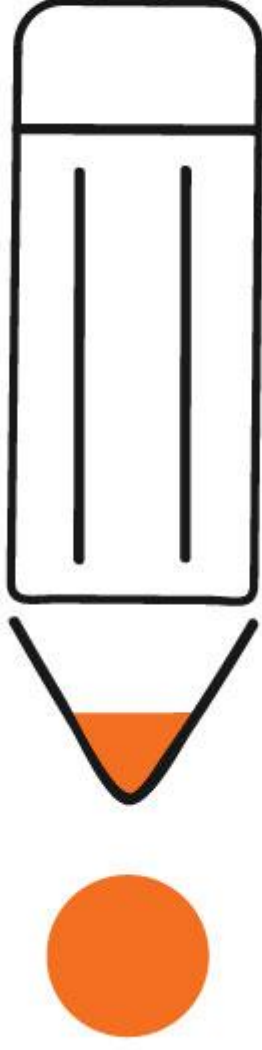


CRTA.



ELECTIONS 2020

Long term observation report

Report for the period March 4th - March 16th and May 12th - May 24th 2020

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ABBREVIATIONS

Agency	Anti-Corruption Agency
PSC	Polling Station Committee
VR	Voters' Register
CRTA	Centre for Research, Transparency and Accountability
PE	Public Enterprise
LTO	Long term observer
MDULS	Ministry of State Administration and Local Self-Government
NARS	National Assembly of the Republic of Serbia
OSCE	Organisation for Security and Cooperation in Europe
REM	Regulatory Authority of Electronic Media
REC	Republic Electoral Commission
RTS	Radio Television of Serbia
STO	Short term observer
LEM	Law on Electronic Media

SUMMARY

The election process and all election activities had been suspended for almost two months because of the declaration of the state of emergency due to the COVID-19 virus pandemic. These are important factors influencing the elections in Serbia in 2020. The pause and the state of emergency were reflected in the dynamics of the election campaign, conditioned by the ongoing measures of social distancing and further monitoring of the coronavirus epidemic in the country. Apart from the dynamics in the way that political actors communicate with voters, the ban on public gatherings and examples of testing virtual rallies in this reporting period, the feasibility of collecting and verifying the signatures of those candidates who did not submit their lists before the break in the election process was also a challenge.

When the state of emergency was lifted, amendments to the Law on the Election of the Members of Parliament and to the Law on Local Elections were adopted in anticipation of the resumption of the election process. In the “second half” of the elections, the submitters of the electoral lists were given access to a wider circle of institutions for the verification of the collected supporting signatures, than the submitters of the electoral lists before the state of emergency had. At the same time, this is the only novelty conditioned by the coronavirus situation recorded in this period, that regards the election process. Although the measures of social distancing are followed and applied in the implementation of the campaign, the Republic Election Commission (REC) in this reporting period did not consider the introduction of special rules of conduct and precautionary measures on the Election Day, because the COVID-19 Crisis Headquarters did not issue particular instructions in that respect.

From the moment of calling the elections on March 4th until the interruption of the election process on March 16th due to the declaration of the state of emergency, as well as from the announcement of the resumption of elections on May 11th to May 24th, the CRTA observation mission monitored the work of the election administration, while 120 long-term observers deployed in the field in 1051 places monitored on a daily basis all key elements of the election campaign for the election of the members of the parliament. The media monitoring team systematically collected information on media coverage done by the media with national frequencies in the extended prime time about all political actors, whilst a special team of monitors followed up the activities of political stakeholders on social networks.

In this observation period, until May 24th, the REC announced a total of 11 electoral lists. Nine electoral lists were declared before the state of emergency, while two lists were declared between May 12th and 24th, one of which was repealed. The CRTA observation mission, that observed 18 out of a total of 19 REC sessions, estimates that the REC decisions were made in accordance with the existing laws and bylaws. 12 complaints were submitted to the REC, out of which six were overruled (four untimely and two unauthorised), four were rejected (three as unfounded and one inadmissible), and one complaint was adopted after the decision of the Administrative Court.

When it comes to the content of the political actors’ activities, the campaign lasted for 12 days in March and 13 days in May without clear policy programmes and plans, while political actors - both representatives of the ruling majority and the opposition - mostly adhered to broad topics regarding areas of socio-economic development. In March, political actors made contact with voters, primarily organising activities to collect signatures for submitting candidacies. In the continuation of the campaign, after the state of emergency, there is a noticeable lack of other forms of communication, which characterise the later stages of the election campaign - public events of a larger or smaller scale, such as rallies or forums.

The CRTA observers noted that the coronavirus topic, together with the activities carried out by the state during the state of emergency, appeared in promotional activities, mainly in those of the ruling parties. In spite of international organisations’ recommendations urging political actors to refrain from shaping up their campaigns on the COVID-19 topic, as it can be treated as another form of abuse in the form of misappropriation of state results for party propaganda purposes, promotional videos using this topic appeared in the public. Besides videos, the CRTA

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observation mission noted that a push poll, an interactive marketing technique, was used throughout Serbia. (Push-polling is defined as a form of negative campaigning, disguised as a political poll that aim to persuade a large numbers of voters and affect election outcomes, rather than measure opinions.)¹ The phone calls were made from the party headquarters in order to first ask citizens to comment on the government's moves during the state of emergency, and then on their willingness to support the party on the Election Day.

In this period of the campaigning, as well as in the period before the calling of the elections, activities that do not fall within the scope of work of a political party were recorded, which can be classified as clientelistic strategies, i.e. indirect vote buying. Although party-organised humanitarian activities, such as the distribution of food packages and similar types of aid, marked the period before the calling of the elections and the first days of the election campaign, there was a change in the campaign after the state of emergency. A wide range of work actions - from cleaning green areas to infrastructure works - carried out by political party activists throughout Serbia became more prevalent than humanitarian activities after the state of emergency. In the period after the state of emergency, public works were also the reason for more frequent appearance of public officials in the field, whose regular activities in this period increased by 40% compared to the campaign period in March.

The CRTA observation mission noted allegations of pressure on voters in almost 30 cities and municipalities in Serbia during this reporting period. In the recorded 38 cases of pressure on voters, these were most often conducted in person or by telephone, with the aim of collecting signatures supporting the lists for participation in the elections, in most cases with threats of dismissal or loss of social aid.

During this reporting period, the CRTA observers recorded a total of 17 cases of pressure on political actors, in 16 cities and municipalities. Out of the total number of registered cases, almost one half related to the unequal position of parties and local movements in collecting and verifying signatures and the availability of notaries. The CRTA observers registered five incidents of attacks on party premises, as well as physical attacks on party activists and officials by unknown individuals.

The declaration of the state of emergency and the suspension of the conduct of election activities also affected the work of independent institutions participating in the election process. The Anti-Corruption Agency continued to act on reports after a pause during the state of emergency when it operated at reduced capacity. During the reporting period, the Agency acted within the legally prescribed deadlines and in accordance with its powers, but only for those violations that occurred during the election campaign. Within this reporting period, the CRTA observation mission submitted a total of eight complaints to the Anti-Corruption Agency for various cases of official campaigning, misuse of public resources, and violations of regulations regarding the financing of political entities.

There are no publicly available information that the Council of the Regulatory Authority for Electronic Media (REM) decided on citizens' complaints during the reporting period. The CRTA observation mission submitted seven complaints against five broadcasters (TV Happy, TV Pink, TV Pančevo, RTV Studio B and RTV Novi Pazar), as they broadcast, during the reporting period, contents jeopardising equality of participants in the election campaign. Six complaints related to contents that gave privileged treatment to state and local officials who are at the same time candidates on electoral lists or prominent representatives of parties whose lists have been declared.

On the other hand, the Supervisory Board, the existence of which was envisaged by the Law on the Election of Members of the Parliament, has been established for the first time in 20 years with the aim of supervising the actions of political parties, candidates and the media in the elections, but had limited effects during this reporting period. The Supervisory Board failed to meet during the first 20 days of the campaign, while the first meeting dedicated to the adoption of its own Rules of Procedure was held on May 20th.

¹ As defined by American Association for Public Opinion Research, <https://www.aapor.org/Education-Resources/Resources/What-is-a-Push-Poll.aspx>

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Representatives of the ruling parties were the most represented in the total time allocated to political actors on TV stations with national frequencies during the election campaign before and after the state of emergency. The representation of the parties in power decreases during the election campaign after the state of emergency in comparison to the previous period, in contrast to the representation of the opposition that will participate in the elections, as well as the opposition in the boycott, which is growing. There was an increase in the neutral representation of all three groups of political actors, and at the same time a decrease in the negative and positive tone in reporting.

Monitoring the behaviour of political actors on social networks in the observed period shows greater activity on the profiles of opposition actors in relation to the profiles of political actors from the ruling majority on the social networks Facebook and Twitter. This datum can be interpreted as an attempt of the opposition to compensate for the lack of media space in communication with citizens through social networks. The greater dynamics of activities on the profiles of relevant political actors who do not belong to the ruling majority is even more pronounced after the lifting of the state of emergency, when the profiles of political parties and opposition leaders were almost four times more active. In addition to the increase in activities on the profiles of opposition political actors, in the period from May 12th to 24th, there is also a noticeable increase in the reach of their posts.

The CRTA observation mission urges the competent institutions to proactively respond to all violations of the law observed during the election campaign and to sanction the illegal behaviour of the participants in the elections. We point out the need for the Regulatory Authority for Electronic Media to act upon and inform the public about the results of complaints about observed irregularities, thus ensuring equal media representation of electoral lists without discrimination, and objectivity of media reporting. It is extremely important that the Anti-Corruption Agency timely and consistently decides on violations of the law regarding the misuse of public resources, public office and financing election campaigns, as well as to inform the complainants about the outcome as soon as possible. The observation mission calls on all political actors, both those participating in the elections and those who have decided to boycott them, to respect each other and behave fairly. The CRTA observers continue to monitor allegations of pressure on voters and political actors and urge relevant institutions to take all necessary steps, investigate cases and sanction possible perpetrators.

The CRTA observation mission will monitor the election campaign, the Election Day and all election activities until the announcement of the final election results. Until the Election Day, the CRTA will publish another preliminary report on the findings of the election campaign observation. The preliminary report on the Election Day itself will be published on June 22nd, and the final report on the entire election process after the announcement of the final election results.

POLITICAL CONTEXT

A state of emergency was declared in Serbia on March 15th, due to the COVID-19 contagious disease pandemic, as a result of which the elections scheduled for April 26th were postponed the next day and all election activities suspended until the end of the state of emergency. When the state of emergency was lifted on May 6th, at the first session of the Republic Election Commission held on May 11th, a decision was made to continue the election activities, while the Election Day was scheduled for June 21. For the first time in Serbia, the election campaign is taking place in two parts, with a break of more than 50 days, during which the fight for parliamentary seats was replaced by the battle against a contagious disease outbreak.

Under these circumstances, the postponement of the elections was constitutionally justified, as the elections in Serbia can be postponed only in circumstances of a state of emergency and war, when deviation from a certain corpus of human and civil rights is allowed, including the voting right. Nevertheless, the procedure that caused controversy in the society is the way in which the decision on declaration of the state of emergency was passed on, since it was made by the President of Serbia Aleksandar Vučić, the Prime Minister Ana Brnabić and the President of the National Assembly Maja Gojković. As they explained, there were no conditions for convening a parliamentary session. The opposition and the professional public objected that the Constitution had been violated and the principle of separation of powers infringed, and that a way had to be found for the highest representative body to decide whether a state of emergency was necessary. However, at the procedural level and without going into the merits of the matter, the Constitutional Court unanimously rejected several initiatives to initiate proceedings to assess the constitutionality and legality of the Decision on declaring the state of emergency.²

In comparison to previous elections, the main novelties in the race for the highest representative body of Serbia in 2020 are the lowering of the electoral threshold from five to three percent, the increase of quotients when calculating the mandate for national minority lists by 35% and the legalisation of the obligation that at least 40% of the underrepresented sex must be on electoral lists, i.e. that among every five places on the list, two must be occupied by representatives of the underrepresented sex. All three changes were made less than a month before the elections, which is contrary to all good practices and recommendations of relevant international institutions, given that these are fundamental changes in the electoral system and in the manner of representation.

After the lifting of the state of emergency, the election activities continued even before the epidemic in Serbia ended, and the prescribed measures of the Government of the Republic of Serbia to ban public gatherings in public places in closed and open spaces were lifted. All this gives these elections another important specificity - they are conducted in conditions that are, to some extent, still risky for public health. Due to this risk, political actors are limited in the choice of activities available in the election campaign. Nonetheless, even though there are less than three weeks before the elections, the Republic Election Commission (REC) has not published any document containing guidelines for the health care of voters and members of polling stations.

Although at the beginning of the epidemic, both the regime and the opposition representatives appealed that the threat to the health security of the citizens should not be used as a weapon against political opponents, the other road was followed in practice. In spite of the fact that the election activities were frozen, the events and topics in the state of emergency were also characterised with political promotion. Media monitoring of the representation of political actors, conducted by the CRTA observation mission during the entire state of emergency, shows that the representatives of the ruling majority had almost absolute representation in the programmes on TV stations with national frequencies. Although increased representation in time of emergency is not in itself a problem, the predominantly positive tone in which the ruling majority is represented in the media fits the profile of political

² The Decision of the Constitutional Court <https://bit.ly/36ThOoB>

promotion and further supports the findings of various national and international organisations on the lack of media pluralism and dialogue.

A part of the civil public expressed disagreement with the rigorous and arbitrary measures undertaken by the Government regarding the declaration, extension or lifting of curfew, which, combined with the drastically narrowed space for social debate in the media, caused open dissatisfaction. At the invitation of the opposition initiatives Let's not drown Belgrade and the Civic Front, and in order to fight "for a democratic, free and solidary Serbia"³, an action has spread since April 26th, throughout Serbia "Raise Your Voice Every Day: Noise against Dictatorship". For several weeks, every night at 20.05 citizens produced noise from their windows and balconies by banging pots, blowing the whistles, etc. In response to noisy anti-regime protests, counter-protests were organised on rooftops of buildings in several Belgrade districts and cities in Serbia, with the use of pyrotechnic devices and sound systems through which offensive messages against opposition leaders were reproduced. The President of Serbia, Aleksandar Vučić, denied that the Serbian Progressive Party was connected with the organisation of these "rooftop" demonstrations, but one of the officials of that party, MP Vladimir Đukanović, announced on social networks that he was participating in the torchlight procession, with videos proving it.

After a series of excesses and violations of curfew, committed both by opposition leaders and representatives of the ruling majority and groups associated with them, tensions escalated on May 8th. As soon as the state of emergency was lifted, opposition MPs physically attacked the ruling majority MP Marijan Rističević in front of the House of the National Assembly. Afterwards, on May 10th, a series of hunger strikes by five MPs followed. Independent MP Miladin Ševarlić was the first to go on strike, explaining that he was dissatisfied because the Assembly did not discuss violations of Serbia's territorial integrity and sovereignty and disrespect of the Resolution 1244. He was joined by Boško Obradović, the leader of Dveri movement, with a list of demands that included postponing elections, and then by Sandra Božić and Aleksandar Martinović from the Serbian Progressive Party. Representatives of the ruling majority stated as their motive the prosecution's failure to act in relation to the violence of members of the opposition against Marijan Rističević. Ševarlić, Božić and Martinović soon gave up, but Obradović was joined by his fellow party member from Dveri, Ivan Kostić. They both ended their hunger strike on May 20th.⁴

The beginning of the hunger strikes was marked by the image of a protest gathering of thousands of people, supporters of both sides, which, separated by a gendarmerie cordon, gave support to the government and the opposition, despite the still valid ban on mass gatherings, which endangered public health security. Tensions and starvation in front of the assembly say a lot about the porosity of key institutions and the atmosphere in which the state of emergency was changed into the continuation of election activities.

³ Let's not drown Belgrade, "Raise Your Voice Every Day: Noise against Dictatorship", 26.04.2020. <https://bit.ly/2vTXhUe>

⁴ Open Parliament, "Hunger strike as a form of struggle of members of the Parliament in Serbia" 20.05.2020. <https://bit.ly/2U6RMsw>

ANALYSIS AND FINDINGS

On October 14th, 2019, the CRTA observation mission officially started monitoring TV stations with national frequencies, and on February 10th, 2020, long-term field observation of the election process commenced in the entire territory of the Republic of Serbia. For the needs of the CRTA observation mission, 120 field long-term observers, trained according to the highest international standards, were hired. They monitor and record information on the atmosphere and activities of political actors in 1051 places, i.e. in all towns in Serbia with a population of more than 1000 inhabitants. In addition to the atmosphere, observers monitor the extent to which political actors communicate and maintain contacts with voters, how they convey messages from election programmes, which are key topics, but also whether there are anomalies in the election process, such as public officials' campaigning or misuse of public resources. Actors include all politically active groups, movements and political parties that have announced their participation in the election race (ruling and opposition), as well as those opposition actors who have declared a boycott of the elections.

The long-term observation methodology applied by the CRTA observation mission in monitoring the atmosphere and activities of all relevant actors, before calling of the elections and during the campaign for 2020 parliamentary elections is based on the highest international standards for independent civilian election observation, in line with the Declaration of Principles for International Election Observation,⁵ the Code of Conduct for International Election Observers, the Declaration of Principles for Non-Partisan Election Observation and Monitoring by Citizen Organisations and the Code of Conduct for Non-Partisan Election Observers.

From the calling of the elections, on March 4th, until the suspension of the election process on March 16th due to the declaration of the state of emergency, observers recorded more than 850 findings on campaign activities, having toured the entire territory of Serbia covered by the observation. Due to the seriousness of the situation with the coronavirus, the CRTA observation mission withdrew all 120 observers from the field on March 16th and discontinued the observation, while later that day the election process was interrupted by a decision of the Republic Election Commission. With the lifting of the state of emergency and the decision to continue the election process, the CRTA continued its long-term observation of the elections on May 12th. In this reporting period, which covers the course of the campaign before and after the state of emergency, as of May 24th, the CRTA observers deployed in the field recorded more than 1,900 findings. Until the announcement of the final results of the parliamentary elections, our long-term observers will be deployed throughout Serbia, which will provide approximately equal access to information on the course and trends of the election process.

The second periodic report of the CRTA observation mission will, in its first part, present the novelties in the legal framework, i.e. the changes in the legal framework that took place on May 10th, just before the decision on the continuation of the election process was made. The second part of the report will be dedicated to the work of the election administration, while the third part will include the activities of independent institutions - the Anti-Corruption Agency and the Regulatory Authority of Electronic Media. A special section will be devoted to the Supervisory Board formed within the National Assembly of the Republic of Serbia with the task of overseeing the media, with a brief overview of the relationship between this body and the Regulatory Authority of Electronic Media. Following the legal and regulatory framework and practice, the findings of the monitoring conducted by the CRTA in this reporting period, we will present media monitoring findings, long-term field observations and social media monitoring findings.

