

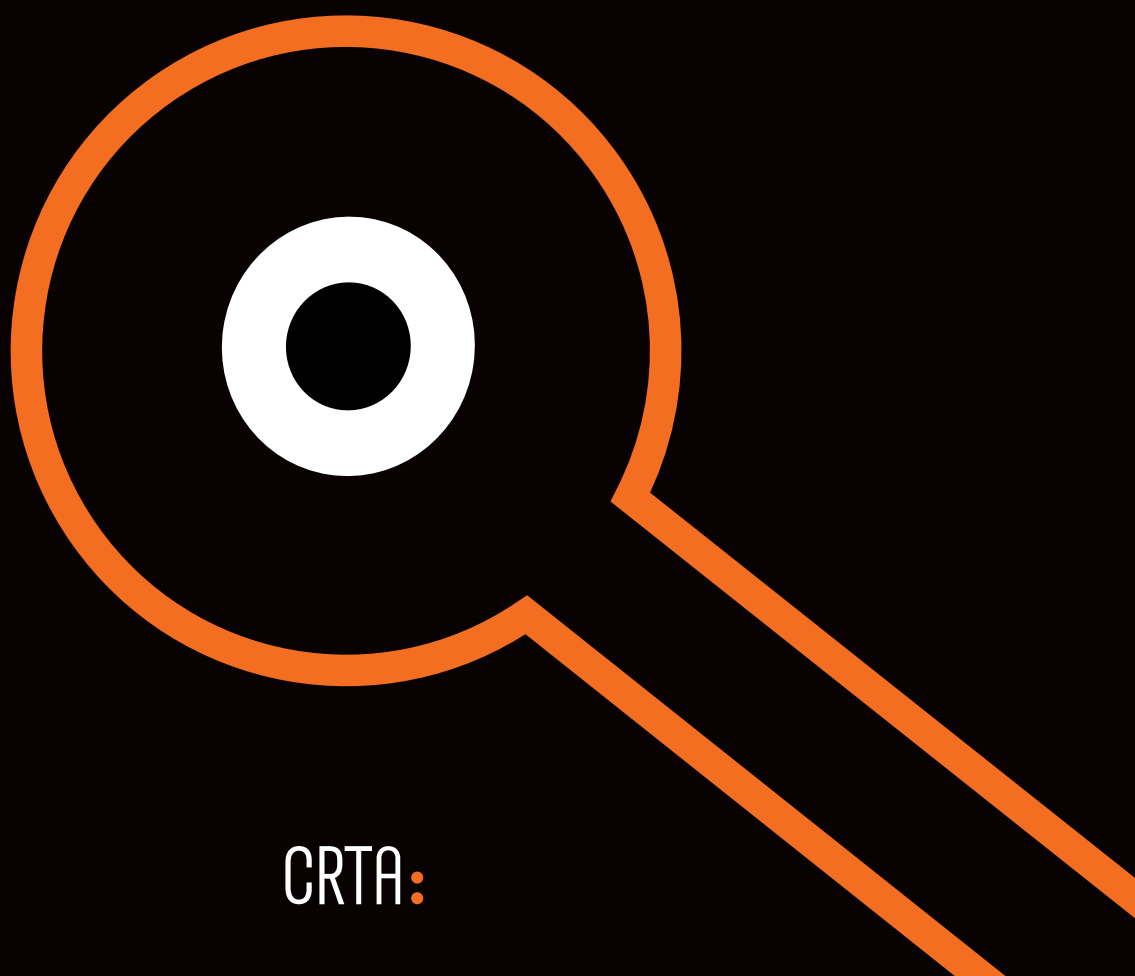
ELECTIONS : 2023

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# Final Election Observation Report

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February 2024



CRTA :

**THANK YOU TO ALL CITIZENS,  
OBSERVERS, PARTNERS, AND DONORS,  
WITHOUT WHOSE SUPPORT  
THE CRTA OBSERVATION MISSION  
WOULD NOT HAVE BEEN POSSIBLE.**

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## SUMMARY

The extraordinary parliamentary and Belgrade elections were not free and fair.

The election outcomes emerged as a result of the unlawful advantages gained by the ruling party, with the complicity of several state institutions and authorities – primarily the Ministry of Public Administration and Local Self-Government, and the Ministry of Internal Affairs, as well as bodies of certain local self-governments.

From the moment when the elections were officially called, institutions increasingly disregarded legal constraints, leading to local election results in Belgrade not reflecting the freely expressed will of the citizens, and significantly compromising the legitimacy of parliamentary election outcomes.

Responsible institutions are ignoring a mass of evidence and indications of not only gross violations of democratic principles but also a series of criminal acts in the election process. This further reinforced the principles of impunity and legal uncertainty, for which prosecutorial bodies bear the greatest responsibility.

The spectrum of severe endangerments of voters' and candidates' rights includes unscrupulous pressures on citizens, manipulations of the Voters' Register, forgeries of support signatures for nominated lists, misuse of citizens' personal data, and falsification of the election results publication date in the Official Gazette, committed to prevent the opposition from utilizing the legal deadline for submitting complaints to the Constitutional Court.

**Such law violations would not have been possible without the passivity and direct involvement of institutions, i.e. civil servants at various levels of hierarchy. Initiating criminal and disciplinary proceedings to establish responsibility and punish the initiators and perpetrators of the criminal acts destroying the electoral integrity is a prerequisite for any further discussion on the electoral process.**

From the observation mission's standpoint, it is disturbing to note that chronic problems of elections in Serbia have been somewhat overshadowed by the onslaught and weight of evidence about illegal and illegitimate electoral engineering, including organised voter migrations. These include the political clientelism and pressures on voters, media inequality, misuse of public resources and office – which were even more pronounced in comparison with previous elections.

The findings of the CRTA Election Observation Mission show serious irregularities at 13 percent of polling stations in the parliamentary elections, while in the Belgrade elections, the share of such polling stations amounts to as much as 21 percent.

## **Main Features of the Election Campaign and Election Day**

- **Erasing the line between the state and the (dominant) party** has evolved into a situation where the **state apparatus acted as a mechanism to carry out the campaign** of the Serbian Progressive Party. The use of the state for party interests manifested in broadly – from extraordinary budgetary provisions to the engagement of state institutions in spreading hate speech and defamation of the opposition. The intensity of the abuse of the function of the President of the Republic is indicated by the fact that as many as 60 percent of citizens thought that Aleksandar Vučić was a candidate in these elections, and almost a quarter of citizens were under the illusion that presidential elections were underway.
- Due to **proven (deliberately and unintentionally produced) inaccuracies in the Voters' Register**, confusion arose about who has the right to vote and where, which has increased suspicion that the elections reflect the real will of the citizens.
- Without precedent and without explanation, a decision was made to hold extraordinary local elections simultaneously with the extraordinary parliamentary and Belgrade elections in a third of local governments in Serbia. This enabled organised migration of voters from municipalities not organising elections to Belgrade and other cities where elections were held, all to achieve better results for the Serbian Progressive Party at the local level. For the purpose of organising voter migrations, manipulations of the Voters' Register were carried out, mostly by breaking the law that regulates the residence of citizens. **Such practice has compromised the equality of elections and essentially endangered the constitutional and legally guaranteed right to local self-government of every citizen.**
- **Impunity for criminal offences in the electoral process was enabled by the absence of reaction of the prosecution** by official duty in cases where public evidence was presented, such as in cases of illegal interventions in the Voters' Register, falsified signatures of voters in the process of submitting election candidacies, vote-buying, multiple voting, pressure on voters, etc.
- Even half of the declared lists at the Belgrade elections are under founded suspicion of **forging signatures of support for the candidacy**. It turned out that

these criminal acts enabled the authorities, by **constructing the appearance of a pluralistic electoral offer**, to secure control over decision-making in the City Electoral Commission. The unprecedented postponement, i.e. falsification of the date of publication of the Official Gazette of the City of Belgrade with the final results of the Belgrade elections, **has abolished the right to an effective legal remedy**.

- Employees in the public and state sector, as well as the most vulnerable social groups, namely beneficiaries of the social protection system, were **denied or limited freedom of choice due to exposure to pressures and other mechanisms of political clientelism**.
- Media inequality, or **imbalance in favour of the ruling party, was even more drastic than in previous elections**. Instead of professionally providing objective information about the complete electoral offer and the socio-political context in which the campaign took place, **the most influential media, including the Public Media Service RTS, subjected citizens to an extreme propaganda**. Although he was not a candidate, the President of Serbia, Aleksandar Vučić, occupied almost a third of the time in prime time and two-thirds of the time in news programmes on televisions with national coverage.
- REM, **the Regulatory Body of Electronic Media, once again demonstrated almost complete disregard for its own legal obligations**, i.e. ensuring equality of electoral contestants in the media and protecting voters' right to quality information.
- The campaign took place in an atmosphere full of tensions. The media, but also the highest state officials, spread **incendiary, dehumanising rhetoric, and in many cases, electoral actors, citizens, and even election observers were subjected to verbal and physical violence**. In these elections, CRTA observers were victims of a brutal physical attack for the first time, which occurred in front of police officers in the yard of the local police station, where they were headed to report the criminal act of circular voting.
- Due to cases of vote-buying and circular voting, CRTA filed a record number of complaints with the police. Frequently recorded irregularities during the election day were also: **the absence of measures for identity verification and protection of the rule "one person – one vote", violation of secrecy and controlled voting,**

**multiple voting, the presence of unauthorised persons at polling stations, pre-filled excerpts from the Voters' Register, etc.**

- **The powers, capacities, and authority of the election administration have again proven to be insufficient to protect the integrity of the election process** despite increased transparency and proactivity of some of its parts.

The mentioned facts clearly confirm that the relatively short period since the previous elections (April 2022) was not used to improve electoral conditions and that the existing legal framework is ineffective.

Government representatives have shown a concerning deviation from international democratic standards in the treatment of election observers. Instead of investigating evidence of irregularities and discussing chronic problems in elections, the public witnessed unfounded accusations and insults directed at international observers and the CRTA Election Observation Mission by the highest state officials, including President of Serbia Aleksandar Vučić and Prime Minister Ana Brnabić, as well as media close to the authorities.

### **Prerequisites for Discussion on Better Elections**

**The CRTA Election Observation Mission concludes that it is not possible to approach the improvement of the legal framework and the practice of conducting elections, i.e. the holding of the next elections in Serbia, until certain prerequisites are met.**

**1. Establishment of timely and non-selective accountability for violations of the law in elections.** The fight against impunity is a fundamental prerequisite for the rule of law and the building of citizens' trust that the institutions of Serbia, state bodies, and public institutions serve to protect the laws and interests of the state and the public within their competencies, standards of ethics, and professional service, not allowing any party or private interest to be prioritized over this obligation.

- *Determine the responsibility for the lack of reaction by the prosecution in the electoral process and selective reaction to citizens' complaints. Call for criminal and disciplinary responsibility of the lead officers in the basic public prosecutor's offices in Belgrade, the Higher Public Prosecutor's Office in Belgrade, and the Supreme Public Prosecutor's Office, on the basis of abuse of official position and failure to use authority to control the conduct and supervision over the work of lower public prosecutor's offices.*

- *The prosecution must urgently and non-selectively engage in establishing the truth and responsibility for violations of the law in the electoral process, including acts committed under the auspices of the state institutions of Serbia, primarily in the Ministry of the Internal Affairs and the Ministry of State Administration and Local Self-Government (including the Administrative Inspectorate), as well as in the Ministry of Foreign Affairs and the General Consulate in Banja Luka.*
- *State institutions, bodies, and institutions must initiate disciplinary proceedings and use all mechanisms of internal control against officials who have irresponsibly, without the authority, and unlawfully made changes to the Voters' Register, changed the residence and domicile of citizens, and committed other abuses of position.*
- *Notaries who participated in the falsification of voter support statements for the candidacy of electoral lists must be prosecuted urgently.*
- *The competent public prosecutor's offices must initiate proceedings to determine the criminal responsibility of officials in police stations who, through negligent work in service and abuse of official position, made changes of residence contrary to prescribed obligations and procedures.*
- *The competent public prosecutor's offices must initiate criminal proceedings against those responsible for compiling inaccurate Voters' Registers under Article 158 of the Criminal Code.*
- *The Administrative Inspectorate must file a request to initiate misdemeanour proceedings against each responsible person in the bodies responsible for updating the Voters' Register who did not ensure its accuracy and timeliness.*
- *Upon the constitution of the National Assembly, as soon as possible, it is necessary to initiate the procedure for the dismissal of all eight members of the Council of the Regulatory Body of Electronic Media due to improper and negligent conduct and at the same time issue a public call for proposing candidates for the election of new members of the Council.*
- *Upon the constitution of the new composition of the Council of the Regulatory Body of Electronic Media, conduct a procedure to determine potential violations of obligations or non-compliance with the conditions provided by the licence at media*

*service providers to whom REM issues broadcasting licences and, in case of violations, take legally prescribed measures that include revocation of the licence.*

- *The governing boards of public media services, which would be elected by the new composition of the REM Council, should initiate procedures for the dismissal of general directors and editors in chief of the news program, and conduct competitions to select individuals for these positions who will perform their duties in accordance with the law and the principles of public media services.*

**2. An accurate and uncompromised Voters' Register is a key prerequisite for holding democratic elections, since the will of the voters cannot be determined on election day without it.** As in previous electoral processes, the negative perception of the Voters' Register in the public is based on the lack of timely and sufficient data and facts about its state and is a source of public distrust in the electoral process. Two key problems related to the Voters' Register that have arisen in the electoral process are migration, i.e. the "relocation" of voters, and the inaccuracy of the Voters' Register. The first problem is significant in the context of local elections, especially those held in the capital city, while the second problem recurs from election to election.

