at polling stations, nor serious problems regarding the closing of polling stations.

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### CLOSING OF THE VOTING PRECINCTS



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## ABOUT CRTA

CRTA is a civil society organisation, which together with citizens engages in an effort for improved transparency and accountability of institutions and officials, through overview and scrutiny of their work. While being a champion of social responsibility principles, the CRTA develops various mechanisms for monitoring and evaluating openness of institutions and accountability of government officials, relying primarily on new technologies and innovative technological solutions. The CRTA researches and educates citizens and decision-makers about the concept of transparency and accountability and urges for the application of these principles as the fundamental values in a democratic society.

The findings of long-term observation undertaken by CRTA observation mission “Citizens on Watch” about the extraordinary parliamentary election in 2016 were confirmed in the final report of the OEBS/ODIHR international observation mission, whereas the projections and the results on Election Day were also confirmed by the Republic Electoral Commission.

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