⁵ Global Network of Domestic Election Monitors, Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organisations, Global Network of Domestic Election Monitors, gndem.org/declaration-of-global-principles/

NOVELTIES IN THE LEGAL FRAMEWORK

At its session held on May 10th, 2020, the National Assembly of the Republic of Serbia adopted the Law on Amendments to the Law on the Election of Members of the Parliament and the Law on Amendments to the Law on Local Elections, which amended the provisions governing the validation of signatures of voters supporting electoral lists and entered into force immediately after their publication in the Official Gazette because of “particularly justified reasons”. These changes relate primarily to the possibility of validating the statements of voters who support a particular electoral list not only in the courts and/or by notaries public, but also in municipal and city administrations.

Amendments to these laws raise a number of issues and should be appraised in the context of legal predictability and security, which reflects in the equal treatment of all participants in the election process, given that nine electoral lists were supported by 100,000 certified statements, validated in accordance to provisions in force before the changes were made. Furthermore, we must not lose sight of the fact that the provisions of these laws had already been changed on February 6th, one month before the elections, in the part that prescribes the level of the electoral threshold, i.e., that electoral lists that receive at least 3% instead of 5% of votes may participate in the distribution of mandates.

Thanks to the said amendments to the Law on the Election of Members of the Parliament and to the Law on Local Elections, voters who supported the electoral lists before the amendments to the law (as well as the submitters of electoral lists) were placed in an unequal position in relation to voters (and electoral list submitters) whose supporting signatures are validated in accordance with the amended provisions. The submitters of electoral lists who validate signatures after May 11th have a higher and territorially wider distribution of legally authorised verifiers in relation to the submitters of electoral lists who collected signatures before the state of emergency. Additional inequality is reflected in the fact that voters and submitters of electoral lists who will validate signatures after May 11th carry out activities during measures imposed in order to prevent the spread of coronavirus.

The provisions of the Law on the Election of Members of the Parliament which had been in force until the amendments to the law on May 11th, stipulated that the voters’ signatures supporting a particular electoral list must be validated by a competent court, while in practice the provisions of the Law on Notaries were applied so that the supporting signatures had been validated uniquely at notaries’ offices. Instead of this provision, the Law on Amendments to the Law on the Election of Members of the Parliament ⁶ stipulates that the signatures must be certified by a notary public or in the municipal or city administration, and in cities and municipalities where notaries public have not been appointed, in the basic court, court unit, reception office of the basic court or the municipal or city administration. Moreover, the provisions of the Law on Local Elections, which had been in force until the adoption of the amendment to this law, prescribed that the validation of voters’ signatures supporting a certain electoral list must be verified in accordance with the law governing the verification of signatures, whereby the Law on Amendments to the Law on Local Elections,⁷ provide a possibility of signature validation by a notary public or in the municipal or city administration, and in cities and municipalities where notaries have not been appointed, in the basic court, court unit, reception office of the basic court or municipal or city administration.

⁶ Article 1. In the *Law on the Election of Members of the Parliament* (“Official Gazette of the Republic of Serbia”, no. 35/00, 57/03 – Constitutional Court, 72/03 – state law, 18/04, 85/05 – state law, 101/05 – state law, 104/09 – state law, 28/11 – Constitutional Court, 36/11 and 12/20), in the article 43, paragraph 3 the words “in the competent court” will be replaced by the following words “by a notary public or in the municipal or city administration, and in cities and municipalities where notaries have not been appointed, in the basic court, court unit, reception office of the basic court or municipal or city administration”.

⁷ Article 1. In the *Law on Local Elections* (“Official Gazette of the Republic of Serbia”, no. 129/07, 34/10 – Constitutional Court, 54/11, 12/20 and 16/20 – authentic interpretation), in the article 23, paragraph 3 the words: “in accordance with the law governing validation of signatures” will be replaced by the following words: “by a notary public or in the municipal or city administration, and in cities and municipalities where notaries have not been appointed, in the basic court, court unit, reception office of the basic court or municipal or city administration”.

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In accordance with the amendment to the Law on the Election of Members of the Parliament, the Republic Election Commission amended the Instructions for the Conduct of Elections of Members of the Parliament and prescribed that the statements of voters who support the electoral list be certified by a notary public or municipal or city administration,⁸ whereby in accordance with the previous Instructions, the statements of voters who support the electoral list had to be validated by a notary public in municipalities and cities where notaries were appointed.

THE WORK OF THE ELECTION ADMINISTRATION

In this reporting period, the work of the election administration was marked by the proclamation of 10 submitted lists of coalitions and parties, the decision to suspend and then resume the election actions caused by the Covid-19 epidemic crisis, the rejection of 19 voter complaints and one verdict. By the verdict brought by the Administrative Court, the list “Be brave – Milica Đurđević Stamenkovski – Serbian Party of Oath Keepers” was instructed to submit within 48 hours the complete documentation with at least 10000 collected supporting signatures, after which the submitter withdrew their list. In the observed period, the REC confirmed that six citizens’ associations met the conditions for obtaining the status of the REC observers, namely CRTA, Citizens on Watch, CESID, Organisation for Fair Elections and Democracy, Lawyers’ Committee for Human Rights, and the Centre for Election and Election Procedures Monitoring. Accredited observers are allowed to observe plenary sessions, as well as sessions of working bodies, in accordance with the Conclusion of the REC dated December 2nd, 2019.⁹

The CRTA observation mission assessed that the REC’s decisions had been made in accordance with the existing legal framework and by-laws. The REC issued the Instruction for the Conduct of Elections, the Decision on Coordinated Conduct of Elections, as well as other necessary forms for submitting election lists, promptly and in accordance with the Schedule for the Conduct of Election Activities in the Procedure of Elections of Members of the Parliament scheduled for June 21st, 2020.

Nineteen sessions were held during the observed period. The CRTA observation mission monitored eighteen. At 114th session held on March 4th, the Instruction for the Conduct of Elections of Members of the Parliament were adopted, while at the 115th session held on March 5th, members of the Republic Electoral Commission adopted the Decision on Coordinated Conduct of Elections, as well as other necessary forms for submitting election lists. In comparison to the 2016 Instruction for the Conduct of Elections, significant differences were noted regarding more detailed obligations of nominators of polling station committees’ and working bodies’ members (they need to have undergone training) and electoral lists submitters. The instruction stipulates in more detail the obligation to assess the accessibility of polling stations by local self-government units, i.e. to fill in the questionnaire on accessibility, as well as to expand the types of activities of election bodies that can be monitored by accredited observers (REC working sessions, voting outside polling stations). The provisions of the Instruction have been adjusted to the Amendments to the Law on the Election of Members of the Parliament and the Law on Local Elections dated February 6th, so it is envisaged that 40% of the underrepresented gender must be on the electoral list. Among every five candidates on the electoral list, there must be at least two candidates who belong to the sex that is less represented on that electoral list. Informing voters about the possibility of voting abroad was additionally clarified, with the introduction of new possibilities for the protection of the right to vote (each voter has the right to request information from the REC after voting whether their vote was registered or not in the excerpt from the voters’ register). In addition to obtaining information, each voter has the right to request direct access to an excerpt from the voter list.

⁸ Article 43, paragraph 4. Voters’ statements supporting the electoral list of candidates for members of the Parliament shall be verified by a notary public or in the municipal or city administration. In municipalities / cities where notaries public have not been appointed, voters’ statements supporting the electoral list of candidates for members of the Parliament shall be verified in basic courts, judicial units, reception offices of basic courts or in municipal or city administrations. – *the Instruction for the Conduct of Elections of Members of the Parliament called for June 21st (consolidated text) – 02 number 013-53/20 dated May 11th, 2020.*

⁹ The REC conclusion on the measures for the improvement of the election process 2.12.2019. <https://bit.ly/2XBs16a>

Suspension and resumption of election activities

After the elections for members of the Parliament were called for April 26th, the Republic Electoral Commission started conducting election activities on March 4th by adopting the Instruction for the Conduct of Elections of Members of the Parliament and Schedule for the Conduct of Election Activities in the Procedure of Elections of Members of the Parliament. Due to the COVID-19 epidemic, the President of Serbia, the Speaker of the National Assembly and the Prime Minister brought a Decision on declaring a state of emergency on March 15th, after which the conduct of election activities was interrupted, i.e. the Republic Electoral Commission passed on March 16th a Decision on suspension of all election activities in the conduct of the elections of members of the Parliament, which were announced for April 26th,¹⁰, putting an end to all deadlines for the conduct of election activities.

The elections, i.e. election activities resumed on May 11th, when the Republic Electoral Commission brought a Decision on the continuation of the elections in the procedure of elections of members of the Parliament announced on March 4th¹¹, after the state of emergency was lifted on May 6th. At the same session, the Decision on Amendments to the Instruction for the Conduct of Elections of Members of the Parliament called for April 26th¹² was adopted and the Schedule for the Conduct of Election Activities in the Procedure of Elections of Members of the Parliament called for June 21st, 2020 was adopted.¹³

Proclamation and withdrawal of the electoral list “BE BRAVE – Milica Đurđević Stamenkovski – Serbian Party of Oath Keepers”

In this reporting period, one submitted electoral list was withdrawn, after the verdict of the Administrative Court, i.e. the filed complaint, and then the appeal of the voters to the Administrative Court. It is the list “Be brave – Milica Đurđević Stamenkovski – Serbian Party of Oath Keepers”. The main obstacle to the proclamation of this electoral list is reflected in its name because it contains the word “BRAVE” which is not part of the registered name of the submitter of the electoral list. After the Republic Electoral Commission annulled the Decision on the proclamation of the electoral list “Be brave – Milica Đurđević Stamenkovski – Serbian Party of Oath Keepers” that the Serbian Party of Oath Keepers submitted on March 15th, 2020 for the elections of members of the Parliament, the authorised person of this party notified the Republic Electoral Commission on May 19th, 2020 of their withdrawal of the electoral list.

The decision of the Republic Electoral Commission, which annulled the Decision on the proclamation of this electoral list, was made in accordance with the judgment of the Administrative Court. The Administrative Court made its decision on the basis of the fact that the Republic Electoral Commission, when deciding on the voter’s complaint, violated the law by not ordering that the name of the electoral list be edited in all documents, i.e. in the voters’ statements, wherever the name of the electoral list that contained the word “brave”.

While controlling the correctness of the documentation for participation in the elections submitted by the Serbian Party of Oath Keepers, the Republic Electoral Commission, at its 121st session, held on March 15th, passed a Conclusion for eliminating deficiencies and ordered that this party, the submitter of the electoral list, eliminate the deficiency of the electoral list, which is an obstacle to its proclamation, by submitting to the Republic Electoral Commission a new electoral list in the prescribed form and a new power of attorney of the person authorised by the party’s representative to submit the electoral list. The conclusion ordered that the name of the electoral list be harmonised with Article 42 of the Law on the Election of Members of the Parliament¹⁴ and article 39 of the

¹⁰ <https://bit.ly/3eWYKZn>

¹¹ <https://bit.ly/30cZPYO>

¹² <https://bit.ly/2MCfeKe>

¹³ <https://bit.ly/2XDpQZx>

¹⁴ The Law on the Election of Members of the Parliament (“Official Gazette of the Republic of Serbia”, no. 35/2000, 57/2003 – decision of the Constitutional Court of the Republic of Serbia, 72/2003 - state law, 75/2003 – rectification of the state law, 18/2004, 101/2005 – state law,

Instruction for the Conduct of Elections of Members of the Parliament,¹⁵ i.e. to delete the word that cannot be a part of the electoral list name as it is not a part of the electoral list submitters' name subscribed in the Register of Political Parties Register.

At its 122nd session, held on March 15th (ending March 16th, 2020), the Republic Electoral Commission considered and passed a Decision proclaiming the Electoral List Milica Đurđević Stamenkovski - Serbian Party of Oath Keepers for Elections of Members of the Parliament, which was supported by 10,226 legally valid certified statements of voters. On this occasion, the Decision on fulfilling the conditions for appointing the representative of the submitter of the Electoral List Milica Đurđević Stamenkovski - Serbian Party of Oath Keepers to the expanded composition of the body for conducting elections Members of the Parliament and the Decision on determining the representative of the submitter of the electoral list Milica Đurđević Stamenkovski - Serbian Party of Oath Keepers, Miroslav Vasić and Nemanja Jekić, law graduates from Belgrade, became members, i.e. deputy members of the expanded composition of the REC in front of this proclaimed list.

At the 124th session held on May 11th, 2020, the Republic Election Commission rejected as unfounded the objection of a voters S.P. to the Decision on the Proclamation of the Electoral List of Milica Đurđević Stamenkovski - Serbian Party of Oath Keepers, dated March 16th, 2020.

At the 129th session, held on May 19th, 2020, the Republic Election Commission decided on the complaint of a voter S.P. on the Decision on the Proclamation of the Electoral List of Milica Đurđević Stamenkovski - Serbian Party of Oath Keepers dated March 16th, 2020, in a repeated procedure in accordance with the judgment of the Administrative Court dated May 17th, 2020. The members of the Republic Electoral Commission brought a Decision approving and annulling the proclamation of the electoral list of Milica Đurđević Stamenkovski - Serbian Party of Oath Keepers, submitted on March 15th, 2020 by the Serbian Party of Oath Keepers for elections to the Parliament. In the continuation of the session, the Republic Electoral Commission passed a Conclusion ordering the political party Serbian Party of Oath Keepers, submitter of the electoral list "BE BRAVE - Milica Đurđević Stamenkovski - Serbian Party of Oath Keepers" in the elections of members of the Parliaments scheduled for June 21st, 2020, to within eliminate the shortcomings of the electoral list that are obstacles to its proclamation within 48 hours. The said Conclusion ordered the Serbian Party of Oath Keepers to eliminate all shortcomings within 48 hours at the latest, and to submit, among other things, a new list of voters who support their electoral list, in the prescribed written and electronic form. It was noted that in order to eliminate shortcomings, the name of the electoral list must be harmonised in the mentioned documents so that the word "BRAVE" be excluded from the existing name. It cannot be a part of the name of the electoral list, as it is not a part of the name of the electoral list submitter subscribed in the Register of Political Parties, nor is it part of the name of the holder of the electoral list.

At the 130th session of the Republic Electoral Commission, the president of the Commission informed the present members that the authorised person of the Serbian Party of Oath Keepers submitted on May 19th a written notification of the withdrawal of the electoral list "BE BRAVE - Milica Đurđević Stamenkovski - Serbian Party of Oath Keepers" that the Serbian Party of Oath Keepers submitted on March 15th, 2020 for the elections of members of the Parliament.

85/2005 - state law, 28/2011 - decision of the Constitutional Court, 36/2011, 104/2009 - state law, 12/2020 and 68/2020) article 42, paragraph 1. The name of the electoral list is determined by the name of the political party submitting the list, and the name may include the name and surname of the person designated by the political party as the holder of the electoral list.

¹⁵ the Instruction for the Conduct of Elections of Members of the Parliament called for April 26th, dated March 4th, 2020, article 39, paragraph (1) If the electoral list is submitted by a political party, the name of the electoral list must contain the name of the political party as subscribed in the Register of Political Parties (2) The abbreviated name of a political party subscribed in the register of political parties may be used in the name of the electoral list. (3) The name of the electoral list may contain the name and surname of one person (electoral list holder), with his written consent given on the form NPRS – 3/20

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The electoral list “Milica Đurđević Stamenkovski - Serbian Party of Oath Keepers” re-submitted voters’ supporting signatures on May 26th, 2020 and on the same day this list was proclaimed by the Republic Election Commission, which stated that the list submitted valid 10349 signatures of voters’ supporting signatures.

Objections to the Republic Electoral Commission decisions

In the period from March 5th to May 24th, 12 objections were submitted to the Republic Electoral Commission, out of which six were overruled (four untimely and two unauthorised), four were rejected (three as unfounded and one inadmissible), and one complaint was adopted after the decision of the Administrative Court. Six objections were filed against the Decision on continuation of electoral activities on May 11th, 2020 with identical allegations related to “conduction the elections in an atmosphere of a worsening epidemiological situation”. In five cases, i.e. against five decisions of the Republic Election Commission, appeals were filed with the Administrative Court. In one case, the Court accepted the appeal and annulled the decision of the Republic Election Commission, when the proclamation of the electoral list “Be brave – Milica Đurđević Stamenkovski – Serbian Party of Oath Keepers” was being decided.

THE WORK OF INDEPENDENT INSTITUTIONS

The Anti-Corruption Agency

The declaration of the state of emergency and the suspension of the election activities and the campaign on March 16th, affected the work of the Agency, which worked with reduced capacities, and short deadlines for acting upon complaints during the campaign were not applied.

According to publicly available data, i.e. based on insights into four decisions publicly published on the Agency’s website, if we exclude the state of emergency, the Agency acted within the legally prescribed deadlines and in accordance with its competencies, but only for those violations that occurred in campaigning. Proceedings on violations unrelated to campaign were carried out according to the usual procedure, i.e. without time limits.

Regarding the complaints submitted by the CRTA before the formal start of the campaign and in relation to electoral activities of officials and political activities, the Agency regularly informed the CRTA about its decisions not to initiate proceedings (complaints from February 2020 against MP Aleksandra Tomić and Minister Branko Ružić). At the CRTA’s request, it also submitted information on the procedure regarding other complaints (information on the case numbers initiated following the complaints were submitted). Exceptions were complaints against Ana Brnabić, the Prime Minister, and Zoran Đorđević, the Minister of Labour, Employment, Veterans and Social Affairs. Even after the CRTA’s repeated requests, the Agency did not submit any information on the procedure regarding these complaints. Only the Prime Minister confirmed in her address to the public that she had received a complaint from the Agency for a statement, without going into details.

The Agency has opened a special section on its website called “2020 Election Campaign” and four categories have been singled out within that section:

- Statements,
- Monitoring of the election campaign,
- Agency’s decisions on complaints,
- Gallery.

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On March 10th, 2020, the Agency also informed the public that the observers of the election campaign hired by the Agency started working in the field. No data have been made available on the results of the observer's work and methodology until the closing of this report.

Anti-Corruption Agency statements

The Agency has so far published six statements¹⁶ relating to the conduct and the work of political subjects.

The first statement refers to the financing of the election campaign and it explains in more detail the basic concepts from the Law on Financing Political Activities such as: sources of funding (funding from public sources and funding from private sources), opening a special account for financing the election campaign and election guarantee. Other statements refer to pointing out to political entities participating in the election campaign the obligation to appoint an authorised person in a political entity, i.e. pointing out to political entities the legal definition of contributions and the maximum allowed value for election campaign expenses for natural and legal persons.

The Agency notified the political entities that they are obliged to open and use a special account in order to raise funds for financing a certain election campaign, as well as to pay all costs related to the same election campaign, and provided additional information about account opening procedure. The case of opening a special account for the purpose of the election campaign when it comes to local elections was especially emphasised. Political entities were also given information related to the maximum values of contributions for the upcoming elections, which were determined on the basis of the law and data on average monthly earnings in 2019 of the Statistical Office of the Republic of Serbia.

Decisions made by the Anti-Corruption Agency following the complaints

In this period, the Agency published four decisions¹⁷ on its web-site. All four decisions are in fact decisions which determine that there are no grounds for deciding on the existence of a violation of the provision of Article 23 of the Law on Financing Political Activities. It is not possible to see from the published decisions who the complainants were.