- *It is necessary for an independent commission composed of international and domestic experts to conduct a revision of the Voters' Register in accordance with international standards and recommendations of the ODIHR. After determining the factual situation, it should be proceeded without delay with compiling an accurate Voters' Register and establishing mechanisms that ensure its integrity.*

**3. It is necessary to significantly improve professional standards in the work of the Radio Television of Serbia and Radio Television of Vojvodina so that these houses truly, and not just nominally, function as the public media service of the citizens of Serbia.** The free formation of voters' will, as the backbone of free elections, largely rests on truthful, complete, and timely information and the promotion of political ideas' pluralism in electronic media. Opening public media services RTS and RTV to different political options and significantly greater dedication of these houses to the obligation of objective and timely information and education of citizens is the first step in establishing political pluralism in the media.

## **1.1 The Course of the Election Campaign**

In less than two years, **hastily and without socio-political consensus**, the second snap parliamentary and Belgrade elections were held. Snap provincial elections were also called, and without precedent or clear explanation a decision was made to hold

extraordinary local elections about six months before the regular term in more than one-third of the municipalities in Serbia.

Elections were called in circumstances of **pronounced, pre-acquired advantages of the government** in the media, abuse of institutions and public functions for campaigning against political opponents, and waves of one-time monetary aid for different social groups ahead of and during the elections. Elections were called in an atmosphere of political, social, and economic tensions, and massive and prolonged civic protests due to mass murders that took 19 lives in May 2023, mostly of children and youth. The election campaign was also marked by a large number of social protests which the authorities labelled as opposition activities.

Although without the formal and technical restrictions for participating in and organising elections, the electoral process has revealed all the shortcomings of the existing model of election administration and institutional control over the enforcement of the law.

It has been shown that the absence of sanctioning law violations from previous elections led to even more severe abuses and the weakening of control mechanisms. As with the 2022 elections, **this time the candidacy process was compromised by the forgery of voter support signatures**. Half of the declared electoral lists for the Belgrade elections are under suspicion of having forging signatures of support for candidacy. **The questionable signatures are the ones certified in municipal administrations. Historically, this is potentially the most extensive case of forgery in elections in Serbia**, which remained without an institutional response by the conclusion of this report. There were also reports of obstructions of the opposition in collecting signatures for candidacy in several municipalities in Serbia.

Claims of manipulations with the Voters' Register have emerged in the public. The lack of timely and complete information about the state of the Voters' Register from election to election has raised serious suspicions of the integrity and potential abuses of the Voters' Register. A large number of citizens have approached CRTA due to **voting invitations that arrived for people who, as they claimed, do not live at their addresses**. **Despite allegations of organised voter migrations, primarily for voting in local elections in Belgrade**, Serbian institutions, primarily the Ministry of Internal Affairs and the Ministry of Public Administration and Local Self-Government, have not taken steps to remove public doubts about manipulations with the Voters' Register.



**Pressures on voters have deepened, now spread throughout the country, and conducted through various mechanisms - primarily in the public administration system, social and healthcare services, including both their employees and their users.** More intense pressures in the last weeks of the campaign were observed by heightened cases of intrusion into personal data, health histories, and places of residence, along with the now usual and widespread demands for employees and users of public sector services to vote for the party or to assist its infrastructure in the campaign.

**Data obtained by CRTA observers also raise suspicions that parties misused private data of various groups of citizens for targeted pressures and bribing of voters. Electoral clientelism was intensified in the final stage of the campaign.** Targeted distribution of material gifts to socio-economically vulnerable citizens is one of the indicators of abuse of data from public records on the social status of citizens. Also, this period was marked by testimonies about direct exchanges of material gifts or services for votes. Interlocutors pointed to an **atmosphere of fear**, but also to a **deep distrust of institutions**, which, as they say, prevents them from reporting such cases.

**The direct participation of the state in the campaign was even more pronounced than in previous electoral processes.** Throughout the entire election campaign, it was difficult to discern the boundary between the activities of the ruling party and the state. In just over 45 days of the election campaign, CRTA observers recorded about **800 appearances of high state officials in local communities. Only 11 percent of municipalities and cities had no recorded visit by any state official. About 260 cases of abuse of public resources in the campaign across Serbia were also recorded, in which the strongest ruling party predominantly participated.**

**Appearances of the President of Serbia, Aleksandar Vučić, flooded the public space, leaving the impression that presidential, not parliamentary, provincial, and local elections were underway in Serbia.** Over 60 percent of citizens were of the opinion that the President of Serbia was a candidate in the elections, while almost a quarter believed that presidential elections were being held in Serbia. Although formally no longer the president of the Serbian Progressive Party, the state president, Aleksandar Vučić, represented the central figure by which the ruling list was named and based its campaign on the brand "AV". **This central figure in the campaign was like an umbrella for the party, the state, and the people, communicating that they are on the same side, in a unified front, which led to equating the President of Serbia not only with the party but also with the state and the people.**

**The election campaign was held in a state of even greater media inequality among participants than in previous elections – government representatives occupied a total of 72 percent of media time until election day, compared to 64 percent during the 2022 elections.** In the remaining time, television stations with national coverage often presented **opposition candidates in a negative tone.** Legal obligations to introduce electoral blocks during the campaign period, special rules for the Radio Television of Serbia, recommendations for commercial media, and the ban on media reporting on the activities of public officials did not contribute to balanced and objective informing of voters about the electoral offer. While representation in strictly formal electoral blocks was almost equal, the overall imbalance in representation stemmed from regular, otherwise more-watched, news programmes – in which the **ruling majority occupied more than 90 percent of the time.**

**Hostility and hate speech disseminated by ruling parties and the most influential media, but also by some actors from the opposition, were more pronounced than in any elections observed by CRTA since 2016.** Dangerous insinuations that the opposition and other actors plan to violently dispute the election results, prepare an attack on the President of Serbia, his family and the state and that the only goal of the opposition is “hatred”, “causing chaos” and “destabilising Serbia” were disseminated through institutional channels, statements of the highest officials, and the most influential media. On the other hand, addresses by opposition representatives included strong criticism of the government, which in some cases was presented through the use of labelling, stereotyping, and speech that promotes intolerance.

Messages of intolerance and hate by representatives of political parties were not only addressed to political opponents but were also indirectly and directly **aimed at the media, civil sector, and citizens.** Individuals associated with the “ProGlas” initiative, which led a campaign for election turnout and collected more than 190.000 signatures of citizen support, were also the target of verbal attacks. Public figures who participated in the panels of this initiative were accused by the ruling party and media close to the authorities of “waging a special war against the state”.

**Several cases of violence, incident situations, and attacks on individuals in the last weeks of the campaign were recorded.** During the campaign, CRTA identified **40 cases of incidents with elements of verbal and physical violence.** Interlocutors of CRTA observers coming from the ranks of both the government and the opposition, as well as institutions, testified about **pressures in local environments attempting to prevent equal political competition and the holding of public events by actors critical of the current government.**

**Regulatory institutions and bodies remained invisible. The Regulatory Body of Electronic Media (REM), despite increased obligations, was completely passive and non-transparent in these elections, with open disregard for the law.** REM only published part of the campaign monitoring data after election day, and only those collected in supervision over public media services and cable televisions, while delaying the publication of findings related to private televisions with national coverage. **By hiding part of the data, REM created a distorted picture of pluralism in the campaign.** The first complaints were also considered only after the election day, beyond the legal deadlines. The only procedure that REM initiated was not concluded by the day of concluding this report. **The actions of the Agency of Prevention of Corruption, although far less passive, remained without effect due to weak professional integrity and independence in work.**

Due to various irregularities and violations of the law in the elections, **CRTA filed nearly 100 complaints with different institutions:**

- **CRTA filed 29 complaints with the Regulatory Body of Electronic Media (REM), but REM did not act on any of them during the campaign despite legal obligations and deadlines.** Only after election day REM informed CRTA that in the case of five complaints there was no basis for initiating proceedings, while it did not comment on the other complaints almost two months after the end of the campaign.
- **CRTA filed 51 complaints with the Agency for Prevention of Corruption** for cases of abuse of state office and misuse of state resources (14), as well as unauthorized party activities during the campaign (37). The Agency has so far decided on 46 complaints and in 23 cases found a violation of the law.
- Due to cases of negative campaigning, CRTA also **filed five complaints with the Election Campaign Oversight Committee of the National Assembly.**
- **CRTA filed seven complaints with the police regarding the allegations of observers who, during the election day, noticed events indicating vote buying.**
- Based on complaints received from citizens, **CRTA prepared and submitted five criminal complaints, including four against unknown officials in the Ministry of Public Administration and Local Self-Government, the General Consulate of Serbia in Republika Srpska, and the city administrations of Novi Sad and**

**Belgrade for manipulations with the Voters' Register and voting rights, and one criminal complaint against the unknown person for compiling an inaccurate Voters' Register.**

In this electoral process, CRTA repeatedly addressed competent institutions, the Ministry of the Internal Affairs, and the **Ministry of Public Administration and Local Self-Government, through direct letters or public appeals, asking them to make available data that would dispel doubts about manipulations with the Voters' Register and voting rights.** The data that would enable the necessary analysis of residence changes in Belgrade were not published, nor did they fully arrive at CRTA's address.

**No case of urgent reaction by the prosecution based on publicly available information and evidence of criminal offences related to the elections was recorded.** All public information relates to the actions of individual prosecutions on some of the citizens' complaints, where the number of complaints and formed cases is known, but not the activities undertaken. It is known that the Public Prosecutor's Office in Belgrade formed five cases based on information received from the City Electoral Commission of Belgrade and the Republic Electoral Commission regarding cases of forging citizens' signatures. **It is shocking and unprecedented that the prosecution informed the public that the electoral administration is responsible for violations of the law in the electoral process.**

Despite publicly available claims, reports, and information about cases of illegal assignment of residence to individuals who do not meet the necessary conditions for obtaining residence in Belgrade, as well as about organised voter migrations, the prosecution in Belgrade did not undertake any action, nor did it make any statement. The prosecution's reaction was also absent in the case of an investigative article published by CINS, which raised suspicions of a series of criminal offences around the organisation and operation of the "call centre" of the Serbian Progressive Party (receiving and giving bribes in connection with voting, abuse of official position and personal data, illegal financing of political activities, etc.).

In the case of attacks on CRTA observers on election day in the yard of the police station in Odžaci, the Public Prosecutor's Office in Sombor formed a case, qualifying the attack as the criminal offence of "violent behaviour". In this specific case, based on available information, it is shown that **police officers did not adequately respond to prevent the attack on observers, nor did they ensure their safety** even though they were aware of a serious and immediate threat. There are also **indications that the police did**

**not take all necessary measures to find the perpetrators, as well as to discover and secure evidence.**

## **1.2 Course and outcome of the election day**

Snap parliamentary elections in Serbia, as well as snap local elections in Belgrade, were held on December 17, 2023. In the parliamentary elections, 6,500,666 voters had the right to vote at 8,273 polling stations (of which 29 are in correctional facilities and 81 polling stations are abroad, in 35 countries), while in the Belgrade elections, 1,613,369 voters had the right to vote, at 1,180 polling stations.

The CRTA Election Observation Mission observed the parliamentary and Belgrade City Assembly elections by using two representative and random samples of 500 polling stations in Serbia and 500 in Belgrade (excluding foreign countries, correctional facilities, and voters from Kosovo and Metohija). Based on the results collected from the sample, turnout in the parliamentary elections was almost identical as in the previous elections in April 2022 - 58.9 percent (margin of error 0.9%). The turnout in the Belgrade elections of 58.3 percent (margin of error 0.4%) is 1.1 percent points higher than in the elections in April 2022, and even 7.3 percentage points higher than in 2018.

A large number of irregularities were recorded at polling stations for both levels of elections. **CRTA's observers witnessed underdeveloped electoral and political culture which not only tolerates but encourages behaviours that breach the established law and procedures.** Insufficient training, carelessness, and frivolous approach of members of polling boards were noted for the most part in smaller and rural areas, and areas with a predominantly elderly population.

In as many as **20 percent** of the polling stations in the parliamentary elections and **17 percent** in the Belgrade elections, **UV lamps were not used in accordance with the law.** **The identity of voters was not properly established at 13 percent** of polling stations in the parliamentary elections, while in Belgrade the percentage of those stations was only three percent. These findings point to the **widespread normalization of non-compliance with procedures, which opens up the space for further electoral manipulations.**

**At the polling stations for the Belgrade elections, there were disproportionately more irregularities related to the Voters' Register, compared to the parliamentary elections.** In every fifth polling station in Belgrade (20 percent), there were cases where voters were not found in the Voters' Register, while this is the case in almost every tenth polling station in the parliamentary elections (nine percent).

**The reports of CRTA's observers from the election day corroborate the findings of long-term observation, which suggest that parties in power intensively pressured and bribed voters, as well as that the mechanisms by which these parties exercise control over voters are strict and organised in advance.** One such mechanism is the **abuse of the Voters' Register in order to organise the migration of voters** to vote in local elections. Voting secrecy was violated at around five percent of polling stations both in Belgrade and in Serbia.

**Circumstances that raise suspicions of vote buying were recorded at over ten percent of polling stations in Belgrade (11 percent) and Serbia (12 percent).** In Belgrade, somewhat more often than in the rest of Serbia, cases of **pre-filled ballots** indicating circular voting have also been observed. **In Belgrade, more often than in Serbia, cases of voters being brought to vote against their will were recorded.**

**Several cases of physical violence** have also been recorded at polling stations in Belgrade and Serbia, with one of them including an **attack on CRTA observers in the yard of the local police station in Odžaci.** CRTA's **observers were the target of pressure and threats at the polling station or in the vicinity of the polling stations,** which was recorded on the election day itself (somewhat more often in Belgrade than in the rest of Serbia). Still, the extent of threats became clear only in the days after the elections when observers started reporting additional irregularities because they were too scared to do so on election day.

During the election day, CRTA submitted **seven complaints to the police on suspicion of vote buying and circular voting,** as well as **two complaints regarding intimidation and physical attacks on observers.**

**The final assessment of the CRTA's Election Observation Mission is that every fifth polling station in Belgrade (21 percent) was contaminated with serious irregularities that affected the outcome of the vote, while 13 percent of such polling stations were detected in the parliamentary elections.**

**A total of 152,700 voters had voting rights at the mentioned 21 percent of polling stations in Belgrade, and 72,992 voters had the right to vote at 13 percent of polling stations in the parliamentary elections.**

CRTA's findings on the number of compromised polling stations in Belgrade are the result of cross-checking several different statistical analyses and observer reports on

election day. CRTA followed the information obtained from long-term observation about illegal and illegitimate changes in the Voters' Register for the purpose of organising the migration of voters from other parts of Serbia and neighbouring countries to Belgrade, and other places where the elections were held on December 17. On election day in Belgrade, CRTA observers reported from 71 sampled polling stations individual situations that indicated organised voter migration, including cases of supervised voting, escorted voting, and potential manipulation of the Voters' Register and voter identity.

The cases of "voter migration" recorded by the CRTA's observers during the election day in Belgrade are only the tip of the iceberg. An additional analysis that compared the names of voters registered for the local elections in Belgrade in 2023 and the general elections in Bosnia and Herzegovina in 2022 and 2018 showed that a group of voters from Bosnia and Herzegovina resides at over 1,400 addresses in Belgrade, which gives them the right to vote in local elections.

### **1.3. After election day**

The process leading to the proclamation of the final election results, namely regarding the protection of voters' rights, was burdened by the opposition's and the public's distrust in the outcomes of election day, primarily regarding the Belgrade elections. The backdating of the publication of the overall report on the results **jeopardized the right to a legal remedy, the right to an effective legal remedy, and thus compromised legal certainty with the aim of preventing legal protection before the Constitutional Court.** Additionally, the backdating **compromised the integrity of the electoral process in Belgrade and called into question the legality of the actions of those responsible in the Official Gazette of the City of Belgrade, and the city administration.** At the same time, **the backdating resulted in the City Electoral Commission (GIK) violating the deadline for awarding mandates to councillors as prescribed by the Law on Local Elections.**

The distrust of part of the public in the integrity of the election results and the opposition's demand for the repeated elections at all levels due to committed electoral fraud culminated in **protests in front of the building where the Republic Electoral Commission (RIK) convenes, and days of hunger strike of several MPs and election candidates from the list "Serbia Against Violence".** The absence of RIK's response, conditioned by the lack of formal and substantive possibilities to address the described irregularities in the electoral process, further deepened the distrust of part of the public in the work of the election administration and highlighted the need for election administration reform.

**Although the right to observe elections represents an important component of electoral process, and despite the presence of international election observers from ODHIR, parliamentary assemblies of the Council of Europe and OSCE, and European Parliament, the position of observers was essentially worsened in this electoral process. Hostility towards domestic and foreign election observers was particularly promoted by statements from the highest state officials and pro-government media with the aim of discrediting their work and findings.**

## **2. POLITICAL CONTEXT**

Extraordinary parliamentary, provincial and local elections were announced in an atmosphere of political, social and economic tensions that have not recently been recorded in Serbia. Violent events, until then hard to imagine, momentarily erased all other social issues from the public discourse and brought to the fore the neglected problem of violence, which continuously permeates every pore of social reality. Feelings of fear, concern and anger among citizens have increased, as well as doubts that the institutions of the system are ready to fight against the ubiquitous violence.<sup>1</sup> There was a further deepening of political polarisation,<sup>2</sup> which culminated in the calling of extraordinary elections.

At the beginning of the year, as part of the process of normalising relations between Belgrade and Pristina, the authorities in Belgrade demonstrated a slightly more constructive approach to dialogue. The President of Serbia and the Prime Minister of Kosovo agreed on the text of the agreement<sup>3</sup> the implementation of which would represent full normalisation of relations and *de facto* recognition of Kosovo by Serbia.<sup>4</sup> There was an increase in tensions in Serbia, and the government tried to conceal the essence of the agreement reached, focusing on the issue of establishing the Community of Serb Municipalities and calling for a boycott of local elections in the north of Kosovo, as a result of which Albanians were elected as presidents of predominantly Serbian municipalities.<sup>5</sup>

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<sup>1</sup> CRTA, "Attitudes of Serbian citizens on violence – Public opinion survey – September 2023", October 11<sup>th</sup>, 2023, <https://link.crtars/cj>

<sup>2</sup> CRTA, "Protests against violence, Survey of public opinion and attitudes of protest participants – August 2023", August 23<sup>rd</sup>, 2023, <https://link.crtars/bp>

<sup>3</sup> RSE, Layen in Belgrade: Implementation of the Ohrid Agreement is de facto recognition of Kosovo, RSE, October 31<sup>st</sup>, 2023 <https://link.crtars/bq>

<sup>4</sup> EEAS, "Belgrade-Pristina Dialogue: EU Proposal – Agreement on the path to normalisation between Kosovo and Serbia", February 27<sup>th</sup>, 2023, <https://link.crtars/bt>

EEAS, "Belgrade-Pristina Dialogue: Implementation Annex to the Agreement on the Path to Normalisation of Relations between Kosovo and Serbia", March 19<sup>th</sup>, 2023, <https://link.crtars/bv>

<sup>5</sup> BBC, "Local elections in the North of Kosovo", April 24<sup>th</sup>, 2023, <https://link.crtars/bw>



After the mass murders that claimed 19 lives in May, mostly children and young people,<sup>6</sup> inadequate and inappropriate reactions of the authorities<sup>7</sup> caused a significant political mobilisation of citizens and a wave of protests against systemic violence in society, under the slogan “Serbia against violence”.<sup>8</sup> The protests highlighted the authorities’ responsibility for inciting or not preventing violence in society, for media promotion of violence, and the weakened education system, intolerance towards political dissidents, but also for the protection of politically connected persons from criminal prosecution. Changes in the media ecosystem were demanded, including the shutdown of tabloids that continuously violate the Code of Ethics, changes within the public media service and the Regulatory Body of Electronic Media, as well as the changes of responsible ministers.<sup>9</sup>

Protests brought 60,000 people to the streets of Belgrade at one point<sup>10</sup> and they began to spread in cities all over Serbia.<sup>11</sup> In response to the protests, the ruling Serbian Progressive Party (SNS) organised a rally in support of the “Serbia of Hope” government,<sup>12</sup> which, despite the great party mobilisation,<sup>13</sup> engagement of state resources and extensive logistical support,<sup>14</sup> failed<sup>15</sup>, strengthening the impression of the opposition public that changes are possible.

In the same period, difficult economic conditions caused by persistent inflation of as much as 15%,<sup>16</sup> and the increasingly unfavourable position of the Serbs in the north of Kosovo<sup>17</sup> shook the support to the dominant party in power.<sup>18</sup> Part of the opposition parliamentary parties organisationally supported the protests and transferred the demands to the highest representative and legislative body – the National Assembly of the Republic of Serbia. A decision was adopted to establish an inquiry committee that would examine the circumstances that led to the crimes, as well as the institutional failures that followed them. However, the ruling majority, with a strong negative

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<sup>6</sup> BBC, “School shooting in Belgrade: Footage of the arrest of a suspected student, parents of children in despair”, May 3<sup>rd</sup>, 2023, <https://link.crtars/bx>

RTS, “Suspect for mass murder near Mladenovac and Smederevo sentenced to custody for up to 30 days”, May 7<sup>th</sup>, 2023, <https://link.crtars/c0>

<sup>7</sup> DW, “Serbia: both society and system failed”, May 8<sup>th</sup>, 2023, <https://link.crtars/c1>

<sup>8</sup> RSE, “Protest ‘Serbia against violence’ in Belgrade and Novi Sad”, May 8<sup>th</sup>, 2023, <https://link.crtars/c3>

<sup>9</sup> Page “Stands against violence”, Demands of civil protests “Serbia against violence”, <https://link.crtars/c4>

<sup>10</sup> Vreme, “Mass can do anything, when it is determined to get its own”, May 25, 2023, <https://link.crtars/c5>

<sup>11</sup> Page “Stands against violence”, Map of the “Serbia against violence” protest, <https://link.crtars/c6>

<sup>12</sup> Politika, Great People’s Assembly “Serbia of Hope” on May 26<sup>th</sup>, in Belgrade, May 17<sup>th</sup>, 2023, <https://link.crtars/c8>

<sup>13</sup> CRTA, “Political pressures on citizens – Story 4: I will not go to the rally on May 26<sup>th</sup>, even though they are forcing me” <https://link.crtars/c9>

<sup>14</sup> CINS, “At the meeting of SNS with vehicles of state institutions”, June 1<sup>st</sup>, 2023, <https://link.crtars/cb>

<sup>15</sup> Nova, “We find out: Vučić raged at his colleagues after the debacle at the counter rally”, May 27<sup>th</sup>, 2023, <https://link.crtars/cc>

<sup>16</sup> BBC, “Serbia and inflation: Price growth moderated for the third consecutive month, what summer brings to wallets”, June 26<sup>th</sup>, 2023, <https://link.crtars/cd>

<sup>17</sup> DW, “Dozens of people were injured in clashes between KFOR and Serbs”, May 30<sup>th</sup>, 2023, <https://link.crtars/ce>

<sup>18</sup> VOA, “Dissatisfaction of Serbian citizens is growing, what is the government’s response?”, June 5<sup>th</sup>, 2023, <https://link.crtars/cg>

CRTA “Protests against violence – Survey of public opinion and attitudes of protest participants – August 2023”, August 23<sup>rd</sup>, 2023, <https://link.crtars/bp>

campaign in the most influential media, withheld support for the work of the Inquiry Committee, referring to the demands of the victims' families and manipulating their fear that the prosecutor's investigation could be jeopardised by the work of the Inquiry Committee.<sup>19</sup>

In an attempt to alleviate the politically unfavourable climate, the President of Serbia and the Prime Minister of Serbia announced increases in salaries and pensions, as well as one-time financial benefits for parents and pensioners. They also hinted at the possibility of early parliamentary elections, which could be held, as they said, already in September.<sup>20</sup> The government did not fulfil any of the protest demands, which the opposition continued to insist on.

In September, in certain media information appeared about the mobilisation of the SNS party infrastructure in preparation for the elections, and part of the opposition demanded early parliamentary and previously promised Belgrade elections.<sup>21</sup> In the media with national coverage, the rhetoric of political polarisation has intensified with the dominance of the anti-Western narrative. Attacks on leaders of opposition parties, representatives of the civil sector and prominent public figures from the field of culture continued<sup>22</sup> and for the first time, "deepfake" technology was used in order to further discredit the representatives of the opposition under the guise of humorous content.<sup>23</sup>

At the end of September, an armed incident in the north of Kosovo led to the death of a Kosovo policeman and three members of an informal armed group of Serbian nationality. The event significantly worsened Serbia's foreign policy position overnight.<sup>24</sup>

Another announcement of early parliamentary, provincial and local elections quickly caused a situation in which, with unconvincing explanations, the mayors and presidents of 66 municipalities and cities resigned.<sup>25</sup> As these events coincided with the intensification of the campaign for social benefits and salary increases for broad sections of the population,<sup>26</sup> it became clear that elections would soon be called.

In the course of several months of uncertainty about whether, when and which elections will be called, there was also a discussion about the electoral unification of the

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<sup>19</sup> Danas, "The Assembly suspended further work of the Inquiry Committee after a request from parents", July 21<sup>st</sup>, 2023, <https://link.crtars.ch>

<sup>20</sup> Euronews, "September, end of the year or spring 2024: The question of when Serbia will go to the vote is still an equation with more unknowns", June 12<sup>th</sup>, 2023, <https://link.crtars/ci>

<sup>21</sup> RSE, "Part of the opposition submitted a request for early elections in Serbia", September 11<sup>th</sup>, 2023, <https://link.crtars/ck>

<sup>22</sup> RSE, "'It would be foolish to remain silent': Actors in Serbia on criticism from the authorities", June 8<sup>th</sup>, 2023, <https://link.crtars/cl>

<sup>23</sup> VOA, "Ethics or laws – what can prevent the misuse of artificial intelligence", August 17<sup>th</sup>, 2023, <https://link.crtars/cm>

<sup>24</sup> Nedeljnik, "Ferguson: Events in Banjska represent a real threat to regional stability", September 30<sup>th</sup>, 2023, <https://link.crtars/cn>

<sup>25</sup> Direktno, "60 mayors resigned", September 28<sup>th</sup>, 2023, <https://link.crtars/cp>

<sup>26</sup> Blic, "Bigger baby bump is coming! Today's payment and social assistance: Two citizens' groups on the list", September 20<sup>th</sup>, 2023, <https://link.crtars/cq>

opposition, which led to the formation of the “Serbia against violence” list.<sup>27</sup> Nationalist right-wing parties also negotiated a joint list, but did not reach a consensus on possible post-election cooperation with the pro-European opposition.<sup>28</sup> Although the representatives of the government claimed that the elections were called at the request of the opposition, a strong impression remains that the government made the decision taking into account its own interest.