Based on the press-release entitled "The Agency allows double exploitation of public officials' campaigning"¹⁸ published on the Transparency Serbia web-site relating to the use of public resources, namely to videos and photos of public and health institutions and public officials' activities that political actors use in their promotional election videos and posts on Facebook and YouTube. The Agency made a decision that there were no grounds for deciding on the existence of a violation of the Law on Financing Political Activities. According to statements published on the Transparency Serbia web-site "The Agency does not consider the following situations to be the use of public resources: 1) including recordings of official visits of a public official to a public health institution in a party promotional video; 2) show public health institutions and state-owned companies in a party video; 3) announcing the activities of ministers and other public officials on the party's Facebook page, with a graphic symbol of the current election campaign. In all the cases described, the Agency referred to "previously published recordings", i.e. the transmission of news from other sources, and that there was therefore allegedly no use of public resources for party purposes." Although the Agency in each specific case determined the factual situation and on that basis decided on the merits of the complaint, such decisions of the Agency can be a significant indicator of how the Agency will act upon similar complaints in the future.

In addition to the releases in the special section "2020 Election Campaign", the Agency published on its web-site several other statements related to the election campaign. On May 13th, 2020, the Agency issued a statement

¹⁶ <https://bit.ly/378rHiw>

¹⁷ <https://bit.ly/377VojA>

¹⁸ <https://bit.ly/30g7khW>

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entitled “The Agency’s Proceedings on Officials’ Reports”¹⁹, stating, inter alia, that complaints against several officials, regarding the alleged misuse of public resources or public office, submitted by the CRTA, did not have the status of complaints against potential abuse during the election campaign, because they had been submitted before the elections were called. This is why a five-day deadline for the Agency to act did not apply to these complaints, but solely on those indicating a potential violation of regulations during the election campaign. It was added that before calling of the elections, the CRTA filed nine complaints against officials at various levels (from the director of the primary school to the Prime Minister of the Republic of Serbia), that are still pending, in various phases. The complainant was duly informed about the outcome of the already completed procedures, which will also be the case with the remaining ones, after the procedure is completed.

Overview of the position of the Anti-Corruption Agency in relation to the obligation to act upon complaints

On May 26th, 2020, the Agency published a statement entitled “Complaints against potential violations of the Anti-Corruption Agency Act and the Law on Financing Political Activities”²⁰ stating that ever since the Republic Election Commission announced the continuation of election activities, the Anti-Corruption Agency has acted on complaints that indicate possible violations of the Anti-Corruption Agency Act and the Law on Financing Political Activities, and that legal provisions, related to actions and decisions in this period, oblige the Agency to comply with the five-day deadline, in which it is obliged to decide whether there has been a violation of the law and, if so, to impose an appropriate measure. The very five-day deadline for decision-making, without the possibility for the public, i.e. the complainant to be informed about it, significantly affects not only the transparency and openness of this independent body, but also the trust of citizens in the work of institutions.

What is more, in addition to the obligation to pass on a decision in the short term, it convenes to point out that the obligation to publish it on the Agency’s website, within 24 hours of adoption, applies only to decisions on violations of the Law on Financing Political Activities, in proceedings against political parties or coalitions and groups of citizens, and in the case when proceedings are conducted against officials, there is no legally defined legal obligation. In that case, the Agency will inform the complainant once the decision becomes final, and the public only regarding the measures that must be published in accordance with the law.

Bearing in mind the said position of the Agency regarding the deadlines for dealing with complaints lodged by natural and legal persons regarding violations of the provisions of the Anti-Corruption Agency Act (misuse of public resources by officials and public officials’ campaigning), in practice it may happen that the complainant is not informed about the decision of the Agency in a short period of time, since, after the decision is made within the legal deadline of 5 days, it is delivered to the official against whom the procedure has been conducted. The official has the right to appeal against the decision within 15 days from the day of delivery, and then the Committee of the Agency as the second instance body decides on the submitted appeal. This appeal procedure is not limited in time. Such a procedure could, in practice, lead to the complainant being notified of the Agency’s decision only after the elections have been held, which greatly renders meaningless the latest legal changes that have introduced short deadlines within which the Agency must make a decision.

Regulatory Authority of Electronic Media

Article 47, paragraph 1, item 5 of the Law on Electronic Media foresees that in view of its programme concept, the media service provider is held to respect the ban on political advertising outside of political campaigns and during the such campaign enable registered political parties, coalitions and candidates representation without discrimination.

¹⁹ <https://bit.ly/2z9zHD7>

²⁰ <https://bit.ly/30fPA64>

Article 24, paragraphs 1 and 2 of the same Law stipulate that the Regulator shall control the operation of media service providers... and that it shall particularly ensure that media service providers respect the obligations regarding programme contents foreseen by this Law, which most certainly refers to the obligation quoted in article 47, paragraph 1 of the Law on Electronic Media.

Additionally, article 28, paragraph 1 foresees that Regulator can impose on the media service provider a remonstrance, warning, temporary ban on publication of the programme content or may revoke their license due to a violation of obligations related to the programme content prescribed by Articles 47-71 of this Law, as well as due to a violation of the conditions set forth in the license or approval for providing media services in accordance with the provisions of this Law. Having in mind that this includes the obligation under article 47 paragraph 1 item 5 of the Law on Electronic Media, it is clear that there is an unequivocally established obligation of the REM to ensure that during the election campaign there was discrimination against certain political parties, coalitions and candidates, and that if it finds that media service providers do not comply with article 47, paragraph 1, item 5 to impose appropriate measures within its competence.

Activities of the Regulatory Authority of Electronic Media in the eve of the campaign for the 2020 elections

In order to more precisely define the obligations of media service providers, including those related to providing participants to the elections with non-discriminatory representation, REM has the obligation to adopt general by-laws laying down more detailed rules for fulfilling the obligations set forth by the Law on Electronic Media.²¹ The previously valid Rulebook on Obligations of Media Service Providers during the Election Campaign, the provisions of which applied to both public media services and commercial media service providers, was repealed in February 2019.

At its session held on February 27th, 2020, the Regulatory Authority of Electronic Media adopted the Rulebook on the manner of fulfilling the obligations of public media services during the election campaign. The REM persisted in its intention to adopt a binding act exclusively in terms of fulfilling the obligations of public media services, despite the fact that the professional public insisted on the legal obligation of the REM to include commercial media service providers in the Rulebook. Moreover, the illegality of this approach was pointed out by the Ministry of Culture and Information, which is responsible for giving opinions on the constitutionality and legality of the REM's general acts, and which stated that "obligations of media service providers, in terms of the Law on Electronic Media must apply to both public media services and all other media service providers."²²

The REM did not harmonise the Rulebook with the opinion of the Ministry. At the session held on March 2nd, 2020, instead of the Rulebook, the REM adopted Recommendations for commercial broadcasters which do not have a binding character. This is particularly disputable given that the REM has a legal obligation to regulate the obligations of all broadcasters - public media services and commercial media service providers - by a binding legal act. Seven of the ten TV stations with highest ratings in Serbia, both those with national frequencies (Happy, Pink, Prva, B92) and cable TV stations without national coverage (N1, Pink2, Pink3), do not fall under the binding REM Rulebook on the manner of fulfilling obligations during the election campaign.

On the other hand, in December, the REM undertook to monitor the election programme contents of public broadcasters and four televisions with national frequencies, in order to determine compliance with the provisions of the Rulebook and the Recommendation, and to publish tabular reviews of the duration and percentage of representation of electoral lists in the election programme.²³ Subsequently, at the session held on March 2nd, 2020,

²¹ Article 60 of the Law on Electronic Media.

²² The opinion of the Ministry of Culture and Information on the Draft Rulebook on Obligations of Media Service Providers during the Election Campaign number 110-00-4/2020-04 dated 24.01.2020.

²³ Plan for monitoring the programme of media service providers during the election campaign for the republican, provincial and local elections in the Republic of Serbia in 2020 adopted at the session of the Council held on 05.12.2019. <https://bit.ly/2MMI2iz>

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two days before calling the elections, the Council delivered a decision to put under monitoring two cable TV stations, namely N1 and Nova S²⁴. The criterion on the basis of which only two channels were chosen from numerous cable televisions remained unknown. It is important to note that in this way the REM connected the following categories within the same reports: two public broadcasters (RTS and RTV) with two programmes each (RTS1, RTS2, RTV1 and RTV2), four televisions with national frequencies that are available to each TV user in Serbia (Happy, Pink, Prva, B92) and two cable broadcasters (N1 and NovaS) which are available to the public exclusively through cable operators - while one of the two largest operators in the country excludes these two channels from its offer.

During the reporting period, the REM Council adopted three weekly reports on the supervision of media broadcasters during the election campaign²⁵ prepared by the Regulatory Authority Expert Service. The methodology on the basis of which the REM prepared its reports remained unknown despite the fact that the CRTA observation mission officially requested the Regulator to submit the methodology. The report does not include a qualitative analysis of the programme, does not contain information on when the actors were represented as a subject and when as an object or on the tone used to report on them, but comes down to presenting data on the quantitative representation of actors, many of whom do not participate in the campaign.

REM's actions to citizens' complaints

The CRTA observation mission submitted to the REM seven complaints against five media service providers (TV Happy, TV Pink, TV Pančevo, RTV Studio B and RTV Novi Pazar), because during the reporting period they broadcast contents that violates the equality of election campaign participants. Out of these complaints, six related to contents that gave privileged treatment to state and local officials who are at the same time candidates on electoral lists or members of bodies, i.e. who are prominent representatives of parties that have proclaimed electoral lists.

This phenomenon is especially noticeable in the local media, which within the election programmes broadcasting features related to the promotion of the results of public authorities and officials who are at the same time candidates on electoral lists or prominent representatives of parties participating in elections, which blurs the line between public and party activities. Within the election programme, RTV Novi Pazar broadcast a feature reporting on the installation of a sewerage network in the settlement of Velje Polje in Tutin, which was financed by budget funds and on a director of the Public Enterprise Gradac Tutinje Erdžan Bahtijarević, who toured the works in his capacity of a member of the Main Board of the Party of Democratic Action of Sandžak. The same broadcaster reported within the election programme about the rehabilitation of the local road in the village of Dolovo in Tutin, which was financed by budget funds, and a tour of the works by the mayor of Tutin, Kenan Hot, a prominent representative of the Party of Democratic Action of Sandžak. In the programme marked as election one, within the show *Good morning Serbia* (Dobro jutro Srbijo), the national TV station TV Happy broadcast an interview with the Minister of Defence Aleksandar Vulin who is at the same time the president of the party that has candidates on the electoral list "Aleksandar Vučić – For Our Children." The topic of Vulin's visit pertained to the scope of activities of the Ministry of Defence. Similarly, in the election programme, TV Pančevo broadcast a feature about the state activities of Ministers Jadranka Joksimović and Zorana Mihajlović, who are also high-ranking officials of the Serbian Progressive Party.

Members of the CRTA observation mission submitted complaints against these three TV stations believing that media service providers, reporting on state activities of high party officials within the election programme, provided during the campaign privileged treatment to the electoral lists of parties of which the said officials are members.

On the other hand, TV Pink enabled Maja Gojković, Speaker of the Parliament and the second candidate on the list of candidates on the electoral list "Aleksandar Vučić - For Our Children" to promote her party in the part of the news

²⁴ Minutes from the session of the REM Council dated 02.03.2020. <https://bit.ly/2UgtwVc>

²⁵ The sessions of the Council at which the reports were adopted were held on March 12th, March 23rd and April 21st 2020.

programme that does not refer to reporting on election activities. While reporting on an ambulance donated to the Primary healthcare centre in Kovin donation from the budgetary funds, TV Pančevo made possible to Srđan Nenek, chief of emergency of Primary healthcare centre in Kovin and the third candidate on the electoral list “Aleksandar Vučić – For Our Children” for the election of deputies in the Municipal Assembly of Kovin to use the feature about the donation to promote the Serbian Progressive Party.

believing that TV Pink and TV Pančevo neglected their obligation to provide non-discriminatory representation to all participants to the election during the election campaign by enabling officials whose participation in the programme was directly related to activities within their scope to promote their electoral lists and thus placing these lists in a privileged position in relation to other participants in the elections, the members of the CRTA observation mission filed to the REM complaints against these two televisions.

Due to biased reporting, a complaint was filed against RTV Studio B. In this particular case, the media service provider broadcast declaration by five officials of the Serbian Progressive Party officials who linked opposition leaders to the criminal milieu, without providing the other side with the possibility to express themselves about these allegations. Until the closing of this report, there were no publicly available data whether the REM delivered a decision on the submitted complaints.

Permission to broadcast programmes hosted by an official of a public body or an official or a prominent representative of a certain political party

During the state of emergency, the Slavko Ćuruvija Foundation filed a complaint²⁶ to the REM against TV Kopernikus because, despite the provisions of the Rulebook on the Protection of Human Rights in the Field of Media Services, which provides that a person who is an official in a public authority or official or a prominent representative of a particular political party, cannot be a host, speaker or reporter in news or current affairs programmes²⁷, broadcasts show conceived and hosted by Vladimir Đukanović, a member of the Main Committee of the Serbian Progressive Party and an MP elected from this party’s electoral list.

Although the Council did meet during the state of emergency, a member of the Council informed the complainant through the media “that TV Kopernikus would be ordered to cancel the show hosted by the Serbian Progressive Party MP Vladimir Đukanović, until the end of the campaign”, saying that “Đukanović as an official and representative of a political party, could not host the show until the end of the elections”, and adding that “during the state of emergency, the elections were postponed, which is why there were no legal obstacles for him to host it.”²⁸

It is important to point out that even before the interruption of the campaign due to the declaration of a state of emergency, Đukanović hosted a show on March 9th, 2020 and invited Aleksandar Vučić. Besides, the quoted obligation referred to in article 9 of the Rulebook on the Protection of Human Rights in the Field of Media Services, does not regard uniquely the election campaign period. The ban is in force at all times. The statement of the member of the Council is based on the provisions of the Rulebook on the obligations of media service providers during the election campaign, which is no longer in force because the Council itself abolished it.

This case is yet another indicator that, by failing to draft a new, comprehensive Rulebook on commercial media obligations during the election campaign, the REM has contributed to uncertainty and unrestricted discretionary decision-making by media service providers on issues that could jeopardise voters’ right to objective information during the election campaign.

²⁶ Complaint filed by the Slavko Ćuruvija Foundation dated 06.05.2020. <https://bit.ly/2XBtCZu>

²⁷ Article 9, paragraph 4 of Rulebook on the Protection of Human Rights in the Field of Media Services.

²⁸ Journalists’ Association of Serbia, Zekić: the REM will demand that TV Kopernikus cancel the show hosted by Đukanovića until the end of the elections, 07.05.2020. <https://bit.ly/30d0OrY>

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TV time paid by participants to the election campaign

The REM reports indicate that media service providers did not broadcast political advertising in their programmes until May 16th, when a 23-minute “rented term” was broadcast on TV Pink, in which Aleksandar Vučić held an online rally and aired an advertisement of the Serbian Progressive Party.

The Law on Advertising stipulates that commercial media service providers may broadcast a maximum of 12 minutes of TV advertising in one hour. In the period before 2015, the Regulator, by special Regulations brought in the eve of the elections, enabled media service providers to rent TV time to election participants during the campaign. However, the enactment of the Rulebook on Obligations of Media Service Providers during the 2015 election campaign clearly stipulated that “if an electoral list submitter or candidate rents time in a media service provider’s programme, the content broadcast during that period will be considered a political advertisement.”

By repealing this Rulebook, and not adopting a new one, the REM opened the possibility for media service providers to interpret the regulations broadly, so the owner of TV Pink stated that the “rented TV time” did not belong to the commercial block.”²⁹

Nonetheless, it should be borne in mind that in the absence of special Regulations, the Law on Advertising is directly applicable to this situation, in which sense a commercial media service provider has a total of 12 minutes in one hour, and a public media service 6 minutes, for all types of advertising - commercial, political, even for rented TV time that parties pay for their own political promotion.

OVERSIGHT COMMITTEE OF THE NATIONAL ASSEMBLY OF THE REPUBLIC OF SERBIA

The Law on the Election of Members of the Parliament stipulates that in the procedure of conducting elections, general oversight over the actions of political parties, candidates and the media during election activities is to be carried out by the Oversight Committee. The Oversight Committee is a body consisting of ten members, one half of whom are appointed by the National Assembly of the Republic of Serbia on the proposal of the Government of the Republic of Serbia, and the other half on the proposal of parliamentary groups in the National Assembly of the Republic of Serbia, from the ranks of prominent public workers, provided that they are not members of the bodies of political parties participating in the elections.³⁰

The competences of the Oversight Committee include: monitoring election activities and irregularities, media control related to providing equal conditions for the representation of candidates and list holders, proposing measures to respect the equality of participants, protecting the moral integrity of candidates and warning against actions that jeopardise the election campaign. The Oversight Committee is also responsible for filing an initiative to launch proceedings before state bodies for participants who call for violence and wider national, religious, racial or gender discrimination.³¹

In the run-up to the 2020 elections, the Oversight Committee was appointed in December 2019, for the first time since parliamentary elections in December 2000.

Activities of the Oversight Committee during the election campaign were limited. The Committee held its first session before the announcement of the elections, i.e. on February 27th, 2020, when the members elected Svetislav Gončić³²

²⁹ Cins, May 28th, 2020. <https://bit.ly/2UfWDbj>

³⁰ Article 100 of the Law on the Election of Members of the Parliament

³¹ Article 101 of the Law on the Election of Members of the Parliament

³² Gončić is not a member of the Serbian Progressive Party but he was a candidate of the electoral list “Aleksandar Vučić – Because We Love Belgrade” in 2018 for councillor of the Assembly of the City of Belgrade <https://bit.ly/2BxcVpw> while he expressed his clear support to the electoral list “Aleksandar Vučić – For Our Children” before the 2020 elections <https://bit.ly/2XFTTGm>

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for Chairperson.³³ The next session was held on May 20th, 2020, which means that in the period from March 4th to 15th, and in the period of the continuation of the campaign from May 11th to 20th, the Committee did not meet. At the session held on May 20th, the Oversight Committee adopted the Rules of Procedure.³⁴

Relationship between the competencies of the Oversight Committee and the REM

It is important to mention that in accordance with article 28, paragraph 2 of the Law on Electronic Media, *the Regulator shall impose measures independently of the use of other means of legal protection available to the injured or another party, in accordance with the provisions of special laws.*

Although the Law on the Election of members of the Parliament entrusts to the Oversight Committee *the control the mass media activities in application of provisions of this law regarding providing of equal conditions for presentation of submitters of the electoral lists and candidates from the electoral lists* (article 100, paragraph 1, item 2) *suggest measures for respecting equality of candidates in presentation of their programmes*, (article 100, paragraph 1, item 3), precisely provisions of article 28, paragraph 2 of the Law on Electronic Media that has already been mentioned clearly obligates the REM to impose measures pertaining to its competence independently of the use of other means of legal protection available to the injured or another party.

This means that during the election campaign, the REM performs its activities in the usual way. In addition to obligations in terms of programme contents the fulfilment of which is monitored outside the election campaign, from calling of elections to their completion, the Regulator also controls the fulfilment of obligations regarding the representation of election participants in the programme without discrimination and imposes measures on media service providers that do not comply with these obligations.