The pre-election tensions were also contributed to by the increase in social dissatisfaction, with announcements of strikes by educators, postmen, health workers and farmers.<sup>29</sup> In parallel with that, the pre-election period was strongly marked by a wave of republican one-time financial aid, which was distributed before the election to various and very numerous social groups: pensioners, beneficiaries of social assistance, mothers of children up to 16 years old, high school students and students. It is estimated that the state allocated around 450,000,000 dinars for these benefits. While in parallel, additional wage increases were introduced and announced for employees in the public sector, primarily health and education workers.

The internal political polarisation was also contributed to by the rhetoric of officials and diplomats from the Russian Federation, through which the cooperation of the Republic of Serbia with Russia is identified with the protection of Serbian national interests, while cooperation with Western countries is interpreted as a relationship based on pressures and threats that can lead to the crushing of the country’s sovereignty.

The work of the parliament during 2023 was marked by manipulations and abuses of the rules by the ruling majority, culminating in the last session before the election, where more than 50 laws were voted,<sup>30</sup> thus once again the parliament proved to be a mere tool in the hands of the executive.

Serbia was also left without substantial improvements in electoral conditions, especially when it comes to problems such as pressure on voters, abuse of public resources and functions, expansion of clientelistic networks and lack of pluralism in the media.<sup>31</sup> International evaluations and indices of democracy still classify Serbia as a non-democratic (hybrid) regime,<sup>32</sup> and before the announcement of the elections, the

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<sup>27</sup> N1, “Joint appearance of the opposition “Serbia against violence” in the elections: Tepić and Aleksić holders of the republic list”, October 27<sup>th</sup>, 2023, <https://link.crtars/cr>

<sup>28</sup> Beta, “Jovanović (New DSS): With the pro-European opposition, there is no programmatic government, only a technical one”, November 3<sup>rd</sup>, 2023, <https://link.crtars/cs>

<sup>29</sup> N1, “Postal workers continued spontaneous work stoppages across the country”, October 25<sup>th</sup>, 2023, <https://link.crtars/ct>

<sup>30</sup> Open Parliament, “Annual report of the Open Parliament on the work of the 13<sup>th</sup> convocation of the National Assembly in 2022 and 2023”, <https://link.crtars/cu>

<sup>31</sup> CRTA, “No progress in meeting OSCE/ODIHR recommendations”, October 11<sup>th</sup>, 2023, <https://link.crtars/cv>

<sup>32</sup> Freedom House, “Freedom in The World 2023”, <https://link.crtars/cy> V-Dem Institute, “Democracy Report 2023 – Defiance in the Face of Autocratisation”, <https://link.crtars/d2>

European Commission reported on Serbia's minimal progress on the road to EU accession, explaining in detail the assessment of the lack of progress in the domain of Chapters 23 and 24.<sup>33</sup>

### 3. CALL FOR ELECTIONS

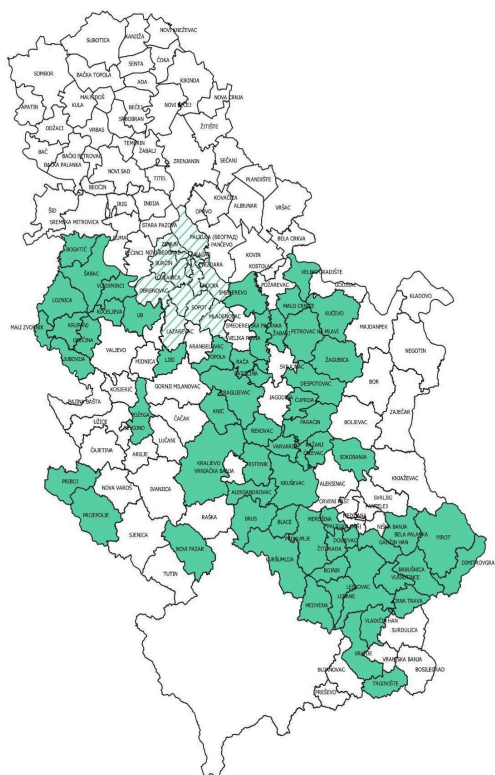
**After less than two years, extraordinary elections were called for December 17<sup>th</sup> for all three levels of government – parliamentary, provincial and local, thus continuing the decades-long bad practice of combining elections on one day.** What this time cast an additional shadow on that otherwise problematic practice was the announcement of extraordinary local elections only for one large group of municipalities while leaving the other group to wait for their regular local elections half a year later. **The decision to select a part of municipalities for local elections was made without precedent in previous election practice, without reasonable explanations, and is a strong indicator of potential abuse of power to gain an unfair advantage in the upcoming elections.**

Early elections were announced on November 1<sup>st</sup> for December 17<sup>th</sup> 2023 for members of parliament of the Republic of Serbia, councillors of the City of Belgrade Assembly and 66 local administrations of cities and municipalities. **(Map 1)** Elections for the Assembly of the Autonomous Province of Vojvodina, which were held on the same day, were announced for November 16, 2023.

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<sup>33</sup> EU Delegation in Serbia, "Annual Report on Serbia 2023", <https://link.crtg.rs/d4>

Map 1: Local elections held in part of the territory of Serbia (green)



The announced parliamentary elections are also the second snap elections in a year and a half, and the third held in the past four years. Due to frequent extraordinary election cycles, Serbian citizens went to the polls in December for the sixth time since 2012.<sup>34</sup> **Although special elections have been part of the political life of Serbia since the introduction of multi-party system, they have not been called in the last 10 years as a consequence of the instability of the ruling coalitions, but for reasons of political calculations.**

**Although a part of the parliamentary opposition sent a request to the President of Serbia in September to call for extraordinary parliamentary and Belgrade elections<sup>35</sup>,** there was no inter-party dialogue on this proposal. Instead of an atmosphere of conversation, the period leading up to the announcement of the elections was spent in fuelling tensions and complete uncertainty about which elections would be announced and when they would be announced.

<sup>34</sup> Election cycles in Serbia since 2012: regular 2012, special 2014, special 2016, regular 2020, special 2022, special 2023.

<sup>35</sup> RSE, "Part of the opposition submitted a request for early elections in Serbia", September 11<sup>th</sup>, 2023, <https://link.crta.rs/d6>

The parliamentary elections were announced with the same explanation that was used when announcing the snap parliamentary elections in 2022: *“Holding new parliamentary elections under the existing circumstances would ensure a higher degree of democracy, reducing the tensions created between opposing options in society, rejecting exclusivity and hate speech, and affirming the right to freely express opinions and views on certain political, economic and other issues, including further affirmation of European values.”*<sup>36</sup>

**The announcement of extraordinary local elections in a third of local self-governments represents a precedent in the electoral history of Serbia and points to the undemocratic practice of the authorities, which is carried out based on the needs of political calculation, rather than the real needs of citizens from those places.**<sup>37</sup> The CRTA observation mission noted, through the available statements of municipal presidents and mayors, very uneven reasons for submitting resignations: “upcoming elections in Serbia”<sup>38</sup>, “instruction received” from the party<sup>39</sup>, “so that citizens are not bullied into voting twice”<sup>40</sup>, “for establishing legitimacy”<sup>41</sup>, that is, giving the opportunity to win power in elections and “not by blocking roads, institutions and harassing citizens”.<sup>42</sup>

Although elections for the Belgrade City Assembly were held in December 2023, they were not announced for any of its 17 city municipalities. Big cities without local elections in 2023 include Novi Sad, Niš, Čačak, Valjevo, Jagodina and Užice.

There were no elections in all 45 municipalities and cities in Vojvodina. **In the South of the Sava and Danube, most of the local self-governments with scheduled election in the regions of southern Serbia, Šumadija and Mačva.** The largest cities where extraordinary local elections were held in 2023 are Belgrade, Vranje, Novi Pazar, Kragujevac, Leskovac and Šabac.

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<sup>36</sup> The Government of the Republic of Serbia, “The Government sent the President of the Republic a proposal to dissolve the Parliament”, October 30<sup>th</sup>, 2023, <https://link.crtars/d8>

<sup>37</sup> Almost half of the local self-governments in Serbia outside of Belgrade welcomed the announcement of the extraordinary elections. Extraordinary local elections will be held in 66 municipalities and cities in Serbia in December, while 88 of them await regular elections in the spring of 2024. Sixteen municipalities will remain without elections because they went to elections in 2021 and 2022. In Serbia, there are a total of 170 local governments for which elections can be called – 28 cities, 117 municipalities and 25 urban municipalities. On November 1<sup>st</sup>, 2023, the President of the Serbian Parliament announced elections in 65 local governments – in 12 cities and 53 municipalities. Out of 25 city municipalities, only the city of Vranje announced elections for its city municipality of Vranjska Banja.

<sup>38</sup> Info Center of the South, “Bojnik Municipality President Nebojša Nenadović also resigned”, September 28<sup>th</sup>, 2023, <https://link.crtars/da>

<sup>39</sup> JugMedia, “Everything by agreement: Both the mayors of Pirot and Vranje and the presidents of the municipalities Vladičin Han and Medveđe resigned”, September 29<sup>th</sup>, 2023, <https://link.crtars/db>

<sup>40</sup> FAR TV, “Vladica Dimitrov resigned from the post of President of Dimitrovgrad Municipality”, October 2<sup>nd</sup>, 2023, <https://link.crtars/db>

<sup>41</sup> eKučevo, “Municipal President Dr. Ivan Rajičić resigned: We are going to new elections to check who the people want”, September 28<sup>th</sup>, 2023, <https://link.crtars/dc>

<sup>42</sup> Infozija, “Kragujevac is also left without a mayor: Dašić revealed why he resigned”, September 29<sup>th</sup>, 2023, <https://link.crtars/dd>

## 4. ELECTION OBSERVATION METHODOLOGY

CRTA, as an independent domestic observation mission, monitored the entire electoral process of the extraordinary parliamentary and Belgrade elections in 2023, according to international standards for non-partisan and impartial election observation: Declaration on principles for international election observation<sup>43</sup>, the Code of Conduct for International Election Observers, the Declaration on Principles for Non-Partisan Election Observation by Civil Organisations<sup>44</sup> and the Code of Conduct for Non-Party Observers.

The election observation methodology included three periods: before election day (long-term observation), election day observation (short-term observation) and the period after election day. The observation methodology during each phase enabled the CRTA Observation Mission to collect and process relevant information on a daily basis about the campaign that was conducted for the parliamentary elections, as well as the campaign for the election of councillors of the City Assembly of the City of Belgrade. The legal team of the CRTA Observation Mission followed all the sessions of the Republic Electoral Commission and the City Commission of the City of Belgrade, and collected information on the work of local electoral commissions, which enabled a comprehensive insight into the organisation and implementation of elections, as well as procedural and legal procedures in the protection of electoral rights, procedures repeating the election, and determining the final results.

### 4.1. Methodology of long-term monitoring of the election campaign

Since November 1<sup>st</sup>, 2023, the CRTA observation mission has been conducting systematic field observation of the election campaign, the work of the election administration, media and social network monitoring, as well as desk research on specific topics in the elections, in order to report to the public about the atmosphere and main features of the campaign for parliamentary and the Belgrade elections, which were scheduled for December 17<sup>th</sup>.

#### *Field observation of elections*

Since November 1<sup>st</sup>, 2023, a field team of long-term observers had been deployed to monitor the atmosphere and course of the election campaign from 168 cities and municipalities in Serbia on a daily basis, which provided CRTA with equal access to

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<sup>43</sup> National Democratic Institute, Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers, October 27<sup>th</sup>, 2005. <https://link.crtars.ndi5>

<sup>44</sup> 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 3<sup>rd</sup>, 2012. <https://link.crtars/70>



information on the course and trends of the election process for the entire territory of the country. The method of data collection and verification provided the Observation Mission with a comprehensive insight into the events that marked the elections at all three levels, with an equal focus on monitoring the behaviour of the ruling parties, as well as non-parliamentary, i.e. opposition parties. The field observation included the monitoring of the activities of the public authorities, institutions, all public officials and holders of other public positions who were directly elected, both at the national, provincial and local levels. Since the beginning of the observation until December 17<sup>th</sup>, more than 5,700 observer reports had been received and processed.

### *Media monitoring*

On November 1<sup>st</sup>, 2023, the CRTA observation mission began monitoring the work of television stations with national coverage. The goal was to provide insight into the presence of political pluralism in the media and the level of media professionalism in relation to all actors on the political scene. CRTA's observers, trained according to the highest international standards for media monitoring in the election process, watched five television stations with national coverage: RTS 1, TV Pink, TV Prva, TV Happy and TV B92. The focus of the observation was the entire prime-time television programmes (extended "prime-time" from 17:30 to 24:00) in which political actors appeared or were mentioned.

The representation of political actors was measured by recording the basic unit of measurement – the seconds devoted to each political actor by each observed television. The tonality of political actors was determined on a three-level scale from negative to positive. A negative tonality reflects attacking or unfavourable coverage of a political actor, a neutral tonality a presentation of facts without attacking or affirmative reporting, while a positive tonality reflects affirmative and supportive coverage of a political actor. The seconds that political actors had in active and passive roles were measured. In the active role, the political actor is present in the video-tone address from the first person, while in the passive role, journalists, speakers, presenters or other programme participants talk about the political actor. You can read the detailed methodology of media monitoring on the CRTA website. In the period of the election campaign from November 1<sup>st</sup> to the election on December 17<sup>th</sup>, the CRTA observers processed over 1,500 hours of programming.



## **4.2. Election day, December 17<sup>th</sup>, 2023**

CRTA formed an observation mission that assessed the quality of the voting process in the extraordinary parliamentary and Belgrade elections on December 17<sup>th</sup>. The elections were observed by more than 3,000 observers, trained according to the highest international standards.

CRTA reported on the extraordinary republican and Belgrade elections based on two random samples, representative of Serbia (500 polling stations) and Belgrade (500 polling stations). A random and representative sample of polling stations reflected the structure of all polling stations, their size, distribution, regional and political specificities, which ensured that the information obtained from those polling stations was representative for Belgrade, i.e. for the whole of Serbia (without polling stations where voters voted from Kosovo and Metohija).

Observers were present at the polling stations from the beginning of the preparations for their opening at 6 o'clock in the morning, until the polling committees announced the voting results publicly, thus ensuring a comprehensive insight into the events at the polling stations.

During the election day, CRTA regularly informed the public about the turnout, as well as how the voting was going and whether the procedures were followed. Bearing in mind that voters from Kosovo and Metohija voted at special polling stations in four municipalities (Kuršumljija, Vranje, Raški and Tutin), CRTA did not include these polling stations in the sample, but 15 CRTA observers followed the voting process at all 51 polling stations and during the entire election day reported on the atmosphere at and in front of the polling stations.

## **4.3. After election day – election forensics**

CRTA continued after the election day with the analysis of irregularities reported by observers during the election day. For the purposes of a better understanding of the events at the polling stations and as a control mechanism, interviews were conducted with observers who were deployed at the polling stations and in front of the polling stations for the parliamentary and Belgrade elections. For the first time since it started observing the elections, CRTA faced the circumstance that a large number of observers felt afraid to report directly from the polling stations about the irregularities they witnessed.

CRTA conducted three additional analyses after election day: a comparative analysis of the differences between the Voters' Registers for the 2022 and 2023 elections, an analysis of the distribution of votes by turnout, and an analysis of voting patterns by place of residence.

All three subsequent analyses are based on observers' observations from and in front of polling stations, as well as analyses conducted before election day. Together, they are key to understanding the presence and effects of electoral manipulation. Electoral manipulations verified by these methods also concern the organised migration of voters, which, as a phenomenon that particularly helped sway the election results in favour of the government, is specifically described in Chapter 9 of this report.

#### 4.4. Previous reports

Based on the processed data, CRTA prepared periodical reports on the long-term observation of the campaign, which it presented to the public, in order to inform the public about the quality of the election process in the observed period, as well as possible irregularities. In this final report, which provides a comprehensive picture of the election process, the findings of the four preliminary reports are combined:

1. First cross-section of long-term observation (November 1<sup>st</sup> to 20<sup>th</sup>, 2023)
2. Second cross-section of long-term observation (November 21<sup>st</sup> to December 10<sup>th</sup>, 2023)
3. Preliminary report on the course of the election day (December 18<sup>th</sup>, 2023)
4. Preliminary findings of the Chart on the organised migration of voters ahead of the elections in Serbia on December 17<sup>th</sup>, 2023 (December 22<sup>nd</sup>, 2023)

First preliminary overview<sup>45</sup> covers the period from November 1<sup>st</sup> to 17<sup>th</sup>, in which the teams of the CRTA Observation Mission for long-term field observation of elections began collecting data the work of election administration and media monitoring. The key findings show that the first period of the election campaign was marked **by distinct advantages that the parties in power gained through abuse of institutions and manipulation of the election calendar**, bearing in mind that in less than two years, the second extraordinary parliamentary and Belgrade elections were called. Extraordinary provincial elections were also announced, and without precedent and a clear

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<sup>45</sup> CRTA, *Elections 2023 – First periodic report of long-term observers*, November 23<sup>rd</sup>, 2023, <https://link.crtars.rs/l1>

explanation, a decision was made to announce extraordinary local elections half a year before the regular term in more than a third of the municipalities. The CRTA observation mission points out numerous abuses and irregularities that it recorded during the election campaign. Collected data from this period indicate **manipulation of the Voters' Register**, suspicion of organised migration of voters, primarily in Belgrade, abuse in the candidacy process recognised through the forgery of signatures of certain candidates in the campaign, as well as insufficient capacities and authority of the election administration to protect the integrity of the election. On the ground, observers noted cases **of pressure on voters**, abuse of public resources and personal data, political pressure and electoral clientelism, especially aimed at employees in the public sector, distrust of citizens in institutions and a frequent atmosphere of fear. In addition, CRTA recorded **violent incidents, intimidation, obstructions against election actors**, as well as associations and initiatives of citizens. In media monitoring, the dominance of President Vučić and the Serbian Progressive Party in the media, along with **the unequal position of the opposition**, biased reporting, negative campaigning, inflammatory rhetoric and manipulation of information made the rules of media reporting meaningless during the campaign.

In the second preliminary overview<sup>46</sup>, which refers to the period from November 21<sup>st</sup> to December 10<sup>th</sup>, the collected data indicate **an additional intensification of irregularities and systematic abuses of institutions, public functions, and dominance in the media, creating an unequal position among electoral actors. Massive cases of forgery of signatures**, potentially the most extensive in the elections so far, pressures on citizens carried out by various mechanisms, primarily in the system of public administration, social and health services, were recorded throughout the country, and the misuse of personal data and manipulation of the Voters' Register emphasised even more the already existing deep concern for the integrity of the electoral process. During this period, CRTA appealed to institutions and election actors by sending letters to 1,600 addresses of managers in all city and municipal administrations in Serbia, reminding them of their legal obligations and calling on them to do everything in their power to protect the implementation of the law and the integrity of institutions. This appeal by CRTA remained without an adequate response, while the problems from previous reports only intensified. At the same time, CRTA's observers noted the state of **even greater media inequality, the use of inflammatory rhetoric** and the dominant presence of the president in the media. Institutional reaction to reported irregularities remains insufficient, with limited and often no influence from regulatory bodies. This situation

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<sup>46</sup> CRTA, *Elections 2023 – Second periodic report of long-term observers*, December 13<sup>th</sup>, 2023, <https://link.crtars.rs/kw>

further compromised the integrity of the electoral process, indicating an urgent need for reforms and strengthening of institutional control mechanisms.

The public was informed about the course of the election day, the quality of the process, turnout and voting results on December 17 from the CRTA press centre. The preliminary results of election day monitoring were presented to the public on Monday, December 18, after the analysis of data collected from the field. Preliminary report on election day monitoring<sup>47</sup> includes the last period before the election day and the election day itself. The CRTA observation mission assessed that drastic abuses of voters' rights, laws and institutions escalated on election day. CRTA assessed that **the quality of the parliamentary elections is at risk**, i.e. their deviation from the standards for free and fair elections. Due to the extent and types of electoral abuses in Belgrade, CRTA concluded that **the results of the Belgrade elections do not reflect the freely expressed will of the voters** who live there.

Preliminary findings of the CRTA on **the organised migration of voters in the elections in Serbia in 2023**<sup>48</sup> draw the public's attention to the danger of this form of electoral engineering, where voters' residence is changed in a coordinated manner in order to influence the results of local elections. In its findings, CRTA drew attention to the fact that it is **a practice that is neither legal nor legitimate**, and that undermines electoral equality and the right of citizens to elect local self-government. The CRTA observation mission collected evidence of these migrations through direct testimonies, analysis of the Voters' Register, as well as photo and video evidence collected by its observers on the election day itself, which all contributed **to the identification of this practice, in the recently held elections, to a significant extent with the aim of to influence the outcome of local elections held in only some cities and municipalities in Serbia**. The analysis performed after the election day by using and cross-referencing quantitative, publicly available data from the Voters' Register and voting results showed **significant changes in the Voters' Register and a greater number of votes for the current government at potential migration destinations in the local elections in Belgrade**. Confirmations by political actors through statements given to the media about the implementation of these practices and attempts to justify them additionally indicate the challenge these activities represent for the quality of elections in Serbia, warning of the urgent need for measures that would prevent such manipulations in the future.

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<sup>47</sup> CRTA, Preliminary assessment of election day, December 18<sup>th</sup>, 2023, <https://link.crtars.rs/l2>

<sup>48</sup> CRTA, *Preliminary findings of CRTA on the organised migration of voters ahead of the elections in Serbia on December 17<sup>th</sup>, 2023*, December 22<sup>nd</sup>, 2023, <https://link.crtars.rs/l3>

## 5. OBSERVER'S POSITION AT THE 2023 ELECTIONS

Observation of elections by domestic observation missions in Serbia was first conducted during the parliamentary and presidential elections in 1997, and since then it has been recognised as one of the elements of the electoral process and an indicator of their democracy. Although 16 cycles of parliamentary and presidential elections have passed since 1997, the position of observers was not established until 2022 in the valid electoral laws for republican and local elections. A significant step forward was made with this, guaranteeing the unhindered observation of elections at all levels, which was previously left to uncertainty and the readiness of the election administration to apply democratic standards in its work.

The CRTA observation mission and all accredited observers had unhindered access to all phases of the election administration, while a large-scale international observation of the 2023 elections was carried out. The foreign observer authorisation was issued to the OSCE Office for Democratic Institutions and Human Rights (ODIHR), which organised a full mission with long-term and short-term observers, as well as a joint mission of the Parliamentary Assembly of the Council of Europe, the Parliamentary Assembly of the OSCE and the European Parliament.

However, **the position of the observers has essentially worsened in this election process. Expressed intolerance towards domestic and foreign observers of the election was promoted by the statements of the highest state officials and authorities close to the media with the aim of discrediting their work and observation findings.** In addition to worrying verbal attacks through the most influential channels in society, CRTA's observers were also **physically attacked on election day** in the yard of the local police station in Odžaci after trying to report a case of circular voting. There is a serious concern that in this case too, the institutions, primarily the police, have **seriously failed to implement measures to detect and bring the perpetrators to justice**, which is why it is doubtful that the perpetrators will ever be punished. The attack on observers, although noted by state officials and the President of Serbia, did not meet with appropriate condemnations that would show the institutions' willingness to protect the right to observe elections in this and the following election cycles.

The most serious accusations against domestic observers first came immediately after the election day, from the Prime Minister of Serbia, Ana Brnabić, who accused the CRTA Observation Mission of "direct destabilisation of Serbia and an attempt to overthrow the constitutional order." These terrifying accusations were made after the publication of CRTA's report, which indicated that the results of the Belgrade elections were to a great

degree the result of illegal electoral engineering.<sup>49</sup> The fact that the accusation was made at the official press conference of the Government of the Republic of Serbia adds to the weight of the Prime Minister's statement.<sup>50</sup>

This was followed by accusations by state officials promoting the incrimination of CRTA's work and calling for the arrest of CRTA's team, initiated by the high state representative and MP, Vladimir Đukanović, chairman of the Committee for the Judiciary, State Administration and Local Self-Government of the National Assembly of the Republic of Serbia in two convocations, as well as a member of the Security Services Control Committee.<sup>51</sup> Several prominent MPs from the ruling majority followed suit, along the way promoting the well-known narrative of "foreign mercenaries and domestic traitors".<sup>5253</sup> The President of the Republic of Serbia supported the latter narrative in a live address for Pink television, answering a journalist's question about the participation of CRTA representatives in the parliamentary hearing organised by the German Bundestag regarding the elections in Serbia.<sup>54</sup>

In the days leading up to the release of this report, top government officials continued to intimidate observers and further attempts to discredit their work. Among other things, the outgoing Speaker of the National Assembly, Vladimir Orlić, on Radio Television of

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<sup>49</sup> CRTA's observation mission, *CRTA's preliminary findings on the organised migration of voters ahead of the elections in Serbia on December 17<sup>th</sup>, 2023*, <https://link.crtars.rs/l3>, December 22<sup>nd</sup>, 2023

<sup>50</sup> "I am forced to react and especially to react here from the premises of the Government of the Republic of Serbia, and not from the Serbian Progressive Party, because what we have seen and what we have been seeing and hearing since Sunday evening, that is, since Monday morning, when the representatives of the opposition, these grouped oppositions of Djilas, grouped around 'Serbia against violence', lost their minds when their software worked, and finally they saw the results, they were convinced that they had lost, and then they started to contest the elections, and not before that... And, since then we have been hearing all this – both from them and from these non-governmental organisations, civil society organisations, which have a clear political role in all of this. Let me react, because all that we heard and saw and as I said has nothing to do with the Serbian Progressive Party and nothing to do with the list 'Aleksandar Vučić – Serbia must not stop' or the list 'Aleksandar Vučić – Belgrade must not stop'. This is a direct destabilisation of Serbia and a direct attempt to overthrow the constitutional order of the Republic of Serbia", <https://link.crtars.rs/l9>, December 22<sup>nd</sup>, 2023.

<sup>51</sup> People from that CRTA should be arrested for deceiving the public about the alleged theft, as well as disturbing the public. Also, CRTA as a lobbying organisation should be banned," <https://link.crtars.rs/l8>, January 18<sup>th</sup>, 2024

<sup>52</sup> "CRTA should be accountable before the law, and due to the fact that on October 16<sup>th</sup>, 2023, it published a false survey of public opinion, which said that Serbia Against Violence wins in Serbia with 41%, and in BG with 51%! CRTA received from the west in 5 years (from 2018 to 2022) 10.8 million euros according to BRA data. Arrest the thieves!", <https://link.crtars.rs/l7>, January 19<sup>th</sup>, 2024.

<sup>53</sup> "This Nedeljkov in question would be good for an informative interview. Let the man say what he has.", <https://link.crtars.rs/la>, December 29<sup>th</sup>, 2023.