³³ Six members voted for Svetislav Gončić, two votes went to prof. dr Branko Rakić while Branislav Klanšček and prof. Dr. Miodrag Savović got one vote each. <https://bit.ly/3cDr8y4>

³⁴ Rules of Procedure of the Oversight Committee dated 20.05.2020. <https://bit.ly/3dF9RWI>

MEDIA REPORTING

On October 14th, 2019, the CRTA observation mission officially started monitoring TV stations with national frequencies, in order to establish whether there was equal representation of all political actors and to determine the tone, i.e. to provide insight into the level of media pluralism and professional approach among all actors in the political scene. Since the beginning of March, the CRTA has also been observing the reporting of local television stations, daily and weekly newspapers, which will be communicated in the next long-term observers' preliminary reports.

Observers, trained to the highest international standards for media observation in the election process, will observe TV stations with national frequencies until the final results of the parliamentary elections are announced. The basic unit of observation is the subject, i.e. the political actor who speaks or is quoted in the media report, and the object, i.e. the political actor who is talked about by other actors or journalists / presenters.

The TV station sample comprises RTS 1, TV Pink, TV Prva, TV Happy and TV B92. Our observation focuses on the entire programmes in the extended "prime-time" (from 5.30 pm to midnight) in which political actors from Serbia appear or are mentioned. The main findings of the analysis are presented below, and they include 6684 features collected in the period from March 4th to March 16th and from May 12th to May 24th, 2020, of a total duration of 169 hours of the programme.

The main findings show that the representatives of the ruling parties are the most represented in the total time allocated to political actors on televisions with national frequencies during the election campaign before and after the state of emergency. The representation of all three groups of actors, the ruling parties, the opposition that stand for the elections and the opposition that will boycott the elections shows a different trend in the total time intended for political actors on televisions with national frequencies. While the representation of the parties in power decreases during the election campaign after the state of emergency in comparison to the previous period, the opposition parties that will participate in the elections and the opposition parties that will boycott them recorded an increase in the representation on TV stations with national frequencies in programmes dedicated to political stakeholders. Neutral representation of all three groups of politicians increased, while negative and positive representations decreased. Nevertheless, the ruling party representatives were more often represented in a positive way, and the opposition boycotting the elections in a negative way. In the period after the state of emergency, the time in which politicians have a role of a subject is nearly identical for the ruling parties and for those that will run the elections. The time that ruling parties' representatives have as subjects decreased, while the time that the opposition participating in the elections have as subjects increased. The time that the opposition boycotting the elections have as subjects is far lesser and there is a decrease recorded in the election campaign after the state of emergency.

The analysis of TV station with national frequencies

The representation of all three groups of actors, the ruling parties, the opposition that will stand for the elections and the opposition that will boycott the elections shows a different trend. In the period from March 4th to March 16th, before the declaration of the state of emergency, the representatives of the parties in power had the largest representation. They were allocated 91.1% of the total extended prime time in all programmes featuring political actors. The opposition participating in the elections got 5.5%, and the opposition boycotting the elections 3.4% of the total time devoted to political actors. The same percentage of the ruling parties' representation was maintained during the state of emergency, too, while the opposition running the elections had 4%, and the opposition boycotting them 5% of the representation in all programmes featuring politicians. In the period from May 12th do May 24th, when the election campaign continued, the CRTA observation mission recorded a different trend in representation of political actors. In the observed period, after the state of emergency, the representatives of the regime had the

largest representation. However, their representation is lower compared to the previous period and amounts to 60.4% of the total time allocated to political actors. On the other hand, the representation of the opposition that will participate in the elections increased, and is now 27.6%, and of the opposition that will boycott the elections, 11.9% of the total time devoted to political actors. (Chart 1).

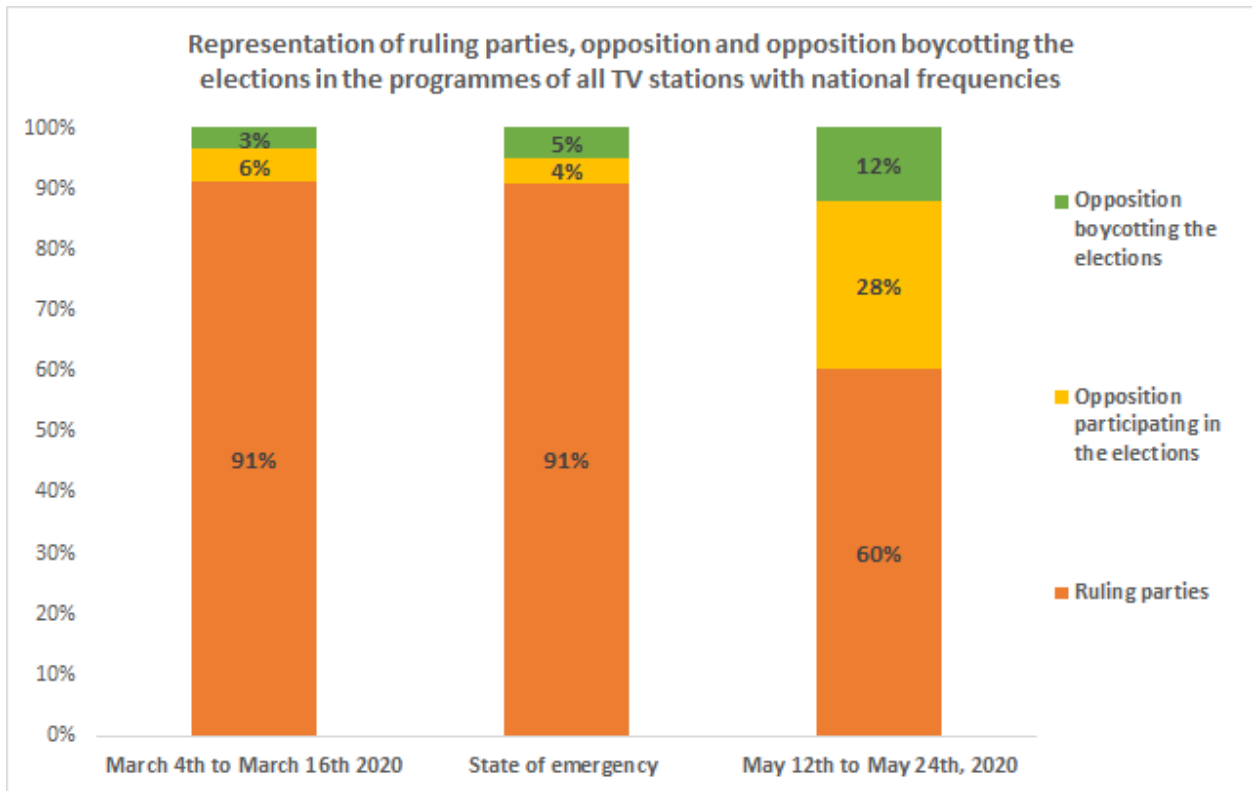


Chart 1: Representation of ruling parties, opposition and opposition boycotting the elections in the programmes of all TV stations with national frequencies in the period from March 4th to March 16th and from May 12th to May 24th, 2020

In the period before the state of emergency, from March 4th to March 16th, from the total time in which they were represented, the representatives of the ruling parties were almost equally represented in a neutral (52.4%) and positive tone (47.3%), while almost never in the negative (0.3%). The representatives of the opposition standing for the elections were represented mostly in the neutral (66.6%), and then in the positive tone (32.7%), while almost never in the negative (0.7%). On the other hand, representatives of the opposition in the boycott are most often presented in a negative (65.7%) tone, less often in a neutral (34.3%), and never in a positive tone (0.0%). In the continuation of the election campaign, after the state of emergency, there were changes in the tone of representation of political actors, regardless of their political affiliation. For all political actors, the percentage of representation in a neutral tone was growing, the extremes in representation, either in a positive or neutral tone, are decreasing for all political actors. Representatives of the ruling parties are mostly represented neutrally (63.9%), then positively (33.8%), and far less negatively (2.3%). Representatives of the opposition participating in the elections are most often represented neutrally (76.9%), then positively (21.7%), and almost never negatively (1.4%). Representatives of the opposition in the boycott are presented almost equally in a negative (48.5%) and neutral (47.2%), while far less in a positive (4.3%) tone (Chart 2).

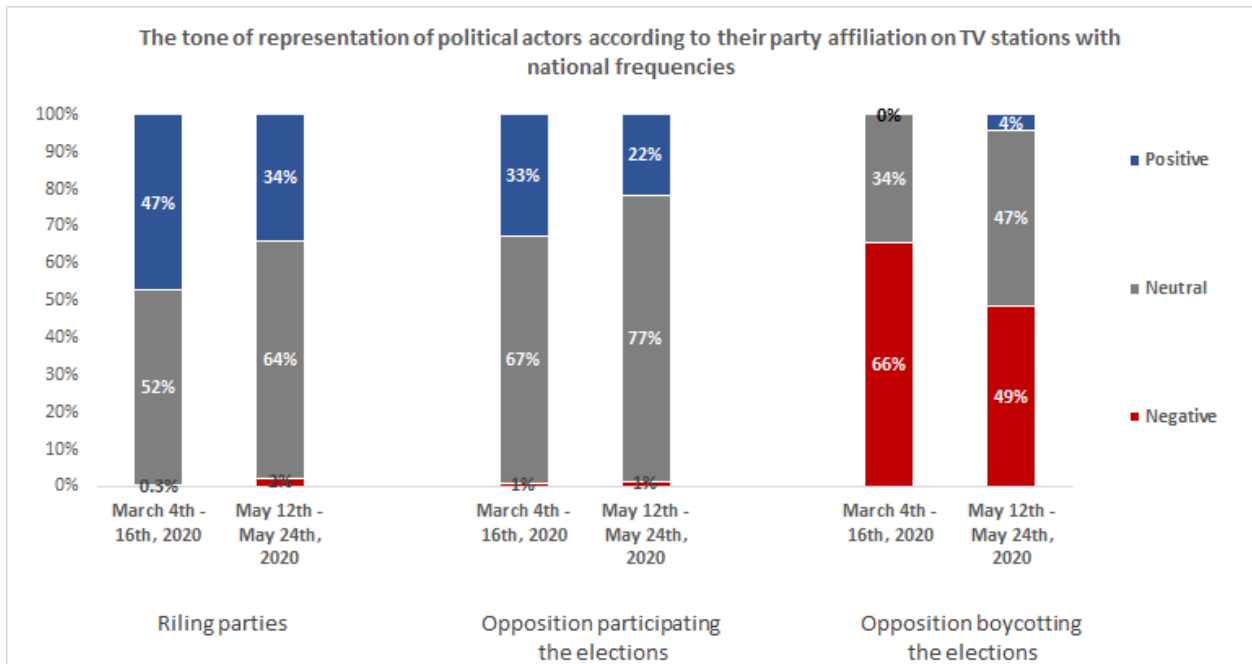


Chart 2: The tone of representation of political actors according to their party affiliation on TV stations with national frequencies in the period from March 4th to March 16th, 2020 and from May 12th to May 24th, 2020

Out of the total time on programmes of TV stations with national frequencies, Aleksandar Vučić took the most time of all individual political actors. However, there is a noticeable trend of decline in his representation in the period from March 4th to 16th, when he was represented in 43% of the total time that belonged to political actors in comparison to the period from May 12th to 24th when he was represented in 27% of the time (Chart 3).

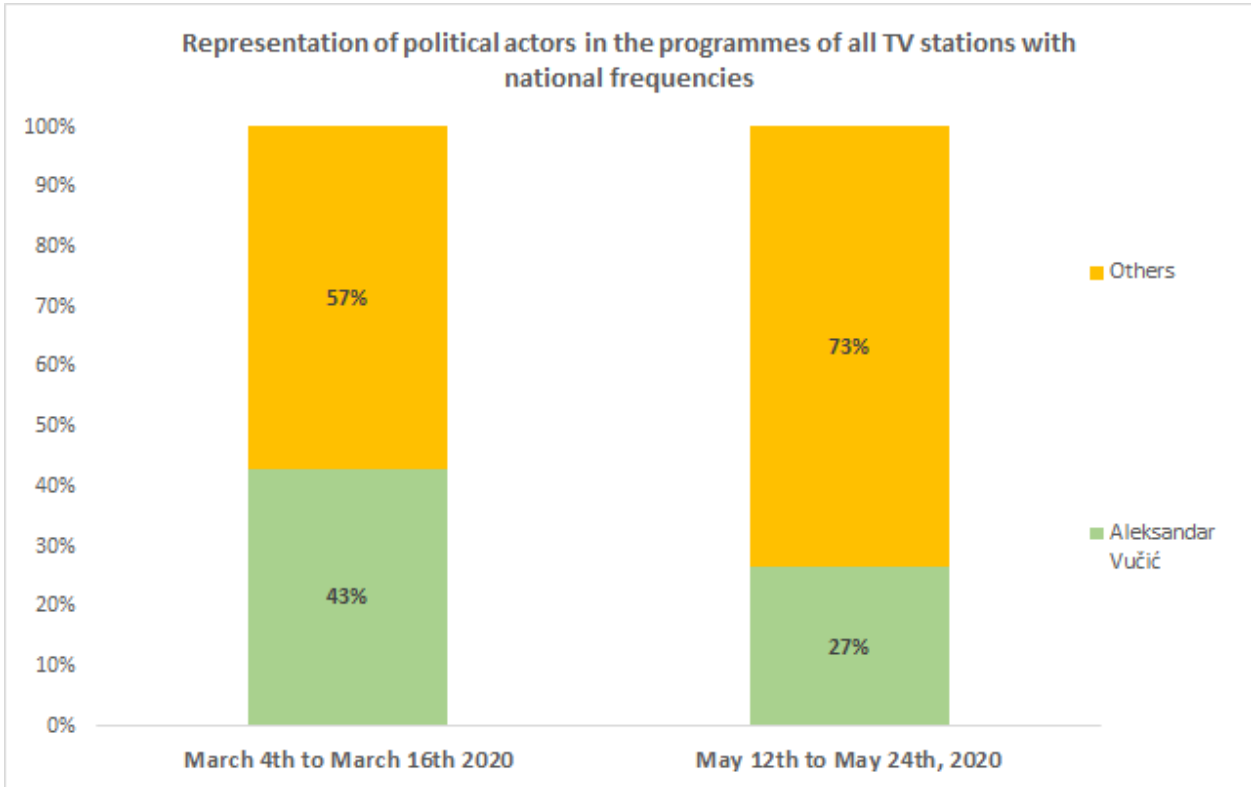


Chart 3: Representation of political actors in the programmes of all TV stations with national frequencies in the period from March 4th to March 16th and from May 12th to May 24th, 2020

In the period from March 4th to March 16th and from May 12th to May 24th, representatives of the regime had the greatest opportunity to be represented in the role of a subject on programmes of TV stations with national frequencies. Nonetheless, while their participation in the role of a subject decreases in the period after the state of emergency (74%) compared to the period before (86%), the representation as a subject of the opposition participating in the election increases: 53% during the election campaign before the state of emergency compared to 73% in the post-emergency period. Participation in the role of a subject also decreases when it comes to the opposition in the boycott, 28% in the period of the campaign before the state of emergency compared to 18% in the period after the state of emergency (Chart 4).

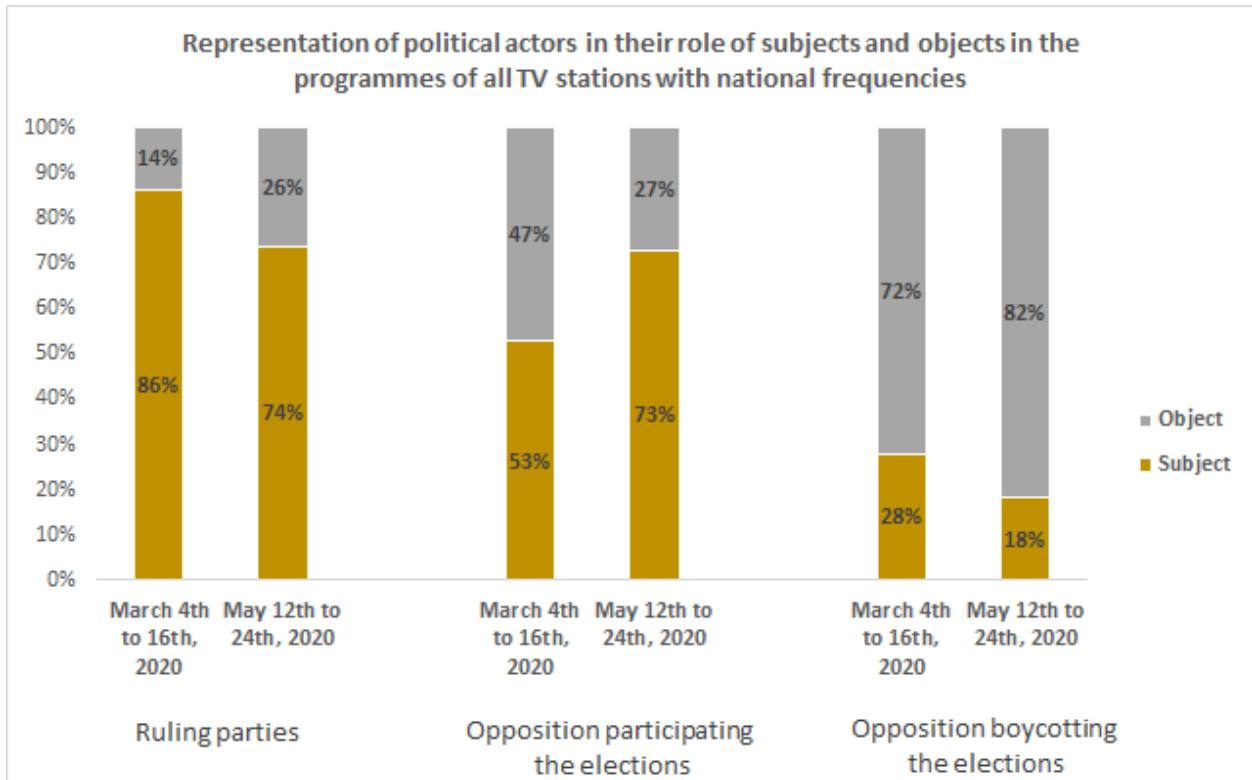


Chart 4: Representation of political actors in their role of subjects and objects in the programmes of all TV stations with national frequencies in the period from March 4th to March 16th and from May 12th to May 24th, 2020

Analysis of the RTS 1 programme

Like all TV stations with national frequencies, RTS 1 records a declining trend in the representation of government representatives in the period before the state of emergency compared to the period after it, while at the same time it records a growth trend for both the opposition participating and the one boycotting the elections. In the period from March 4th to March 16th, government representatives were represented in 91% of the total time of appearance of political actors on RTS 1, while in the period from May 12th to May 24th, their representation amounted 56%. The opposition running in the elections had a representation of 6% in the period from March 4th to March 16th, while in the period from May 12th to May 24th, 32%. The opposition in the boycott was represented in 3% in the period from March 4th to March 16th, and in the period from May 12th to May 24th in 12%. (Chart 5).

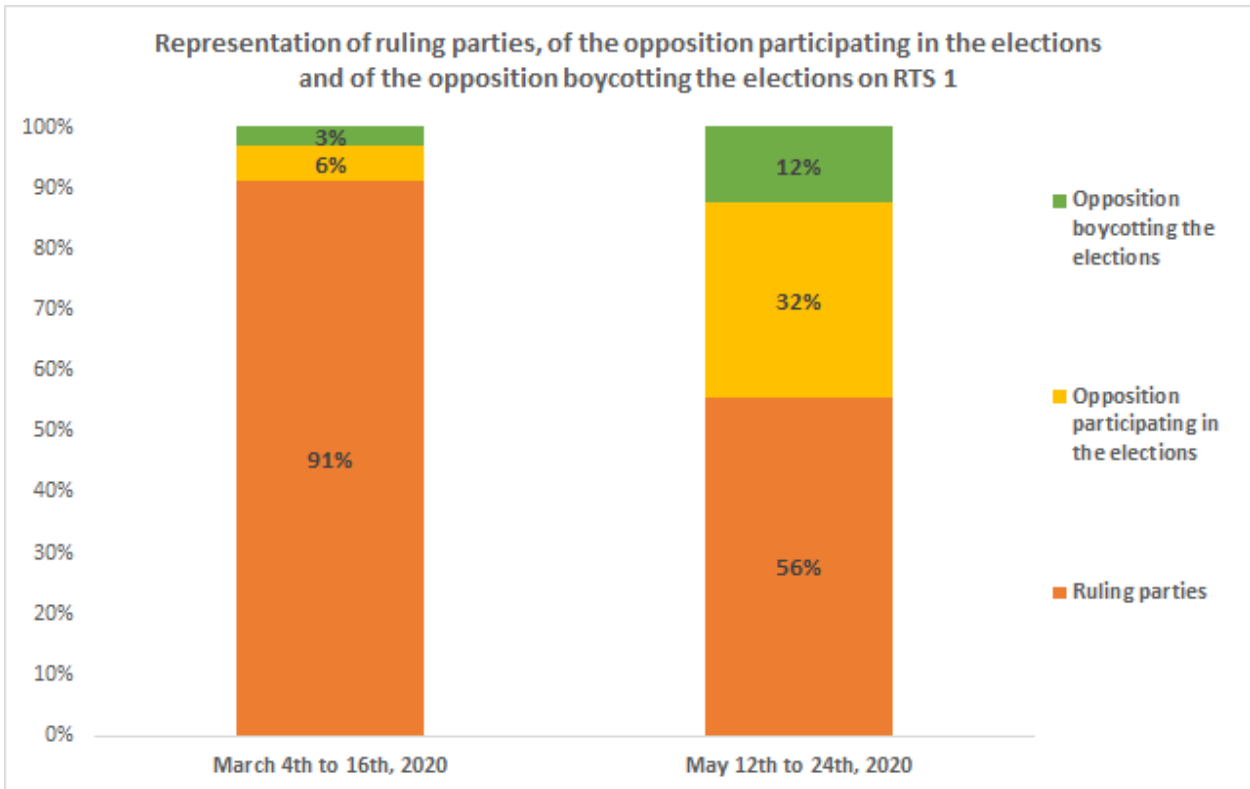


Chart 5: Representation of representatives of ruling parties, of the opposition participating in the elections and of the opposition boycotting the elections on RTS 1 in the period from March 4th to March 16th and from May 12th to May 24th, 2020

In RTS 1 programmes featuring political actors, a neutral tone prevails in reporting on all political actors, regardless of their political affiliation.

In the period before the state of emergency, March 4th to March 16th, 2020, out of the total time in which political actors were represented, the representatives of the ruling parties were most often presented in a neutral (59%) then in a positive tone (40%), while almost never in the negative (1%). Representatives of the opposition running the elections were most often represented in a neutral (74%), then in a positive tone (24%), and hardly ever in a negative tone (2%). Representatives of the opposition in the boycott were most often represented in a neutral (77%), then negative tone (23%), and never in a positive tone (0.0%). In the continuation of the election campaign, after the state of emergency, there were changes in the tone of representation of political actors, regardless of their political affiliation. While for the representatives of the ruling parties the percentage of representation in a neutral tone increased (78% after the state of emergency compared to 59% in the campaign period before the state of emergency) and the percentage of positive representation decreased by 20% compared to the previous 40%, the tone of representation of the opposition participating in the elections remained nearly identical. The representatives of the opposition boycotting the elections were usually presented in a neutral tone (75%). The percentage of representation in a negative tone has decreased and now stands at 15%, while the representation in a positive tone has risen to 10% (Chart 6).

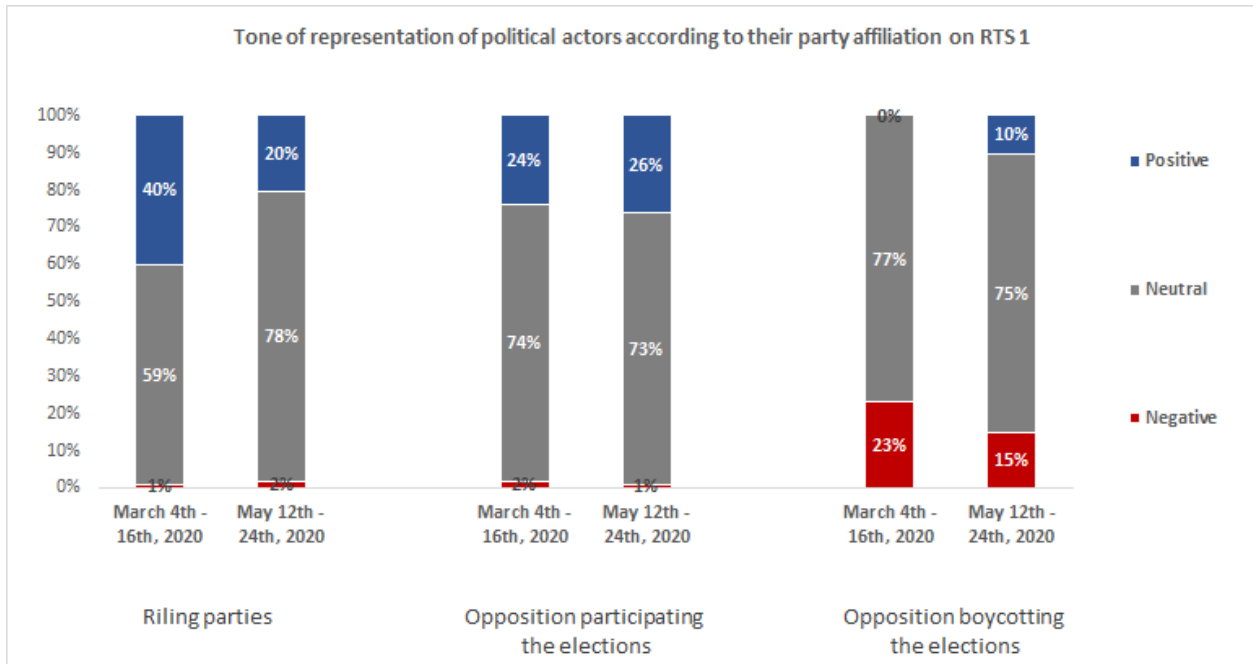


Chart 6: Tone of representation of political actors according to their party affiliation on RTS 1 in the period from March 4th to March 16th and from May 12th to May 24th, 2020

In the RTS 1 programmes, there is a decrease in the percentage of the total time that was dedicated to Aleksandar Vučić. In the period of the election campaign after the declaration of the state of emergency, Vučić had a little more than one third of the total time devoted to political actors, while this percentage dropped to 15% in the period from May 12th to May 24th, 2020 (Chart: 7).

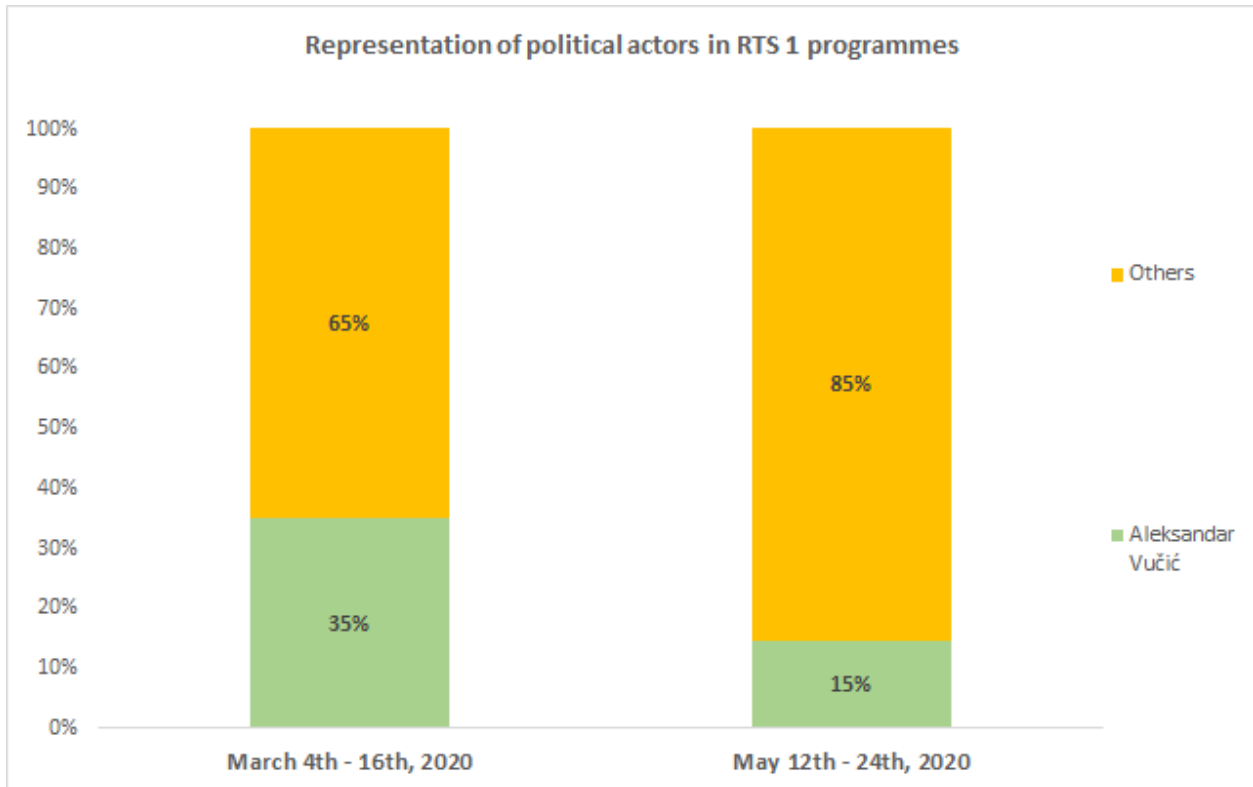


Chart 7: Representation of political actors in RTS 1 programmes in the period from March 4th to March 16th and from May 12th to May 24th, 2020

In the campaigning before the state of emergency, ruling parties' representatives had far more opportunity to feature as subjects in the RTS 1 programmes dedicated to political actors (86%). However, after the state of emergency, the percentage of presence as a subject is almost equal when it comes to the regime representatives (69%) and the representatives of the opposition that will run the elections (66%). There is a negative trend only when it comes to the representatives of the opposition in the boycott. In the election campaign in the period before the state of emergency, the opposition had 47% of the time in the role of a subject, while this percentage dropped to 33% in the post-state campaign (Chart 8).

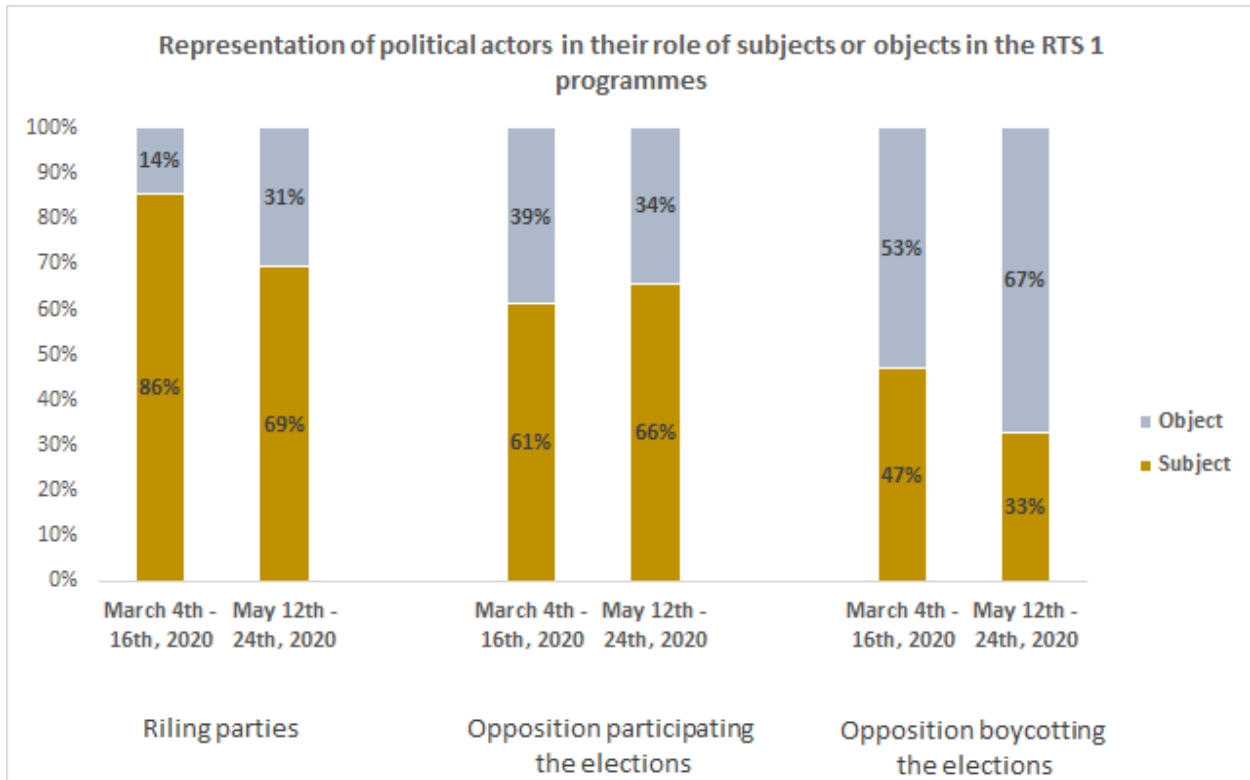


Chart 8: Representation of political actors in their role of subjects or objects in the RTS 1 programmes in the period from March 4th to March 16th and from May 12th to May 24th, 2020

ACTIVITIES OF POLITICAL ACTORS ON SOCIAL NETWORKS

At the beginning of March 2020, the CRTA observation mission officially started monitoring the activities of political actors on social networks, with the aim of providing insight into the scope and trends of political actors' activities, the type of content they share on social networks, and the reach and engagement of followers. Observers, trained to the highest international standards for media observation in the election process, will observe activities on these profiles until the final results of the parliamentary elections are announced. The goal of monitoring activities on social networks is also an insight into the level of professionalism in the election campaign, i.e. the degree of adherence to the rules of good practice in the actions of political actors on social networks.

The focus of this segment of monitoring the election campaign are the activities of relevant political actors on three social networks: Facebook, Twitter and Instagram. The activities of political actors were analysed on the basis of posts collected from a sample of relevant profiles of political parties and their leaders selected on the basis of three criteria: political parties or organisations that won a mandate in the XI National Assembly, political parties or organisations won more than 1% of the vote and gained visibility at the national level, as well as those who, according to opinion polls, will win more than 1% in the upcoming parliamentary elections.

This report includes posts from the profile from the sample that have been active since the beginning of March 2020. The focus of the observation are uniquely official accounts of political parties and party leaders, both the ruling majority and the opposition, including the part of the opposition that announced a boycott of the upcoming elections. The sample of profiles or accounts included in the analysis of activities on social networks consists of over 300 official accounts of political parties and their representatives. One quarter of the sample of party profiles consists

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of profiles of the ruling majority, while the rest are profiles of the opposition participating and the opposition boycotting the upcoming elections. In addition to active political parties, observation of the profiles of political parties included in the sample comprises also other active political organisations that are not registered as political parties (movements, citizens' associations, initiatives, etc.). The profiles of the party leaders of the ruling parties include the official profiles of the highest state officials (president, prime minister and ministers, mayors, etc.).

Activities of political actors on social networks

Preliminary findings of the analysis are presented below, and include almost 7500 posts on the profiles of political actors in this reporting period. Bearing in mind that the election campaign was interrupted by the declaration of the state of emergency and the suspension of all election activities, the main findings were presented in two separate campaign periods: in the period before the declaration of the state of emergency, from March 4th to 16th, as well as in the period after the state of emergency when election activities continued, from May 12th to 24th.

The analysis of posts on official accounts of political actors during the election campaign showed that actors who do not belong to the ruling majority were significantly more active on social networks. This datum indicates the attempt of the opposition to compensate for the lack of media space in communication with citizens through social networks.

In the period from calling of the elections on March 4th to the declaration of the state of emergency on March 16th, within the observed sample, the profiles of political parties and leaders who are not part of the ruling majority had three times more posts than the profiles of parties and officials of the ruling majority (Chart 9). The trend of increased activity on opposition profiles, including representatives of the opposition participating in the elections as well as representatives of the opposition boycotting the upcoming elections, is equally noticeable on party profiles and on the official profiles of party leaders. (Chart 11).

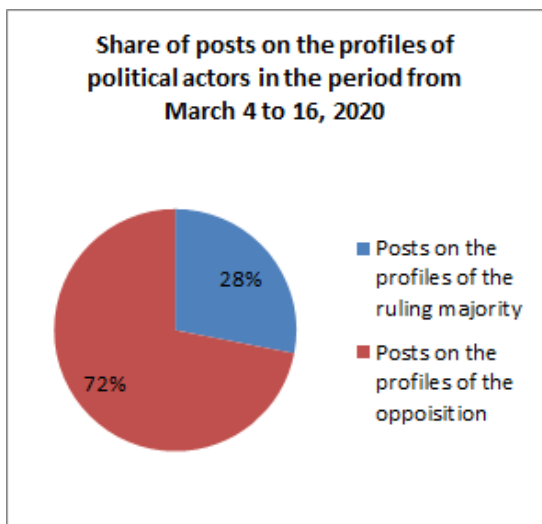


Chart 9: Share of posts on the profiles of political actors in the period from March 4th to March 16th, 2020

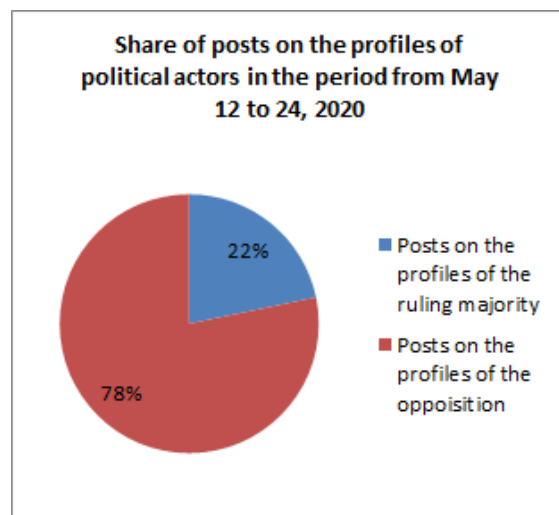


Chart 10: Share of posts on the profiles of political actors in the period from May 12th to May 24th, 2020

After the continuation of the election campaign after the lifting of the state of emergency, the difference in the dynamics of activities is even more pronounced (Chart 10). Between May 12th and 24th, political parties and opposition leaders were almost four times more active on social media (Chart 12). During this period, there was an increase in the activities of the profile of political parties from the opposition that participates in the election campaign, as well as the opposition that boycotts the upcoming elections.