<sup>54</sup> TV Pink journalist: "And who is being punished then by the CRTA Programme Director who was at the session of the European part of the German Bundestag, the German Parliament, he was their guest there, I guess he was supposed to talk about it...?" A. Vučić: "He punishes the people he talks to because he takes up their time. But it was interesting... He was asked by a deputy of the most important and largest party in Germany, if someone in Serbia had asked that, they would have said that it was persecution, but he was asked by a prominent deputy of the largest party in Germany: "Excuse me, but who pays you?" And then he had to say that America, Great Britain and Sweden pay me. So that was the question in the German parliament. So, think for yourself. I don't have to say anything. I wish them all the best and their job to travel to say the worst about us. It is only important that people know that they have nothing to do with neutrality, professionalism and objectivity.", <https://link.crtars.rs/lb>, national daily TV Pink, January 18<sup>th</sup>, 2024.

Serbia,<sup>55</sup> and then on television B92,<sup>56</sup> read the names of CRTA employees, as well as the names of election observers from several polling stations in Belgrade, with the intention of intimidating them and showing that CRTA's findings about problems in elections and electoral fraud are false.

## 6. ELECTION ADMINISTRATION BEFORE ELECTION DAY

The work of the Republic Electoral Commission (REC) in this part of the election process took place in accordance with the law and the deadlines set for organising and conducting the elections, but also with numerous deficiencies resulting from the lack of political independence of this body, as well as limited powers for the full realisation of the goals from its competences.

The work of the City Electoral Commission of the City of Belgrade (CEC) generally took place in accordance with the law and mostly in accordance with the legal deadlines, but it was marked by an unusually short time between the scheduling of the sessions and the time of their holding, which made it impossible for the members of that commission to adequately familiarise themselves with the materials for the session, and consequently to lead a high-quality discussion. Nevertheless, in this election process, CEC also encountered situations in which there was a suspicion that various abuses or criminal acts had been committed in connection with the forgery of voter support signatures, and to which it did not have a proper reaction mechanism, which once again indicates the need to change the organisation and powers of electoral commissions.

**The electoral administration with its current powers and internal organisation cannot be expected to achieve significantly better results in the organisation of fair, free and competitive elections. In order to advance in that role, its reform is necessary, that is, a change in the electoral laws in the part related to the structure and competences of the electoral administration. Such changes must move in the direction of strengthening the independence of these bodies, as well as ensuring the continuity of their work beyond the electoral process. The progress of the election administration in this field would imply the establishment of a professional and permanent body that would have a significantly wider range of competences. The reformed election administration could**

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<sup>55</sup> "Do you know who verified it? Do you know who determined that the Voters' register is correct? Well, these geniuses of theirs, this CRTA of theirs. Here is the official decision, listen to this: the decision of the Government of Serbia on the establishment of the Working Group for the Verification of the Unified Voters' register. Now they and their CRTA are telling you, it is not a good Voters' register, and Raša Nedeljkov from CRTA has been appointed to the working group of the Government of Serbia. Well, then there are two subgroups... Just so you can hear this, people... Among others, Vujo Ilić from CRTA was appointed to the subgroup for statistical support. Pavle Dimitrijević CRTA, Vladana Jaraković CRTA, Vladimir Tupanjac CRTA are appointed to the second subgroup for legal issues. So half of that is done, as you can see, CRTA has verified that it is a good Voters' register.", <https://link.crtars/lc>, Takovska 10, RTS 1, February 6<sup>th</sup>, 2024.

<sup>56</sup> Fokus, TV B92, <https://link.crtars/mi>, February 7<sup>th</sup> 2024.

achieve such a circle of competence only with the help of its own professional service. Only in such a new framework could the electoral administration initiate adequate actions and provide answers to issues such as forgery of signatures, manipulations of the Voters' Register, deciding on the status of national minorities and many other important issues in the electoral process. **Finally, such changes to the legal framework would enable the electoral administration to advance and fully take the role it deserves in strengthening democratic processes in our society.**

## **6.1. Republic Electoral Commission before election day**

6.1.1. Evaluation of the actions of the Republic Electoral Commission until election day

**The work of the Republic Electoral Commission (REC) in this part of the election process took place in accordance with the law and the deadlines set for organising and conducting elections, but also with numerous shortcomings resulting from the lack of political independence of this body, as well as limited powers.**

In relation to last year's election process, **the work of the REC has been improved in terms of working methods**, transparency, implementation of training for local election administration, and implementation of the training plan for instructors and members of polling station committees.

**The establishment of the Register of Complaints represents a step forward in increasing transparency in the work of the Republic Electoral Commission.** The register contains all objections sent to electoral commissions, decisions made based on objections, as well as legal remedies and the actions of the competent courts on them. Also, public access to this register is enabled through a special banner on the REC website. In order to protect personal data, the REC issued a special instruction on pseudonymisation, which prescribes the procedure of election authorities when processing personal data.

**An electronic system of work** at the sessions was also introduced, which includes electronic voting, monitoring of the sessions via the screen, as well as delivery of materials for the sessions in electronic form to the members of the REC.

Nine **trainings** were held for local electoral commissions, five trainings for polling committee trainers, and access to a series of webinars related to the procedures and work of the polling committee was opened.<sup>57</sup>

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<sup>57</sup> In order to strengthen the capacity of the authorities for the implementation of elections, the Republic Electoral Commission held a total of nine trainings on 17 different dates in this reporting period. Training on the protection of electoral rights, which was



However, **despite the increased transparency in the work of the Republic Electoral Commission, many aspects of its work remained difficult to access for election actors and the public.**

One of the examples concerns **the data on the polling stations for the republic elections.** As a matter of fact, each local electoral commission individually determines the polling stations in its territory, and submits its decisions to the REC in non-uniform formats that are not suitable for machine processing, which significantly complicates the finding and processing of this data.

**In the sphere of voter information, certain developments are noticeable, but they are assessed as insufficient,** primarily because the information content does not inform voters of the most common examples of violations of the voting procedure and electoral rights at the polling station.

#### 6.1.2. The decision of the Republic Electoral Commission until election day

On the day of the announcement of the election, the REC adopted the Decision on the forms for submitting the electoral list of candidates for the National Assembly MPs, as well as the Decision on determining the colour of the ballot and the colour of the control sheet for checking the correctness of the ballot box for voting in the elections for the National Assembly MPs. The timetable for conducting election activities in the procedure of elections for the National Assembly MPs, scheduled for December 17<sup>th</sup>, 2023, was adopted on November 3<sup>rd</sup> at the 11<sup>th</sup> session. The REC also adopted the Decision on the forms for determining the voting results in the elections for MPs. Also, a Decision was made on the forms of minutes on the handover of election materials for the conduct of elections for MPs.

At the session held on November 3<sup>rd</sup>, the Decision on the forms for submitting applications for monitoring the work of the election enforcement body was adopted. After the adoption of this decision, the CRTA Observation Mission received accreditation and began monitoring the work of the Republic Electoral Commission. The monitoring of the work of the REC began on November 5<sup>th</sup>, when the 14<sup>th</sup> session of the REC was held, that is, the sixth session since the announcement of the elections.

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intended for presidents, deputy presidents, secretaries and deputy secretaries of local electoral commissions, was held on December 8 at the headquarters of the Republic Electoral Commission. Also, trainings for polling committee trainers were held on several dates (November 22<sup>nd</sup>, 23<sup>rd</sup>, 24<sup>th</sup>, 27<sup>th</sup>, and 28<sup>th</sup>) in the premises of the REC. Other trainings were held in the form of webinars, and the topics were: Control of the records of the work of the polling station committee and determining the results from the polling stations, the most common mistakes in the electoral process, the methodology of imparting knowledge to adults, the competence and composition of the authorities for the implementation of elections and the planning and organisation of elections. On December 12<sup>th</sup>, the Portal for Online Training of Polling Station Committees started operating on the web presentation of the REC. The training includes nine lessons that familiarise participants with all the procedures related to the work of the electoral commission. A webinar related to monitoring voter turnout is scheduled for December 13<sup>th</sup>.

Regarding the composition of local electoral commissions, decisions were made on the composition and work of electoral commissions of local self-government units during the simultaneous holding of elections for MPs and councillors of municipal and city assemblies for the conduct of elections in Pristina, Kosovska Mitrovica, Gjilane, Peć and Gora. In accordance with its competences, the Republic Electoral Commission has established permanent local electoral commissions.

Based on the proposal of the municipal and city administrations, a decision was made to approve the designation of polling stations with more than 2,500 and less than 100 voters, after which a decision was made to designate polling stations in institutions for the execution of criminal sanctions.

The Republic Electoral Commission **announced a total of 18 electoral lists out of 20 submitted**. Of the 18 declared electoral lists, **seven of them met the conditions for acquiring the status of the national minority electoral list**. All election lists were declared unanimously, except for one whose status as a national minority list was challenged.

In addition to the announcement of electoral lists, **decisions were made on the total number of voters in the Republic of Serbia, which is 6,500,165, on the establishment of the Collective electoral list, on the form and number of ballots, as well as on the content and appearance of the ballot, after which their printing began in the premises Official Gazette**.

### 6.1.3. Controversies in the work and controversial issues

*Replacement of members of polling station committees in the expanded composition*

In the first days of the campaign, a **part of the REC members questioned the decision from the Instructions for Nominating Persons to Polling station committees for Voting in the Elections for Members of Parliament**, according to which members of the extended composition of polling station committees cannot be replaced even if they fall ill, die or lose their right to vote, while members of the permanent composition of polling station committees can be replaced up to three days before the election day. **Although this decision was the result of harmonisation with the Law on the Election of Members of Parliament, it still caused controversy in the public due to the failure to conduct a wider professional debate about it in the period between election cycles instead of making this decision before the very beginning of the election campaign**. Part of the opposition participants in the election therefore submitted a proposal to the

Constitutional Court for an assessment of the constitutionality and legality of this decision. **By supplementing the aforementioned instruction, at the session held on November 5<sup>th</sup>, the REC extended the deadline for replacing the members of the extended composition of the electoral commissions until December 13<sup>th</sup>**, which is the deadline that also applies to the members of the permanent composition.

*Remarks on the minutes of the work of the polling station committee*

The topic that also caused a lively discussion between the members of the REC is **the question of how to enter the objections of the members of the polling committee into the minutes of the work of the polling committee**. In the previous election process in 2022, and especially in the elections for the Belgrade City Assembly, members of the polling station committees from certain polling stations claimed that they had written remarks, but that they were not found during the review of election materials by the electoral commission. Part of the members of the REC demanded that the form of Minutes on the work of the polling committee be changed and that a special space be added in that form for the comments of members of the polling committee on the work of the polling committee. They pointed out that only such an intervention would be in accordance with the law, that is, only with such an amendment would the Minutes of the Polling station committee contain such remarks, as prescribed by the Law on the Election of Members of Parliament.

The REC decided that, as in the previous election process, the remarks of the members of the polling committee should be written in free form on a sheet of paper that is considered to be an integral part of the minutes of the work of the polling committee. However, in order to prevent abuses, as a novelty, the enhanced responsibility of the president of the polling station committee was established, who has the duty to confirm with his signature the existence of submitted objections in the minutes of the work of the polling station committee, along with the names of the members of the polling station committee who submitted objections. This issue becomes especially important in the case of complaints or requests to cancel voting at the polling station, when the objections submitted by members of the polling committee can be crucial for proving the existence/absence of irregularities at the polling station.

On November 20<sup>th</sup>, a total of 78 MPs submitted to the Constitutional Court a Proposal for an assessment of the constitutionality, compliance with confirmed international treaties and the legality of the Decision on Forms for Determining Voting Results in the Elections for MPs, with the aim of contesting the validity of the Minutes of the Polling station committee. **The Constitutional Court has not yet made a decision regarding that proposal.**

### *The case of proclamation of the Russian party list*

Electoral list under number 16. **The Russian Party – Slobodan Nikolić is the only list that was not unanimously declared by the REC. Seven members voted against the announcement of this electoral list citing as the main argument the fact that this list should not be given the status of an electoral list of the Russian national minority because this list does not include members of the said national minority.** They also demanded that the opinion of the council of the Russian national minority be sought, and they pointed out that one person on the list is a former member of the Oathkeepers party. They also pointed to the fact that the electoral list cannot be considered the electoral list of a national minority just because it was entered in the register and that the law was circumvented in this way. **The President of the Republic Electoral Commission stated that the ruling of the Administrative Court from 2020 established the position of the national minority in this electoral list, and that therefore the opinion of the Council of the Russian National Minority was not sought.**

**In 2020, the Administrative Court** found that the REC's decision refusing to establish the status of a national minority for that electoral list was not sufficiently well-reasoned (due to the fact that the legal basis for the refusal was not stated, but only the fact that the members did not vote for the adoption of the proposal), and on the basis of the fact that this list met the formal conditions, annulled the decision of the REC. **The status of that list was contested again in the 2022 parliamentary elections.** The REC refused to declare this list as a national minority list, referring to its discretionary power to decide not to grant the status of a national minority list despite all the submitted evidence (in this case the consent of the National Council of the Russian National Minority was also submitted) because it does not consider that this list will represent the interests of the national minority. The Russian party, within the deadline for the amendment, did not submit the missing number of signed voter declarations, and the Administrative Court did not even decide on the status of the list of national minorities, since they did not fulfil the requirements prescribed by law for the declaration of the list.

In reasoning of the proclamation of the list, the President of the Republic Electoral Commission also stated that the holder of the list, Slobodan Nikolić, was entered in the special Voters' Register of the Russian national minority. The members pointed out that in any case the opinion of the Council should have been sought, and that it should have been done in the same way as in the case of the election list, **Enough! The European way was rejected**, which opened the question of whether there was discrimination in this case. The question of whether the electoral list of the Russian Party – Slobodan Nikolić was justifiably declared, considering that the REC deviated from the criteria it applied to the rejected electoral list of Enough! The European way, that is, whether there

was discrimination on the basis of political affiliation (Article 25 of the Law on Prohibition of Discrimination) or discrimination on some other basis. **The electoral list of the Russian Minority Alliance – Pavle Bihali Gavrin, Dr. Christos Alexopoulos is the second list rejected by the REC.**

*The case of refusal to proclaim the electoral list Enough! The European way*

Coalition Enough! The European Way was founded by parties registered in the Register of Political Parties as parties of a national minority, which is a necessary but not sufficient condition for the electoral list to be granted the status of a national minority. **In accordance with Article 137 of the Law on the Election of Members of Parliament (LEMP), the REC requested the opinion of the National Council of the Bunjevac National Minority, which refused to give consent for this list to be declared as a list of the Bunjevac National Minority. Also, the REC determined that the candidates of this list, Rade Basta and Nenad Milić, are known to the public as long-time members of the United Serbia, i.e. the Liberal Democratic Party, and based on all these facts and in accordance with Article 138 of the LEMP, it decided that the electoral list, Enough! The European way does not grant the status of the list of national minorities. This list did not, based on the Conclusion of the Republic Electoral Commission on eliminating the shortcomings of the electoral list, supplement a sufficient number of voter statements, therefore it was not proclaimed.** An objection was filed against this decision, in which the applicant of the electoral list, Mirko Bajić, claims that he suffered a severe form of discrimination in the sense of Article 13 of the Law on Prohibition of Discrimination. The submitter of the list claims that the REC did not treat him and Slobodan Nikolić equally and that it did not treat the same factual situations of these two electoral lists equally, and believes that on the basis of Article 6 of the Law on Prohibition of Discrimination direct discrimination occurred, i.e. that due to personal properties in the same situation put in a disadvantageous position. The objection was rejected because it was not submitted by an authorised person, and for the same reason the appeal to the Administrative Court was rejected, so the factual situation was not established before the Court.

On the other hand, **the Russian Party – Slobodan Nikolić was proclaimed as the electoral list of the national minority without the requested opinion of the National Council of the Russian National Minority. The REC did not take into consideration the fact that the candidate Marko Petrović, who is known to the public as a former member of the political party Oathkeepers, is on the list, while it was subsequently established that some candidates from this list are members of the New Communist Party of Yugoslavia and the Union of Communist Youth of Yugoslavia.**

Based on the presented facts, **it can be concluded that the REC did not make a mistake by issuing a decision refusing to include Enough! The European way grants the status of the electoral list of a national minority, but the question can also be raised whether there has been indirect discrimination**, which in Article 7 of the Law on Prohibition of Discrimination exists if an apparently neutral provision, criterion or practice puts a person or group of persons or could put, due to their personal characteristics, in a disadvantageous position compared to other persons in the same or similar situation. **Both lists have candidates who are generally known to be members of another political party, which according to Article 138 of the LEMP is a reason for rejecting the proposal to establish that the list has the status of a national minority list. In this case, the REC should have at least doubted whether the Russian Party will really blunt the interests of the Russian national minority and ask for the opinion of the National Council of the Russian National Minority, as it correctly did for the coalition Enough! The European way.** The REC should have taken all the steps it took in the case of the rejected list, that is, based on the potentially negative opinion of the National Council, it should have refused to determine the status of the national minority list for this electoral list. Then the Administrative Court could decide again on the status of this electoral list, regardless of the outcome of the verdict from 2020. It is clear that a specific factual situation is determined for each dispute and it could not be assumed that the Administrative Court would make the same decision in a potential dispute. For the reasons highlighted, there may be doubts as to whether the electoral list Enough! The European way was discriminated against on the basis of Article 7 of the Law on Prohibition of Discrimination, primarily because the REC did not equally apply Article 138 of the LEMP to these two lists, but it did not consistently apply its previous practice either, and the question can be raised whether in this way the coalition Enough! The European way is put in a disadvantageous position.

#### *The issue of election rights of Pavle Bihali Gavrin*

**The Republic Electoral Commission, in accordance with Article 77 of the LEMP, issued a decision rejecting the electoral list of the Russian Minority Alliance. The reason for the rejection of this electoral list lies in the fact that candidate number 2, Pavle Bihali Gavrin, was not entered in the unified Voters' Register, and that there was an obstacle to the announcement of the electoral list referred to in Article 77 of the LEMP.** Therefore, the REC concluded that, based on the fact that the mentioned person was not registered in the unified Voters' Register, that person does not even have the right to vote. However, neither in Article 52 of the Constitution of the Republic of Serbia, nor in Article 3 of the Law on Election of Members of Parliament, is it established that in order

to acquire and have the right to vote, it is necessary to be registered in the unified Voters' Register. Moreover, the Constitution prescribes as conditions: majority, business capacity and citizenship, while LEMP only elaborates this provision of the Constitution and regulates the condition of business capacity in more detail. Only the Law on the Unified Voter's register states registration in the Voter's register as a condition, but for exercising the right to vote, not for its acquisition or ownership. If we go back to Article 77 of the LEMP, we will see that it states that the electoral list is rejected if a person who does not have the right to vote, i.e. who either has not acquired it or does not have it at all, is nominated as an MP, and It is stated that the electoral list is rejected if a person who does not have the right to vote is proposed as a member of parliament, either because they have not acquired it or because they do not have it at all. However, it is not stated that the electoral list is rejected if a person who cannot exercise the right to vote is proposed as a member of parliament, i.e., someone who is not registered in the unified Voters' Register. In order to have all the relevant facts in mind, it is necessary to point out that Article 4 of the Law on the Unified Voter's register prescribes that persons who have the right to vote are entered in the Voter's register. By interpreting this provision, it can be concluded that only persons who have the right to vote are entered in the Voter's register, but this does not mean that all persons who have the right to vote are entered in the Voter's register, so there remains the possibility that Pavle Bihali Gavrin was not entered in the Voter's register by mistake made by competent authorities or because his address has been passivised for some specific reason. The fact that Ministry of State Administration and Local Self-Government submits data from the Voters' Register to the REC for each voter who signed a statement of support for the electoral list, as well as for each candidate on the electoral list, should also be taken into account. Based on this, we can conclude that the REC, based on past practice, acted correctly and rejected the proclamation of the electoral list of the Russian Minority Alliance. Nonetheless, it seems that the REC should have additionally determined whether Pavle Bihali Gavrin has the right to vote, because he is also the holder of the electoral list, instead of making a decision on rejection by applying Article 77 of the LEMP based only on the fact that that candidate was not registered into a unified Voters' Register. REC had to carry out additional checks, i.e. determine whether the said person is of legal age, i.e. whether he has business capacity and citizenship of the Republic of Serbia, which are the conditions for acquiring and having the right to vote prescribed by the Constitution and LEMP. In this way, there would not be the slightest doubt as to whether the said person really has the right to vote in the Republic of Serbia. That doubt is further increased if one takes into account the fact that Pavle Bihali Gavrin participated as a candidate in the previous elections for MPs held on April 3<sup>rd</sup>, 2022. The Russian Minority Alliance filed an objection to such a decision of the REC, and then an appeal to the Administrative Court, whereby both stated legal remedies were rejected.

The doubt can be further increased by the fact that when submitting the appeal, the Russian Minority Alliance submitted to the Administrative Court a certificate of the electoral right of the City Administration of the City of Belgrade for Pavle Bihalij Gavrin, but the Administrative Court did not appreciate this certificate, citing as the reason that, when submitting a complaint, such a certificate was not submitted to the REC.

#### 6.1.4. Protection of electoral rights

**A total of 23 objections were submitted to the Republic Electoral Commission from the day the election was announced.** A total of 17 objections were rejected as unfounded, four were rejected, while only one was accepted. Also, according to one complaint, the REC declared itself incompetent and referred it to the competent authority.

The objections pointed out that the Constitution was violated because the holder of the election list “Aleksandar Vučić – Serbia must not stop” is the President of the Republic of Serbia, who, according to the allegations in the objections, as the President of the Republic of Serbia reflects the unity of the country. Given that the Republic Electoral Commission does not assess the constitutionality of acts, but other state bodies are responsible for the assessment of constitutionality, it decided within its jurisdiction and rejected the objections. One complaint was rejected because it was filed by an unauthorised person.

The REC adopted the complaint of the group of citizens “We are the voice of the people, prof. Dr. Branimir Nestorović” regarding the decision of the MEC of Stara Pazova which rejected the proposal to appoint a member in the extended composition of that local electoral commission, cancelled this decision and appointed a member in the extended composition of that commission.

Worthy of mention is Mirko Bajić’s objection, which contested the decision of the REC on the rejection of the announcement of the electoral list, Enough! European way due to alleged discrimination. However, this objection was rejected by the REC as being submitted by an unauthorised person, and acting on the appeal, the Administrative Court also decided the same.

#### *Decision of the Administrative Court*

A total of seven appeals have been submitted to the Administrative Court since the announcement of the election. The Administrative Court rejected four appeals, while dismissing three. The Administrative Court agreed with the REC’s point of view in six out of seven cases, while in one case when the REC rejected the complaint as unfounded, it made a decision to reject the appeal as untimely filed.



## **6.2. City Electoral Commission of the City of Belgrade**

### 6.2.1. Evaluation of the actions of the City Electoral Commission until election day

**The work of the City Electoral Commission of the City of Belgrade (CEC) generally took place in accordance with the law and mostly in accordance with the legal deadlines, but it was marked by an unusually short time between the scheduling of the sessions and the time of their holding, which made it impossible for the members of that commission to adequately familiarise themselves with the materials for the session, and consequently to lead a high-quality discussion. However, in this election process, CEC also encountered situations in which there was a suspicion that various abuses or criminal acts had been committed in connection with the forgery of voter support signatures, and to which it did not have a proper reaction mechanism, which once again indicates the need to change the organisation and powers of electoral commissions.**

An unusually short time between the scheduling of sessions and the time of their holding, as well as short deadlines between the submission of certain lists and the decision on them, followed the work of the CEC during the entire election process, which some members of the CEC constantly pointed out. Those short deadlines created quite a bit of tension among the members, especially in cases where there were doubts about the credibility of the voter's signatures and declarations. For this reason, CEC members did not have enough time to familiarise themselves adequately with the materials, and consequently were not able to discuss the proposed agenda items in a quality manner. Sessions were generally held within the minimum period of their appointment, i.e. three hours from the appointment. In one case, the session was scheduled 30 minutes before its holding, while the material for the session was delivered 15 minutes before its holding. The justification for this action and the urgent convening of the session was not clear, nor were the necessary explanations and justifications provided.

### 6.2.2. Decision making by the City Electoral Commission until election day

At the beginning of the election process, CEC adopted the timetable for conducting the elections, adopted decisions on the colour of the ballot and control list, as well as forms for the implementation of various election actions. It also adopted instructions on the handover of election materials before and after voting, and a decision on fees, material and other costs related to the implementation of the election was also adopted.

**In addition to the announcement of electoral lists, decisions were made on the total number of voters for the area of the city of Belgrade, which is 1,613,190, a decision on**

**determining the Collective electoral list, decisions on the form and number of ballots, as well as the content and appearance of the ballot, after which 7 On December, their printing began in the premises of the Official Gazette.**

In contrast to the previous election processes, materials for the sessions were not given to CEC members in printed form, but all materials were available in electronic form on laptops provided for each member. Also, observers had access to all materials in electronic form through laptops provided by CEC.

### 6.2.3. Controversies in the work of CEC and controversial issues

#### *Inappropriate forms for declarations of support for the electoral list*

When it comes to the Decision on the announcement of the election list Aleksandar Vučić – Belgrade must not stop, eight members of the City Electoral Commission voted for the adoption of the list, while four of them abstained. **During the discussion, doubts were expressed that statements of support for this election list were collected on forms that do not conform to the forms prescribed by the decision of the City Electoral Commission of the City of Belgrade.** They also pointed out that there is a suspicion that this list started collecting signatures of support even before it was in official form<sup>58</sup> adopted at all, which put the participants in the election race, at its very beginning, in an unequal position. **The President of CEC referred to Article 72 paragraph 4 of the Law on the Election of Members of Parliament, which stipulates that a certified voter's declaration is valid even if obvious mistakes were made when filling out the declaration form, if it can be determined with certainty which electoral list was supported and that the statement was certified by the competent authority.** It seems an open question whether this provision of the law can be applied to this case as well, in which it was not claimed that there were obvious mistakes, but that the statements were certified on an inappropriate form. One of the CEC members from the opposition proposed to establish a special commission that would check how many such forms are in the documentation of the mentioned list, but the City Electoral Commission rejected that proposal by a majority of votes.

#### *Deciding on granting the status of the electoral list of a national minority*

When deciding on determining the position of the electoral lists of national minorities, there was a discussion in which a large number of members considered that **the practice according to which the list is first announced, and then the position of the national minority is determined, is not logical.** They pointed out that the illogicality

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<sup>58</sup> Decision on the name and appearance of the forms for submitting the electoral list of candidates for councillors of the Belgrade City Assembly

exists because the conditions for acquiring the status of the list of national minorities are determined only after the announcement of the electoral list. Especially if you take into account the fact that the electoral list of a national minority requires half as many signatures. One of the proposals was to decide first on the request to determine the position of the national minority list and then decide on the announcement of the electoral list.