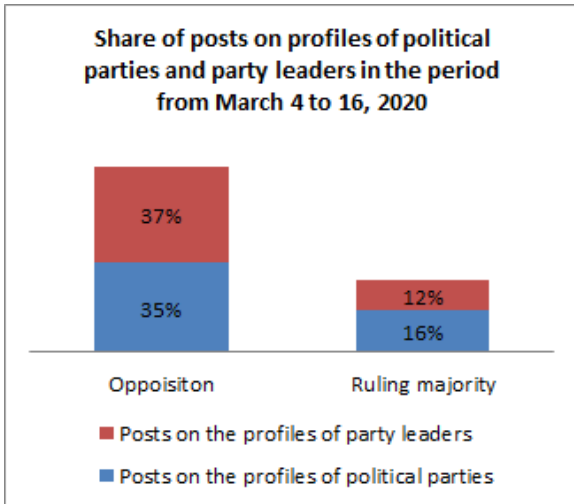


Chart 11. Share of posts on profiles of political parties and party leaders in the period from March 4th to March 16th, 2020

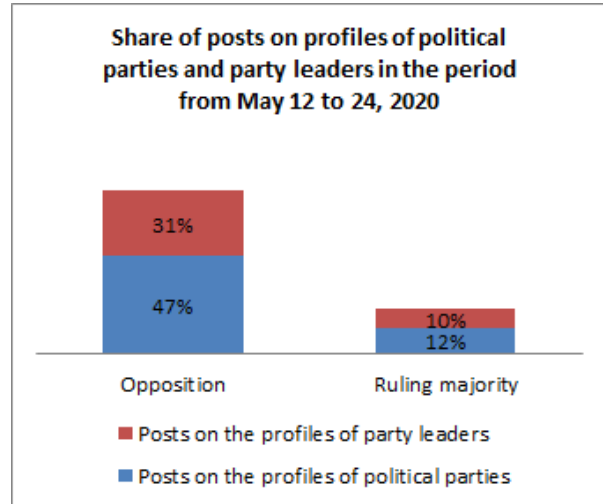


Chart 12. Share of posts on profiles of political parties and individual political actors in the period from May 12th to May 24th, 2020

The analysis of posts of political actors also showed that the profiles of political parties are more active on Facebook (Chart 13), while party leaders are more active on Twitter.

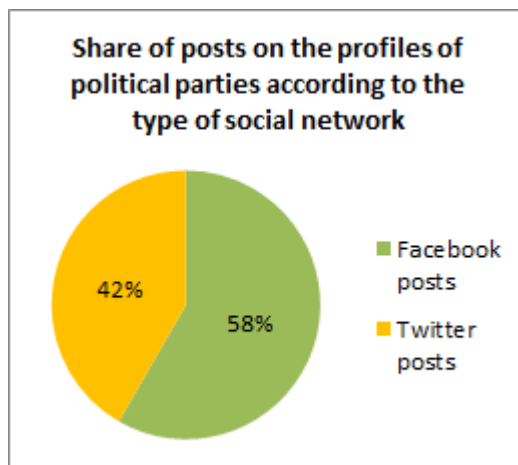


Chart 13. Share of posts on the profiles of political parties according to the type of social network in the period from March 4th to March 16th, 2020

The analysis of the reach of political actors' posts shows that the profiles of political parties have almost twice the reach of the profiles of individuals, i.e. leaders of parties of the ruling majority and the opposition. We also note the trend of greater reach of posts of political actors in the second part of the election campaign after the end of the state of emergency. In the first period of the campaign, before the declaration of the state of emergency, it was estimated that the posts from the party profiles recorded almost 82 million views, and in the continuation of the campaign they reached more than 120 million views (Chart 14). Posts from the profiles of parties that are not part of the ruling majority recorded twice the number of views. On the other hand, posts from the profile of party leaders recorded about 48 million views in the first part of the campaign, compared to over 65 million views in the continuation of the campaign.

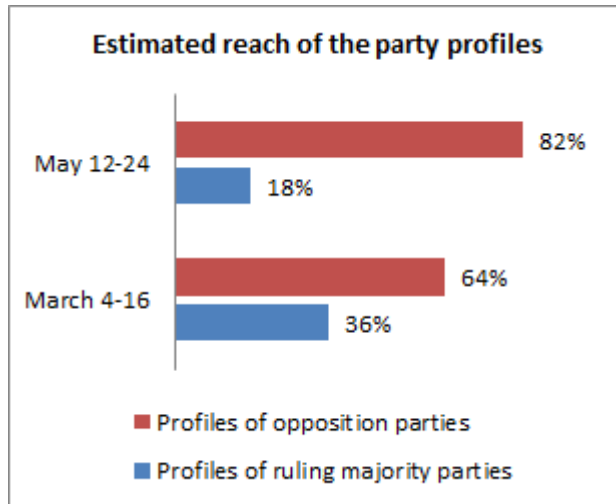


Chart 14. Assessment of reach on party profiles in both observed periods

However, the analysis of individual profiles³⁵ shows that according to the number of publications, the most active profile is the Serbian Progressive Party, on Twitter (Chart 15) and on Facebook (Chart 16). Along with it, the profiles of the New Party and Dveri have the largest number of posts. Posts from the profiles of the 5 most active political parties make up more than half of the total number of all posts of political parties from the sample recorded on both social networks in the observed period.

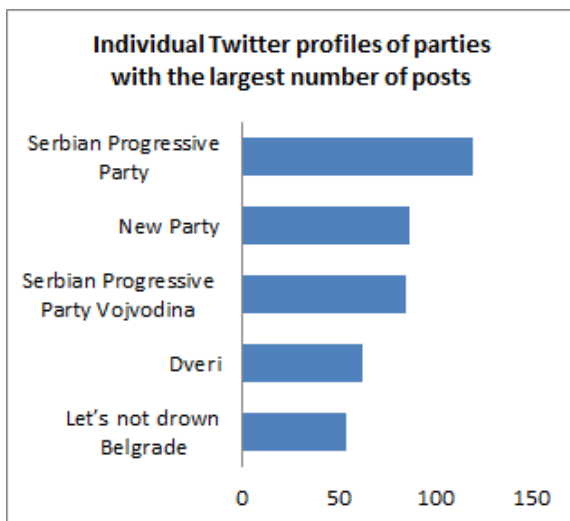


Chart 15. Individual Twitter profiles of parties with the largest number of posts in the period from March 4th to 16th

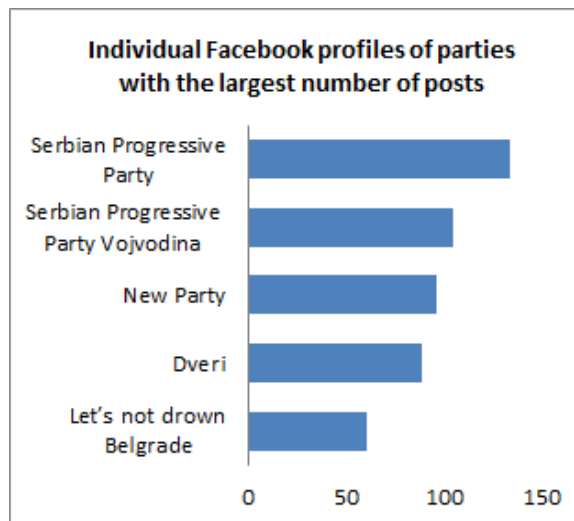


Chart 16. Individual Facebook profiles of parties with the largest number of posts in the period from March 4th to 16th

The analysis of the activities of the political parties' profiles on Twitter shows that the Serbian Progressive Party is

³⁵ Individual profiles on Twitter presented on charts 15, 17 and 19 refer to the following official accounts of parties: @demokrate, @DostaJeBilo, @nedavimobgd, @NovaStranka, @SavezZaSRB, @sns_srbija, @SNSVojvodina i @SPDveri. Individual profiles on Facebook presented on charts 16, 18 and 20 refer to official accounts of parties with the following names: Dosta je bilo, Naprednjaci, Ne davimo Beograd, Nova stranka, Stranka slobode i pravde, Двери, Покрет обнове Краљевине Србије, Српска напредна странка Војводина, Српска напредна странка and Српска радикална странка.

the most active in terms of the number of reactions and followers. The Serbian Progressive Party has the largest number of followers on Twitter, followed by the Democratic Party (Chart 17), while the Serbian Radical Party has the lead on Facebook (Chart 18).

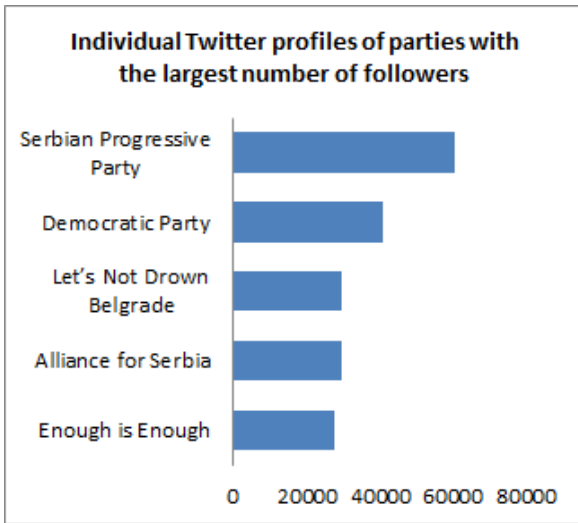


Chart 17. Individual Twitter party profiles having the highest number of followers in the period from March 4th to March 16th, 2020

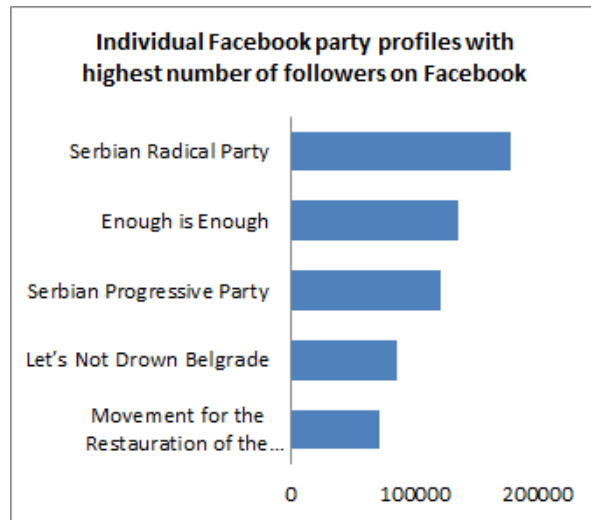


Chart 18. Individual Facebook party profiles having the highest number of followers in the period from March 4th to March 16th, 2029

The profile of the ruling Serbian Progressive Party also recorded the most reactions from followers, on Twitter (Chart 19) and on Facebook (Chart 20). In addition, a large number of reactions were recorded on the profiles of the Dveri movement on Facebook, as well as the profile of the Initiative Let's Not Drown Belgrade on Twitter.

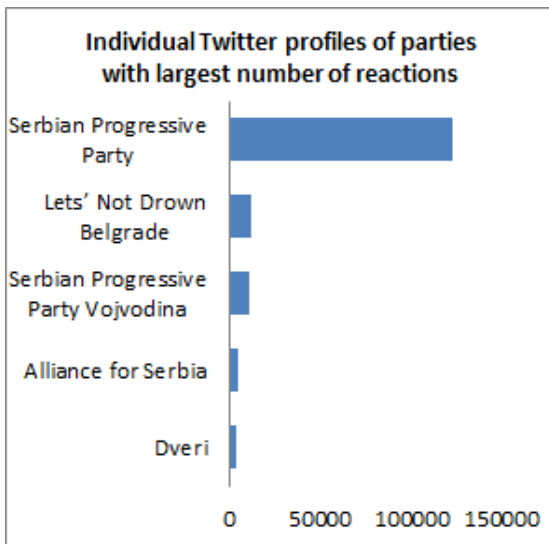


Chart 19. Individual Twitter profiles of parties having the largest number of reactions in the period from March 4th to March 16th, 2020

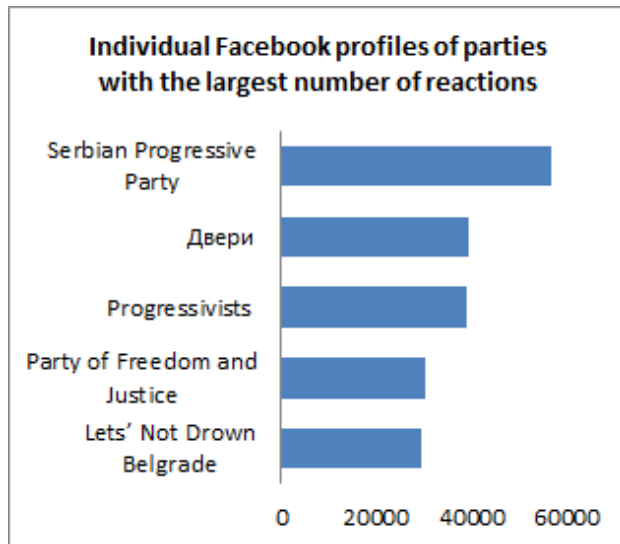


Chart 20. Individual Facebook profiles of parties having the largest number of reactions in the period from March 4th to March 16th, 2020

When it comes to the overall engagement of followers, the profiles of the opposition record a higher engagement of followers on Facebook than the profiles of the ruling majority. When it comes to engagement of followers on Facebook, there is a noticeable trend of a significant increase in the number of likes on posts from the profiles of opposition parties, as well as posts from the profiles of opposition leaders. The increase is especially noticeable in the period of the continuation of the election campaign in May, when a larger number of posts was recorded on these profiles (Chart 21).

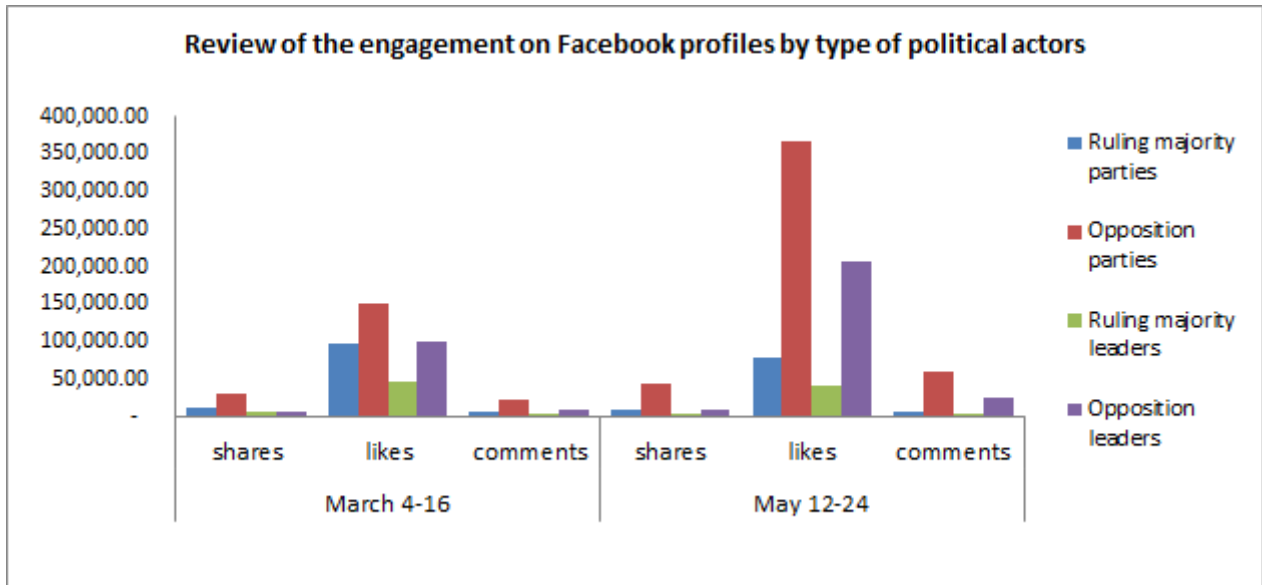


Chart 21. Review of engagements on Facebook profiles according to the type of political actors in both observed periods

When it comes to the engagement of followers on Twitter, the largest number of reactions was recorded on posts from the profiles of leaders of political parties that do not belong to the ruling majority (Chart 22). The largest portion of these reactions refer to posts by opposition leaders who advocated a boycott of the upcoming elections in the observed period. However, in terms of sharing posts by followers, the profiles of parties and leaders of the ruling majority are convincingly at the forefront.

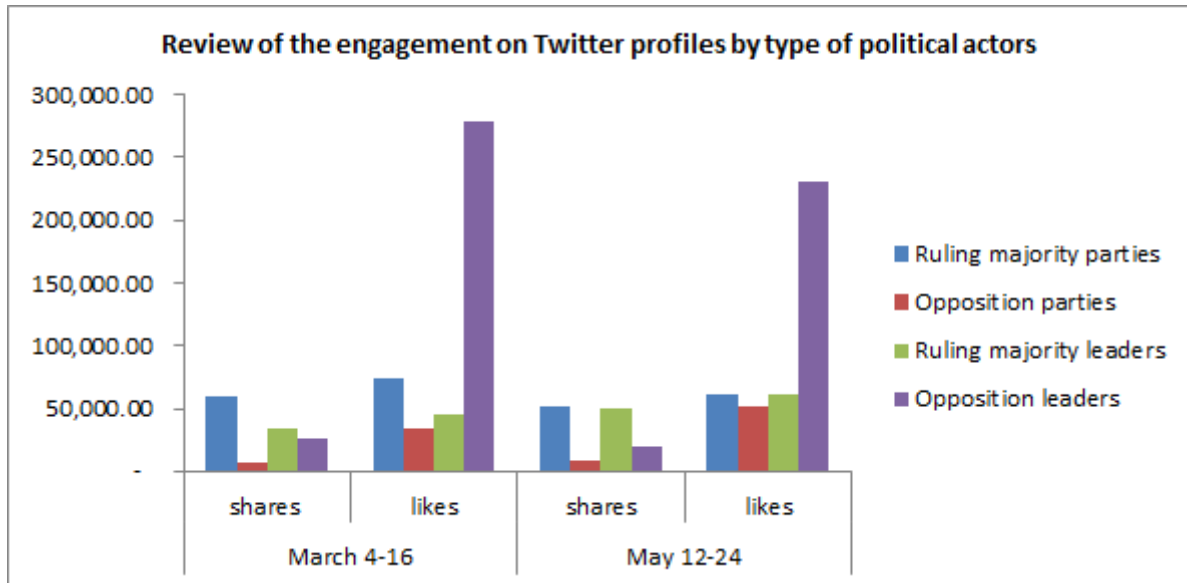


Chart 22. Review of engagements on Twitter profiles according to the type of political actors in both observed periods

FINDINGS OF LONG-TERM OBSERVATION IN THE FIELD

Communication with voters

Communication with voters is one of the basic and regular activities of political parties, which is particularly intensified during the election campaign. The parties use different ways and channels of communication in order to reach the voters and convey their messages to them. Throughout Serbia, the CRTA observers collected information on the types and channels of communication that the parties use in the field, the messages they convey and the topics they tackle.

The CRTA observers noted a more intense communication with voters in the period before the official kick-off of the election campaign. With the official calling of the elections on March 4th, the parties' electoral activities gained in intensity. Due to the declaration of the state of emergency and the freezing of all electoral activities, the continuation of the campaign which started on May 12th was similar in intensity to the one noted in the first twelve days of the campaign, from the calling of the elections until the declaration of the state of emergency. Although it may have been expected that in the continuation of the campaign, the topic of COVID 19 would be more dominant in party communication with voters, this was not the case when it came to activities most often practiced by parties to send messages to voters in the observed period, such as promotional activities and press releases. In both observed periods, parties focused on promotional activities in order to collect secure votes. While the regime parties and the opposition participating in the elections focused on sending messages in which they made promises and called on the citizens to vote for them, the opposition in the boycott used the opportunity to send messages about the boycott.

While in the case of the opposition, both running and boycotting the elections, a slightly higher number of activities aimed at communicating with voters was recorded in the period when the campaign continued compared to the official beginning of the campaign, when it comes to the ruling majority parties, there is a slight decline in activity. Among the ruling majority, the Serbian Progressive Party and the Socialist Party of Serbia had the most activities in terms of communication with voters in both periods. Of the opposition parties standing for the elections, the most active in both periods was the Movement for the Restoration of the Kingdom of Serbia (POKS), and of the opposition parties that boycotted the elections in the period before the state of emergency, the Dveri movement and the People's Party.

In both observed periods, the CRTA observers noticed that the parties communicated with the citizens in all 25 regions³⁶ but unevenly. The highest number of activities was recorded in Rasina, Kolubara and Belgrade districts. Activities in the Rasina district were especially intensified after the continuation of the election campaign, when observers recorded almost twice as many activities as in the campaign period before the declaration of the state of emergency.

When it comes to the type of messages that the parties conveyed to the voters, in the period from the calling of the elections to the declaration of the state of emergency, the ruling parties mostly made promises, the opposition parties standing for the elections called for voting, while the opposition parties in the boycott usually called for a boycott.

During this period, in addition to promises, the regime sent messages to voters in which they attributed the merits to the party and then invited citizens to vote for them. The opposition most often urged voters to vote for them and then promised and attributed credits to the party. Parties that boycott the elections, in addition to calling for a boycott, most often used opportunities to communicate with voters in order to wage a negative campaign against political opponents and to make promises.

³⁶ The CRTA observation mission does not have observers deployed in the territory of Kosovo and Metohija.

With the lifting of the state of emergency and the continuation of the election process, the regime used more opportunities to invite voters to vote for them than in the period before the state of emergency, and then made promises and attributed credits to the party. The opposition continued to call on citizens to vote for them and make promises, while the opposition in the boycott continued to call on citizens to boycott the elections and run a negative campaign.

When it comes to the topics addressed by the parties in communicating with voters, in both observed periods, the ruling parties and the opposition parties participating in the elections predominantly promoted their parties in order to gather secure votes, and distributed promotional material. Opposition parties boycotting the elections, in both periods, mostly communicated about election conditions and the boycott. In the period after the lifting of the state of emergency, when the election process continued, the parties very rarely communicated with the voters on the topic of the coronavirus situation.

When it comes to ways of communication, in both periods, parties most often used stands as a form of direct communication with voters and issued press releases. At the same time, these two activities were two most frequent party activities in the period between two electoral cycles. In the period after the state of emergency, press releases became a more frequently used means of communication with voters. In the period after the state of emergency, ruling parties more often used press releases as a means of communication with voters than stands, while the opposition parties (both running and boycotting the elections) used press releases most often in both periods, and stands somewhat less often. Posters, door-to-door campaigns, public debates and rallies were used far less than in previous election campaigns in Serbia. It is important to remind that due to the COVID-19 pandemic, mass public gatherings were banned, which affected the reduction of classic campaign activities such as public debates and rallies. On the other hand, the mentioned circumstances have led to novelties in the formats of campaign promotional activities. We would like to single out the example of the Serbian Progressive Party that was the only one to organise an online rally³⁷ via Facebook and Instagram account “Aleksandar Vučić” and Zoom application on May 16th marking the official kick-off of the campaign. The door-to-door campaign was in both periods an activity conducted solely by the ruling parties.

Speaking of protective measures against COVID-19 that need to be respected when it comes to contacts with voters, such as wearing protective masks and gloves, and keeping social distance, party representatives abided by these measures only in 6% of situations, whereas they did it partially in 47 percent of cases.

Bribing voters

Given the extent of party humanitarian work in previous election processes monitored by the CRTA observation mission, but also in the period between the elections, the methodology for observing the 2020 parliamentary elections was set to allow systematic collection of data about the most common forms of such actions, comprising: distribution of humanitarian packages, work actions, provision of medical services, donations to institutions and associations, organisation of free programmes.

The CRTA observation mission treats these strategies and similar actions conducted by political actors in order to attract voters' attention by providing them everyday life benefits as cases of bribery, i.e. of indirect vote buying. Although such cases cannot always be treated as a direct and legally prohibited vote buying during which a monetary or other benefit is offered or taken in exchange for a vote, they do represent types of clientelism, taking place in both electoral and regular political activities conducted by political parties in Serbia.

³⁷ Video of the first online rally of the Serbian Progressive Party, May 16th, 2020, YouTube channel of the Serbian Progressive Party: <https://bit.ly/2Mw385C>

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The CRTA observers recorded 150 cases throughout Serbia in which party activists distributed humanitarian packages to citizens, undertook work and other types of actions that do not pertain to the scope of regular political activities. In comparison to the period before calling of the elections, the number of recorded humanitarian activities in this reporting period was somewhat lower, while there is a difference in the scope and type of these activities before and after the state of emergency. Once the campaign restarted, work actions became a more represented activity (39%) than humanitarian aid (31%), which remained at a similar level as in the period before calling of the elections.

Work actions and distribution of packages as the most frequent types of indirect vote buying in the entire period from March 4th to March 16th and from May 12th to May 24th

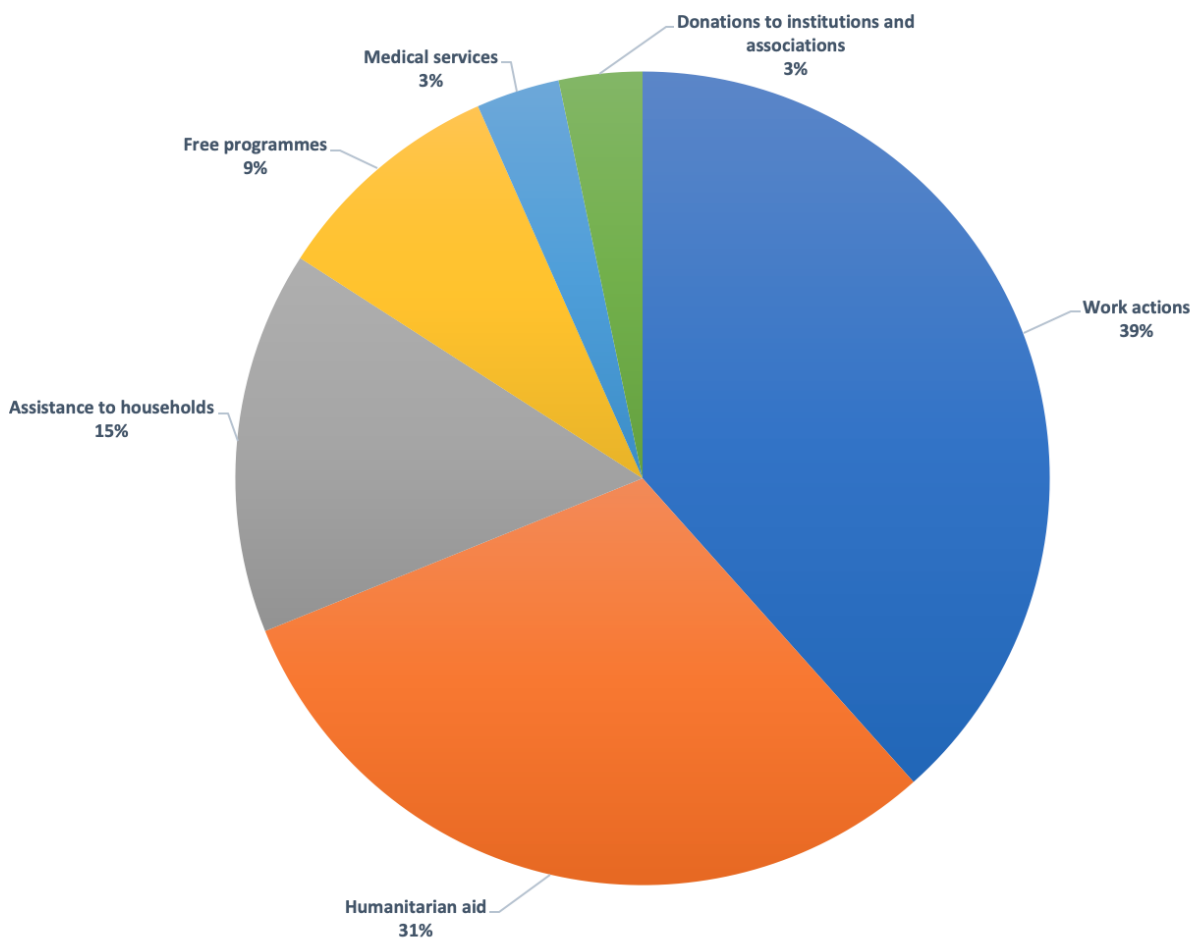


Chart 23. Overview of different types of humanitarian activities in the entire period from March 4th to March 16th and from May 12th to May 24th

Party activists were active as humanitarian workers during the campaign before and after the state of emergency, as well as in the period prior to calling of the elections. In more than two thirds of the total recorded cases (72%) in this reporting period, activists of the Serbian Progressive Party were the most prominent, followed by activists of the Social Democratic Party of Serbia (7%).

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Nevertheless, the period analysed by the CRTA observation mission shows several differences when it comes to undertaking humanitarian and similar activities before and after the state of emergency.

While political parties continued to organise the distribution of humanitarian packages in the first twelve days of the campaign (in 33% of cases), provide assistance to households (in 25% of cases) or carry out work actions (in 22% of cases), in the second period, in May, activities in which the party was involved in the performance of various public works increased. On the other hand, the distribution of humanitarian packages and aid by political parties is at a somewhat lower level after the state of emergency. However, what stands out after the state of emergency in relation to the previous period is the appearance of coronavirus as a topic in these types of activities, as well.

Apart from work actions which were dominant during the state of emergency, a lower intensity was recorded in humanitarian activities and free programmes organised by the party in the campaign than before March 4th

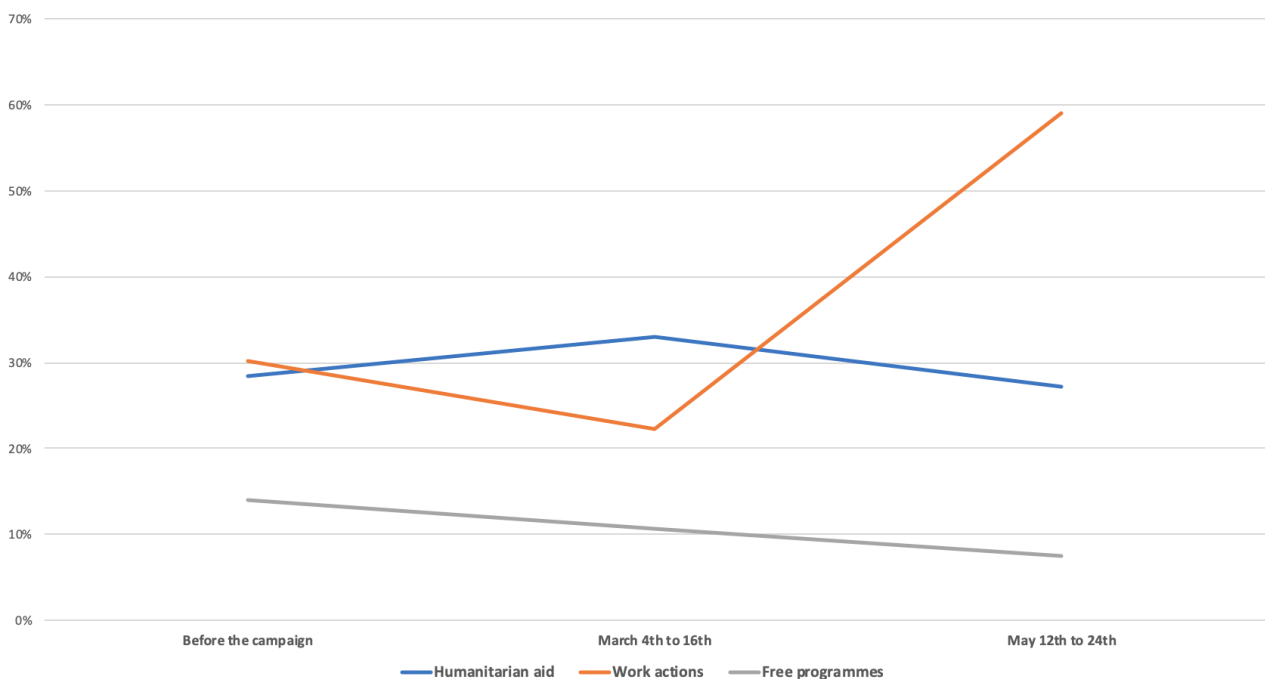


Chart 24. Relationship between the three most frequent types of humanitarian activities during the three observed periods - before the calling of the elections, before the declaration of the state of emergency and after the state of emergency

When it comes to the works that the parties carried out in public spaces, the refurbishment of streets and roads was most often noticed, followed by green areas and children's playgrounds improvements. There are also examples in which party activists were engaged in refurbishing the premises of local communities, removing public landfills, asphalt parking spaces, and building a swimming pool in a village. As examples of public works performed by party activists in the period after the state of emergency, we point out the painting of the premises of the Health Centre in Irig by activists of the local committee of the Serbian Progressive Party in Irig, that were also engaged in the renovation of the local municipality in Irig. When it comes to public health care, activists of the Municipal Committee of the Serbian Progressive Party in the municipality of Bogatić disinfected public areas and facilities at several locations in the municipality on May 20th.

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In addition to these activities, where party features were either clearly highlighted or used in promotional videos or other materials used by political actors in their promotion, political parties in power very often posted news about their activities on their social media profiles or published results of the municipality on their websites, which makes it even more difficult to distinguish party activities from the state ones.

On the other hand, humanitarian aid consisting of distribution of food supplies and hygienic packages, but also of masks, full-face visors and other protective equipment provided during the state of emergency, was also present in the continuation of the campaign after the state of emergency.

Although it is not explicitly forbidden, party humanitarian activities cannot be interpreted as being completely in line with the law. The Law on Political Parties defines a political party as “a free and voluntary association of citizens established for the purpose of achievement of political aims by means of democratic formation of political will of citizens and participation in election.” (article 2 of the Law on Political Parties). Furthermore, the Law on Financing Political Activities defines activities that can be financed from funds intended for regular work and funds intended for campaigns. In this regard, the costs that one party would incur for humanitarian purposes are not in line with the Law on Financing Political Activities. In this regard, it is important to recall the interpretation of the party’s humanitarian work, given by the Anti-Corruption Agency in 2013: “The Agency reminds that officials or members of political parties can extend humanitarian aid from their own funds and for their own account, even when they do so in an organised manner (within a party, parliamentary club, etc.). However, spending money intended to finance the regular work of political parties for humanitarian purposes is not in line with the purpose of legal solutions.”³⁸

Pressures on voters

Pressures on voters are forbidden by the Constitution³⁹ and by the laws of the Republic of Serbia⁴⁰. The CRTA observation mission will report solely on the cases confirmed by multiples sources, but will certainly call on the investigating authorities to diligently collect evidence and initiate judicial factual determination processes. Given that the CRTA is not an investigative body, the reports will list only potential cases of pressure on voters.

During this reporting period, our observers recorded a total of 38 cases of pressure on voters in almost 30 cities and municipalities. In most cases, the goal of the pressure was the signature supporting the lists participating in the elections. The pressures were carried out by telephone or in person. Among the most common ways of pressure, citizens quoted threats of dismissal (regarding them personally or their family members) as well as the loss of services of state institutions. Most reported cases occurred in public institutions as well as in public and private enterprises.

Pressures on political actors

In the period from the official kick-off of the election campaign until the declaration of the state of emergency, the CRTA observers recorded a total of 17 cases of pressure on political actors in 16 cities and municipalities.

Out of the total number of registered cases, seven related to the unequal position of parties and local movements in collecting and verifying signatures and the availability of notaries. These cases have been reported in Topola, Velika Plana, Prijepolje, Stara Pazova, Zrenjanin, Leskovac and Kragujevac. According to the statements of the leaders of the Serbian Progressive Party in Topola, they were prevented from collecting signatures on the first day of the

³⁸ The Anti-Corruption Agency, “Political Parties and Humanitarian Activities,” <https://bit.ly/3hagMcG>

³⁹ Articles 52 and 55 of the Constitution of the Republic of Serbia

⁴⁰ Criminal Code - article 155, paragraph 2, Law on Civil Servants - article 5, Law on Employees in Autonomous Provinces and Local Self-Government Units - article 16, Law on Employees in Public Services - article 6, Law on Public Enterprises - article 49, paragraph 4, Law on Social Protection - article 117, Law on the Fundamentals of the Education System - article 113, as well as the Conclusion of the Government No. 013-9473 / 2019 dated September 23rd, 2019.

election campaign because the Municipal Electoral Commission did not publish the forms for collecting signatures on time. In other cities and municipalities, notaries were either not available to opposition parties or refused to come to party premises.

The CRTA observers recorded five examples of demolition and attacks on the premises, and in all five cases the targets were the premises of the Socialist Party of Serbia. Flags and posters were torn in Temerin and Beočin, windows were broken in Crepaja, and in Kraljevo, premises were broken into. In Žabalj, in addition to the intrusion into the premises, two Socialist Party of Serbia officials were also assaulted with metal bars. In all these cases, the perpetrators were unknown.

In Leskovac, members of Better Serbia were dismissed from positions in the city administration and transferred to lower positions, and in Bački Petrovac, a member of the Municipal Council was dismissed after he changed his party affiliation.

In the period after lifting of the state of emergency and in the continuation of the election campaign, our observers noticed significantly less examples of pressure on political actors than in the period before the declaration of the state of emergency. Examples of unequal treatment of political actors during the collection of signatures appeared only sporadically.

In Kragujevac, the Roma flag was stolen and torn from the premises of the Democratic Union of Roma, and in Maglić, in the municipality of Bački Petrovac, the premises of the Serbian Progressive Party were attacked. In both cases, the perpetrators remain unknown.

Misuse of public resources

On the basis of information gathered by the CRTA observation mission, misuse of public resources⁴¹ in the sense of the use of institutions, public institutes and companies, their names, inventory, premises, employees, and similar features, was registered during the election campaign, but also during the state of emergency.

While some of the reported activities represent a misuse of public resources in terms of violations of the Law on Financing Political Activities and other relevant regulations, on the basis of which the CRTA observation mission filed complaints to the Anti-Corruption Agency, others represent a negative phenomenon contributing to blurring of the line between the state and the party.

Some examples of activities in which there was a potential violation of regulations in the observed period were the use of official premises of institutions for collecting signatures supporting the electoral lists, collecting secure votes, promoting activities of institutions on party profiles on social networks by public officials, carrying out infrastructure public works in presence of public officials and with party symbols, abusing press conferences and public addresses of officials through institutional channels for party promotion, abusing health institutions and institutional logos for party promotion.

In the continuation of the election campaign, it was noticed that political actors, primarily the ruling parties, use the coronavirus pandemic, measures taken by the Government of the Republic of Serbia, as well as the engagement of other competent institutions in combating infectious diseases for their propaganda activities.

Since the re-launch of the election campaign, the Serbian Progressive Party has published several promotional videos on social networks in which it presents the successes of the state in the fight against the coronavirus. On the day when the election campaign started again, the ruling party published the election video "Serbia is recovering from the coronavirus thanks to our health workers"⁴², which shows and promotes the state's results through a

⁴¹ Article 29, paragraph 2 of the Anti-Corruption Agency Act: "...An official may not use the public resources and public meetings which they attend in capacity of official for promotion of any political parties, i.e. political entities, which specifically comprises the use of public resources for the purpose of public representation of participants to the elections..."

⁴² Serbian Progressive Party, "We are building the future of Serbia," May 12th, 2020. <https://bit.ly/2XEFR7I>

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combination of footages from various occasions, and at the same time speaks negatively about the opposition that only “interferes with the fight against the coronavirus.” This video is also an example of media manipulation.

After this video, the Serbian Progressive Party recorded the video “Over the last few years, a lot has been invested in health care” which uses footages of the Clinical-Hospital Centre Zvezdara (maybe even of the inside of the hospital) and which shows a doctor employed in the same health facility with visible markings on a doctor’s coat.⁴³ The fact that the hospital space and the real doctor were used in making of this video, is a sufficient circumstance to submit a complaint for the misuse of public resources to the Anti-Corruption Agency pursuant to the law, which the CRTA did.

Moreover, we noted that a push poll, an interactive marketing technique, was used. Until the closing of this report, this approach in communication with citizens was recorded only with the Serbian Progressive Party, which first surveyed citizens’ attitudes towards measures and results of the Government of the Republic of Serbia in the fight against the virus, and then asked a direct question about whether they could count on their votes on June 21st.

Encouraged by the current circumstances and measures to prevent the COVID-19 virus pandemic, the International Network of Domestic Election Monitors (GNDEM) published guidelines for organising and monitoring the election process during periods of public health risk. While it is perfectly legitimate for current governments to present results in the fight against a pandemic, a special measure concerns the use of these results by governments (political parties in power) for the purpose of political campaigning. This type of promotion is considered to be an abuse of state resources for one’s own political benefits. Similar recommendations were made by the International Foundation for Electoral Systems (IFES). They cover the broader aspect of the use of information related to the virus pandemic, regardless of which political actor is trying to misinform the public in order to manipulate voter turnout or influence election results. Thus, both the opposition candidates and the candidates in power are considered to be potential actors who use the situation and the fear of citizens for their political benefit. For example, by placing inaccurate information about the spread of the infection, it is possible to influence a higher or lower election turnout in certain areas, depending on the preferences of the candidates. As a preventive measure against this practice, the IFES proposes that the bodies responsible for conducting the elections, in cooperation with political parties, should include in their codes of conduct a provision that would sanction such behaviour.

Overview of complaints submitted to the Anti-Corruption Agency

In all eight complaints submitted to the Anti-Corruption Agency, the CRTA pointed to facts that suggest the existence of misuse of public resources. A complaint was filed against the political party Serbian Patriotic Bloc, and its president Aleksandar Šapić, who is also the president of the Municipality of New Belgrade, because that party organised the collection of signatures supporting the electoral list in the official premises of the municipality. There is a suspicion that Šapić himself took part in the decision to cede the premises to the political party Serbian Patriotic Bloc, which in that case would represent a conflict of interest.

A complaint for misuse of public resources was also lodged against Maja Gojković, Speaker of the National Assembly, who abused public resources in her capacity of the Speaker of the National Assembly as a guest on TV Pink, by promoting the Serbian Progressive Party and discrediting political opponents. A complaint was also filed against Jasmina Palurović, the mayor of Kruševac, who in her televised address on local television on the occasion of Women’s Day misused public resources to promote the Serbian Progressive Party of which she is a member, by stating that her party had 40% of women on its electoral list.

According to the CRTA, the abuse of public resources also occurred in the case of public officials Violeta Filip, Deputy Presidents of the City Municipality of Zvezdara, Dušan Ignjatović and Robert Milićević (members of the Council of the City Municipality of Zvezdara), because on the Facebook account of the Municipality Committee of Zvezdara of

⁴³ Serbian Progressive Party, “Over the last few years, a lot has been invested in health care,” May 19th, 2020. <https://bit.ly/3dDTiOV>

the Socialist Party of Serbia, they published footages of their official activities and thereby misused public resources in the purpose of the promotion of the Socialist Party of Serbia.

Two complaints were filed for misuse of public resources, which refer to events that took place outside the election campaign (during the state of emergency) against the mayor of Temerin, Đuro Žiga, and other local officials because they attended infrastructure works (rehabilitation of local roads), and on that occasion misused public resources in order to promote a political party whose members and officials they are. Also, they stated that the works were organised and financed by the Serbian Progressive Party, which would represent an unintended spending of funds for the regular work of the party. At the same time, complaints were lodged against the mayor of Leskovac, Goran Cvetanović, because he promoted the Serbian Progressive Party at a press conference of the local emergency headquarters, whose member insulted the opposition, and thus misused public resource.

There was also a case of abuse of the health institution and the logo of the institution. Therefore, a complaint was also filed against the Serbian Progressive Party, as well as against Teodora Beljić Živković (assistant director of the Clinical-Hospital Centre Zvezdara) and Petar Svorcan (acting director of the Clinical-Hospital Centre Zvezdara) because the Serbian Progressive Party recorded a video featuring images of the Clinical-Hospital Centre Zvezdara (perhaps even of the inside of the hospital) and in which a doctor employed in the same health institution appears with visible markings on the doctor's coat. That doctor may also be a public official (this actually is the assistant director of the Clinical-Hospital Centre Zvezdara, who is not in the Agency's register of officials). If so, it would also represent a potential conflict of interest. Petar Svorcan potentially abused his official position, if he enabled the Serbian Progressive Party to record a video in this health institution.

Misuse of public resources, on the basis of which the CRTA also filed a complaint with the Anti-Corruption Agency, was also noted in the case of the head of the Emergency Medical Service of the Kovin Health Center, Srđan Nenek, who thanked the Serbian Progressive Party for the ambulance obtained from funds of the AP Vojvodina. The complaint was filed against the Serbian Progressive Party for possible misuse of public funds in the campaign, and against Nenek for possible abuse of official position, illegal financing and conflict of interest, since Nenek is listed on the Serbian Progressive Party electoral list for the elections in the Municipality of Kovin.

Public officials' campaign

During the first twelve days of the campaign, from its calling to its interruption on March 16th caused by the declaration of the state of emergency, it was noted that public officials at various levels of government appeared in public almost 150 times. On the other hand, in the first days of the campaign after the end of the state of emergency, officials were significantly more active in the observed places. Thus, from May 12th to May 24th, observers noted that various officials appeared in public almost 250 times.

When we look at the circumstances in which the officials appeared, we notice that tours, opening or closing of public works are significantly more popular than in the period before the elections were called, and also in the first days of the campaign. On the other hand, the involvement of public officials in the distribution of humanitarian packages, social assistance or various donations is on the rise in the continuation of the campaign in May. In the vast majority of such cases, help or donations are connected to the elimination of consequences or protection against the coronavirus, but also to pay visits to citizens in a bad economic situation. As an example, we will quote the case of the Minister of Labour, Employment, Veterans and Social Affairs, Zoran Đorđević, who, in the reporting period, visited several elderly people's homes in southern Serbia (in Leskovac, Doljevac, Surdilica) in May and handed over protective equipment. On the other hand, we notice that activities that generally include paying visits to citizens are declining during the campaign, in comparison to the period before the elections are called. Moreover, in the first days of the campaign, public officials participated much more actively in the promotional activities of their parties than after the state of emergency - which can be explained by weak promotional party activities in the reporting

period in May, but also by the fact that collecting and submitting signatures to competent authorities ended in March.

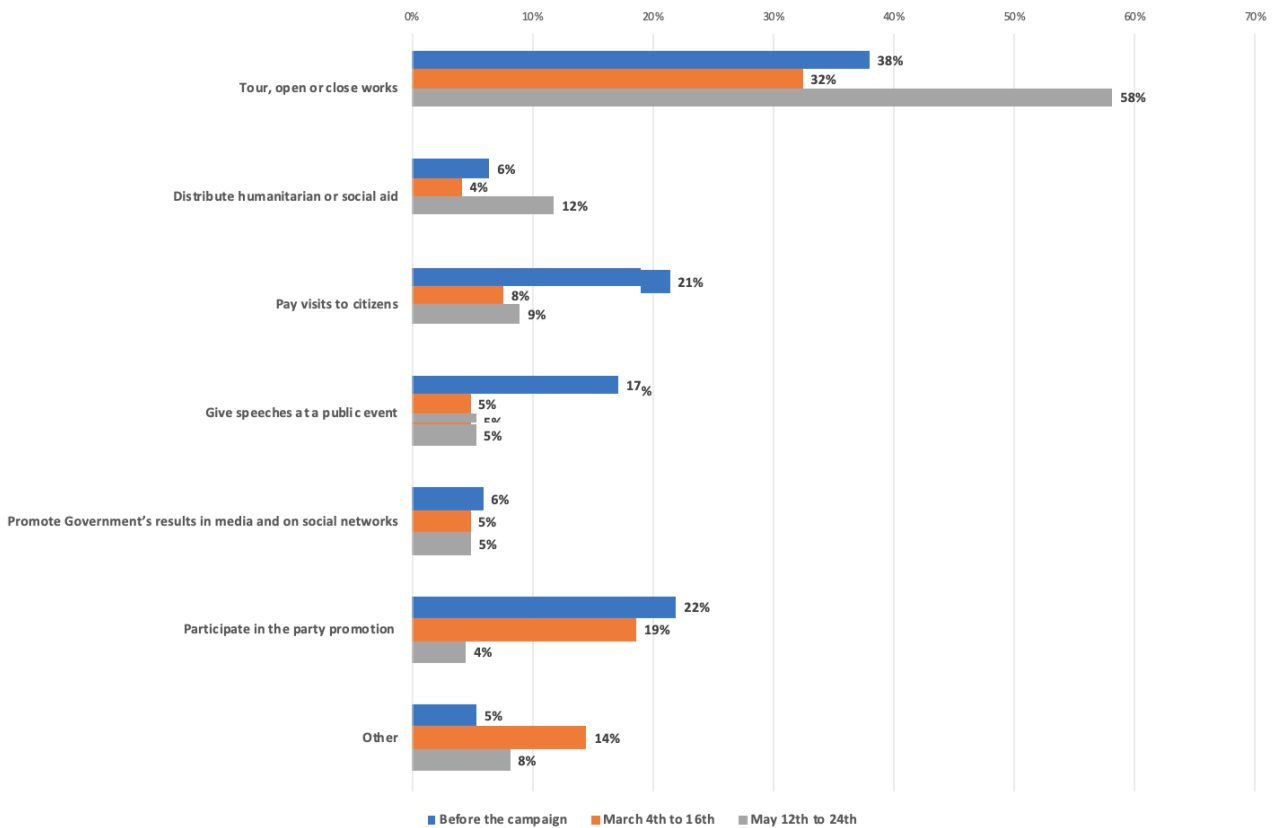


Chart 25. Relationship between the three most common types of humanitarian activities during the three observed periods - before calling of the elections, before the declaration of the state of emergency and after the state of emergency

The CRTA observers witnessed to a lower activities of public officials during the first twelve days of campaigning. They recorded public officials' activities in 50 cities and municipalities in Serbia, whilst in May after the state of emergency, their activities were noted in 72 cities and municipalities. In comparison to the period from March 4th to March 16th, when the activities of officials in the campaign were most represented in Trstenik (eight recorded cases), Barajevo or Bor (four recorded cases), in May the activities of officials came to the fore in Novi Sad (14 cases), Bosilegrad (10 cases) and Leskovac (nine cases).

In the continuation of the campaign, the CRTA observers recorded in May another occurrence regarding public officials' activities, which had not been so prominent at the beginning of the campaign. The number of ministers whose activities were recorded escalated from eight to fourteen. Branislav Nedimović, the first person on the list "Aleksandar Vučić – For our Children", who serves as Minister of Agriculture in the current government, began to appear more often in public after the state emergency, in capacity of party official. Nonetheless, his activities were not as visible as those carried out by the Minister of Labour, Zoran Đorđević, or the Minister of Infrastructure, Zorana Mihajlović, who appeared in public as ministers who either toured public works or brought equipment for protection against the coronavirus to different institutions. The activities of the Prime Minister, Ana Brnabić, were also noted -

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during a visit of the works on the reconstruction of the Clinic for Infectious Diseases of the Clinical Centre of Vojvodina, on May 21st, the day after the President, Aleksandar Vučić, toured the works on the reconstruction of the Health Centre on the other corner of the country, in Prokuplje. During both visits, both the Prime Minister and the President spoke about the plans and results of the work of the government regarding the healthcare, successes in the fight against coronavirus and reconstruction works, which had not been suspended even during the state of emergency.

Although it is impossible to treat every case as a public officials' campaign punishable under Article 29 of the Anti-Corruption Agency Act⁴⁴, observing the activities of officials before and during the election campaign, particularly in terms of the intensity of regular activities, is an important step towards understanding of covert election promotion. This segment of observation thus contributes to the understanding of covert electoral promotion realised through the indirect suggestion that continuity of government is necessary.

⁴⁴ Article 29, paragraph 5 of the Anti-Corruption Agency Act: "An official may not use public gatherings that they attend and meetings they engage in in capacity of official for promotion of any political parties, and/or political entities, which particularly implies the use of such public gatherings and meetings for a public representation of participants to the elections and their election programmes, invite the voters to vote at certain elections, i.e. to boycott the elections".

HOW DO WE MONITOR THE ELECTION PROCESS?

In its capacity of a national observation mission, the CRTA monitors the entire election process in the 2020 parliamentary elections.

PRE-ELECTION PERIOD

During this period, our 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 irregularities and major violations of election laws during the campaign), the use of public resources in the campaign and the reporting of the media about the candidates and the campaign, as well as the work of the election administration.

In the period from February 10th to the election day on June 21st, 2020, 120 long-term observers, trained according to the highest international standards, are deployed in all regions in Serbia, which provides equal access to information on the course and trends of the election process for the entire country.

Our electoral process observation methodology is based on the highest international election observation standards (*The Declaration of Principles for International Election Observation*,⁴⁵ *the Code of Conduct for International Election Observers*, *the Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organisations*⁴⁶ and *the Code of Conduct for Nonpartisan Citizen Election Observers*), which enables us to report on the quality of the actual electoral process..

ELECTION DAY – June 21st, 2020

On the Election Day, the CRTA observers will be focused on observing the quality of the actual Election Day processes. Our observers will be deployed inside and outside polls on the basis of a representative random sample. Moreover, our mobile teams will monitor the occurrences outside polling stations in all districts of Serbia on the Election Day, and will also observe the work of the REC.

Having undergone an intense training course, the CRTA observers will monitor and report on the election process quality from 500 polls. They will be present at the polls from the preparations to open the polls until all polling stations committees announce election results for their respective polling stations, thereby providing comprehensive insight into all occurrences at the polls on the Election Day.

POST-ELECTION PERIOD

the CRTA observation mission will monitor the work of the REC until it declares official election results, the resolution of electoral complaints about the performance of polling committees, if any.

HOW DO WE INFORM THE PUBLIC ABOUT OUR FINDINGS?

Based on the processed data, the CRTA will prepare reports that will be presented to the public. During the pre-election period, reports on the findings of the CRTA long-term observation mission will be published in order to inform the public about the quality of the election process in the observed period, as well as about possible irregularities.

The public will be informed about the course of the Election Day, the quality of the process, the turnout and the results of the voting on June 21st from the CRTA press centre. Preliminary results of the monitoring of the Election Day will be presented to the public on Monday, June 22nd, after the analysis of the data collected from the field. We

⁴⁵ National Democratic Institute, Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers, October 27th, 2005. <https://www.ndi.org/dop>

⁴⁶ National Democratic Institute, Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organisations and Code of Conduct for Nonpartisan Citizen Election Observers and Monitors, April 3rd, 2012. <https://www.ndi.org/DoGP>

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will publish the final report on the entire election process with recommendations for improvement in the period after the announcement of the official election results by the REC.

All information on the work of the CRTA observation mission will be published on the CRTA official website - www.crtars.rs as well as on social networks Facebook and Twitter (@CRTArs and www.facebook.com/CRTArs).

ABOUT CRTA

The CRTA is an independent, nonpartisan, civil society organisation devoted to the development of democratic culture and civic activism. By creating policy proposals, advocating the principles of accountable behaviour of government and state institutions, and educating citizens about their political rights, we are committed to establishing the rule of law and developing democratic dialogue.

Since 2016, the CRTA has been observing elections at the national and local levels. The CRTA coordinates the work of the “Citizens on Watch” network, which counts thousands of citizens trained to monitor the regularity of voting. The continuous struggle to improve the conditions for fair and free elections is the backbone of all our activities.

The CRTA observes the elections in accordance with international standards and rules of civic observation. So far, the CRTA has followed the parliamentary elections in 2016, the presidential and local elections in Zaječar and Pećinci in 2017, as well as local elections in Belgrade and in Lučani in 2018. The projections and results of our mission on the Election Day were confirmed by the official results of the REC, while our findings and recommendations from previous election processes coincide with the findings and recommendations of the OSCE / ODIHR International Observation Mission. The CRTA is a member of the Global and European Network of Election Observation Organisations - ENEMO and GNDEM.

The goal of the CRTA observation mission during the 2020 parliamentary election campaign is to efficiently monitor and analyse the application of laws and international standards during the preparation and conduct of the elections, inform citizens about the quality and democracy of the election process and events, and provide a prompt reaction to violations of electoral procedures and processes. Besides, observation of the election cycle should serve to create recommendations for improving the quality of the election process.

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