Requests for determining the status of national minority electoral lists were submitted by three electoral lists. When deciding on the electoral list “Enough! The European way – Zoran Ilić is the new mayor of Belgrade” The City Electoral Commission asked the Ministry for Human and Minority Rights to check the entries in the special Voters’ Register and requested the opinion of the National Council of the Bunjevac National Minority, while such an opinion was not requested for the other two lists. After the competent ministry determined through a check that none of the candidates from this list was entered in the special Voters’ Register of the Bunjevac national minority and after the National Council of the Bunjevac national minority made a decision not to give consent for this electoral list to have the status of an electoral list of the Bunjevac national minority, the filling of the missing number of signatures was ordered. This list was not proclaimed, since it did not submit a sufficient number of signatures of support.

#### *Application of the deadline for submitting objections*

The City Electoral Commission **rejected the objection of the Coalition “Serbia Against Violence” against the decision on the announcement of the electoral list of the Russian Party – Slobodan Nikolić.** The City Electoral commission of the city of Belgrade rejected this objection as untimely submitted with 10 votes “for” and eight “against”. Namely, the president of the commission believed that in this situation the Law on the Election of Members of Parliament (LEMP) should be applied accordingly, and Article 79 of that law was applied. According to that article, the deadline for submitting objections is 48 hours from the publication of the decision on the web presentation of the Republic Electoral Commission which expired on November 17<sup>th</sup> at 9:21 p.m. The objection was submitted on November 18<sup>th</sup> at 16:17. Nevertheless, in the discussion that followed, CEC members who later voted against such a decision pointed out that in this particular case, the LEMP cannot be applied accordingly, pointing to Article 8 of the Law on Local Elections, which states that the provisions of the LEMP are applied only in matters not specifically regulated by this law. They believed that Article 82 of the Law on Local Elections must be applied, which determines the general deadline for filing objections in local elections, namely 72 hours from the announcement of the decision. Referring to this article, they pointed out that the deadline has not expired and that the objection is timely, and that it cannot be rejected for the stated reason. It was specifically requested that the

representatives of the Russian Party in the extended composition be excluded from the decision on the given objection so that they would not decide on their own matter, which the president of the commission refused to do.

The coalition **“Serbia against violence”** submitted an appeal to the High Court, which **accepted the position of the City Electoral commission and rejected the appeal as unfounded**. As the main arguments for which the deadline from Article 79 of the LEMP should have been applied, the High Court pointed out that the proper and consistent application of the LEMP according to Article 8 paragraph 1 of the Law on Local Elections (LLE), then the principle that the general deadline is applied only in the absence of a special deadline, and a special deadline is regulated by LEMP (it is general in LLE), and finally the fact that the application of Article 80 of LLE would significantly narrow the circle of persons who can file a complaint. Namely, Article 80 of the LLE stipulates that the right to object is limited only to the applicant of the list, while Article 79 of the LEMP defines a much wider circle of persons – a candidate, a person whose name is contained in the name of the list or the applicant of the list, the applicant of the list, a political party or a voter. He also stated that the corresponding application is correct because in the chapter “Course of the electoral procedure” in part number 2 “Submission of the electoral list” the LLE does not specifically regulate the issue of submitting an objection to the decision on the announcement of the electoral list, while the LEMP in the same chapter and in the section under the same with the name it does so.

#### 6.2.4 Protection of electoral rights

The City Electoral commission of the city of Belgrade decided on 14 objections related to the announcement of certain election lists. Two objections were dismissed due to untimely filing, while others were rejected. Among the submitted objections, objections from persons whose data were found on certified statements of support for certain lists, and who requested that the CEC cancel the declaration decisions, given that those persons did not support the said lists, are distinguished. CEC rejected those objections, stating that in the process of considering the fulfilment of the requirements for the announcement of electoral lists, it was established that all the legal prerequisites for their announcement were met.

### 6.3. Deciding on electoral lists – forging signatures

The election administration encountered **numerous allegations of falsification of voter statements on a significant number of electoral lists. No such list was announced in the parliamentary elections, while as many as seven were announced in the Belgrade**

**elections.** The election administration did not have an adequate response mechanism to these cases. The actions of the Republic Electoral Commission clearly showed the readiness of this body to deal with the mentioned problem, which we cannot claim with certainty for the City Electoral Commission of the City of Belgrade.

In 2017, the law on the authentication of signatures, manuscripts and transcripts completely transferred the authentication of signatures for candidacy to the jurisdiction of public notaries, which was also one of the recommendations of the ODIHR to improve the transparency and integrity of this process. However, **in 2020, with the new election laws, the verification of signatures was returned to the jurisdiction of municipal and city administrations as well.** CRTA already pointed to the fact that it is a bad solution according to which signatures of support are verified in municipal and city administrations, which was also confirmed during the 2022 elections in case of suspicion of falsification of statements of support of citizens to the list “Russian Minority Alliance – Milena Pavlović, Pavle Bihale Gavrin “. Doubt was expressed by the Republic Electoral Commission, even though it announced the list based on the decision of the Administrative Court. CRTA also reported this to the public at the time and demanded the reaction of the competent prosecuting authorities in order to determine whether there was electoral fraud.

### 6.3.1. Republic Electoral Commission

In this election process, **almost 7,000 statements of voter support for two electoral lists – the Russian Minority Alliance and Enough! European way, allegedly certified by the City Administration of the City of Vranje and the Administration of the City Municipality of Novi Belgrade, and which were determined to have never been certified by the notaries of those two administrations.**

**Selection list Enough! European way submitted a total of 5,701 signed statements of support to the REC, and pleaded to be declared in the status of the electoral list of the national minority.** The largest number of collected declarations of voter support was certified by the city administration of the city of Vranje (originally 2,777 statements were determined), so the REC sent a letter to the City Administration of the City of Vranje and asked to provide it with information on how many voter statements were certified by the City Administration. **The city administration of the City of Vranje informed the REC that no notarisation of the statement of a voter who supports the electoral list Enough! The European way, was entered in the books of the city administration, and that no one approached the city administration for certification of the statements for this list, and therefore no one paid the certification costs.** In accordance with these facts, the REC determined through a repeated check that the number of such statements was actually

2,960, so it excluded all statements that were stated to have been certified by the city administration of the City of Vranje. Based on all necessary checks, the REC determined that a total of 1,991 legally valid statements were submitted with this election list. After the REC refused to grant the status of the electoral list of a national minority to this electoral list for the aforementioned reasons, it ordered it to submit at least 8,009 missing legally valid certified statements of voters within 48 hours. Selection list Enough! The European way submitted a total of 398 statements of voter support, of which 346 were legally valid, which together with 1,991 makes a total of 2,337 legally valid voter statements. Since the deficiency for the announcement of this election list was not removed, the REC issued a decision refusing to proclaim the said election list.

**Electoral list of the Russian Minority Alliance – Pavle Bihali Gavrin, Dr. Christos Alexopoulous submitted 5,231 statements to the REC, and also aimed to be declared in the status of an electoral list of a national minority.** An inspection of the Voters' Register revealed that **more than half of the voter statements were certified by the City Administration of the City of Vranje (2,965), as well as that 1,108 statements were certified by the Administration of the City Municipality of Novi Beograd.** In connection with these facts, the REC asked the City Administration of the City of Vranje and the Administration of the City Municipality of Novi Beograd for information on how many voter declarations were certified by these two administrations. The response of the City Administration of the city of Vranje was identical to when it was discussed about the first list – it was stated that in the books of that City Administration there was not a single notarisation of the voter's statement supporting the electoral list of the Russian Minority Alliance, and that no one signed the verification he did not even address that City Administration. Based on these facts, REC performed an additional check and determined that the number of such statements was 2,647. On the other hand, the Administration of the City Municipality of Novi Belgrade stated in its response that it certified a total of 335 voter statements, not 1,108 as stated in the electoral list documentation. Based on these facts, REC performed an additional check and determined that the number of such statements was 1,341. REC also performed all other necessary checks and finally determined that the number of submitted legally valid statements was 1,319. However, the Ministry of State Administration and Local Self-Government submitted to the REC, in the report on the verification of candidates from the electoral list, that one candidate (out of 15) was not entered in the unified Voters' Register. It was established that it is the candidate number 2 on the election list – Pavle Bihali Gavrin. Based on that fact, and in accordance with Article 77 of the LEMP, which stipulates, among other things, that the REC refuses to proclaim the electoral list if a person who does not have the right to vote is proposed as a deputy, the REC issued a decision rejecting the proclamation of the electoral list Russian minority alliance.

**If we take as true the statements from the City Administration of the City of Vranje and the Administration of the City Municipality of Novi Beograd, the question arises as to how, who and in what way verified 2,960 voter statements for the Enough! European way and a total of 3,653 voter declarations for the electoral list of the Russian Minority Alliance.** Article 355 of the Criminal Code stipulates that a person who creates a false or alters a real document with the intention of using such a document as a right will be punished with three years in prison, and as a qualified form of this criminal offence the situation when the falsification of, among other things, public documents, and determines the sentence in this case from three months to five years in prison. We believe that in order to protect the integrity of the election process, but also to prevent such occurrences in the future, it is necessary to examine all the facts of these cases. **REC filed criminal charges to the Supreme Public Prosecutor's Office, which was confirmed by this prosecutor's office.**

### 6.3.2. City Electoral Commission of the City of Belgrade

**The total number of declared electoral lists in the Belgrade elections is 14,** half of which are electoral lists that have caused controversy in the public and doubts about the validity of the statements of voters who supported those electoral lists.

Namely, for seven election lists, some members of the City Electoral Commission claimed that some of the statements of voters supporting these election lists were falsified. **By reviewing the material, some of the members recognised the persons in the voter support list and after contacting those persons, they came to the above information.** CEC's position is that when deciding on the announcement of an electoral list, all elements as well as the content of materials and forms prescribed by law are determined, which especially refers to voter statements and that, if all the conditions for announcement provided by law are met, the electoral commission makes a decision on the announcement of the electoral list. Also, the electoral commission cannot enter into the verification of the authenticity of signatures, especially since the certification of those statements is the responsibility of authorised notaries (municipal administrations and public notaries). It was also emphasised that suspicions of forgery of signatures are determined in procedures carried out by other state bodies and competent prosecutor's offices, and that this issue cannot be considered and determined in the election process.

**The discussion among CEC members followed during the consideration of the list of the Russian Party – Slobodan Nikolić<sup>59</sup>,** both in terms of the credibility of voter support signatures, and in terms of establishing the position of the national minority party.

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<sup>59</sup> The list was submitted with a total of 2,069 attached signatures.

During the discussion, the CEC member stated that she personally contacted a voter who allegedly signed a statement of support for the Russian party and that this person denies that he signed a voter's statement of support for the said electoral list. For this reason, some members of CEC asked for additional insight into voter support signatures and delay in deciding on the electoral list. On the other hand, the president of CEC informed all members that according to the report of the expert service, it was established that 2,060 voter support signatures are legally valid, i.e. certified by the valid signature of authorised notaries, and that CEC has no way to additionally establish the validity of the collected signatures. Although the electoral list was declared by the majority of the members of CEC Belgrade (9 votes "for", 6 votes "against"), and then the status of the electoral list of the national minority was determined, some members of CEC announced that they will use the available legal means to challenge these decisions. An objection was filed to the decision on the announcement of this list, both for the reasons of the credibility of the signatures supporting this list, and for the determination of the position of the electoral list of the national minority. The City Electoral Commission rejected that objection, since it was not submitted in time, that is, it was submitted after the 48-hour deadline.

**Coalition "Enough! The European way – Zoran Ilić, the new mayor of Belgrade"** consisting of the Association of Bunjevics of Bačka and the Bunjevic Party of Serbia was ordered to submit the missing number of signatures, but in addition to this, doubts arose about the validity of three signatures of voter support for this list. Certain members of the CEC stated that they had knowledge that some voters did not sign their support for this list and that for these reasons they filed criminal charges against the notary who verified those signatures for abuse of authority and for forging an official document, as well as criminal charges against unknown persons for unauthorised data collection and processing. CEC refused to grant the status of the electoral list of the national minority to this list with the explanation that it does not meet the conditions for recognition of the status of the national minority list, which was undermined by the opinion of the National Council of the Bunjevac National Minority, and that due to the insufficient number of signatures (3,000 signatures for lists that are not national minorities) has not been declared.

When it comes to the election list **"Let the army return to Kosovo" – Miša Vacić**, according to the members of CEC, it was established that among the signatories of support for this list there were voters who did not support this list, and they requested that the signatures be checked. This list, despite those requests, was proclaimed.

Certain members of CEC pointed out that for the election list **"Saša Radulović (Enough is enough – DJB) – Duško Vujošević, Boris Tadić (Social Democratic Party - SDS) –**



**Ana Pejić (Stolen babies) – Good morning, Belgrade**”, there are at least two of citizens who did not certify the signatures of support for this list, including famous people, and that they also filed criminal charges to the competent prosecutor’s office on this occasion. Given that this electoral list submitted a sufficient number of signatures, a decision was made on the proclamation. 11 members voted for the proclamation of this list, while nine members were against, and one abstained.

CEC members pointed out that in the documentation of the electoral list **“Čedomir Jovanović – Must be different”** there are signatures of five voters who claim that they did not support this list.

When it comes to the electoral list **“Usama Zukorlić – Change is victory – Party of Justice and Reconciliation”**, some members of CEC also stated that there are voters who did not sign their support for this list. These are statements of support from two voters, and they pointed out that the validity of other signatures certified by the same certifier should be examined.

The same doubts about the credibility and legal validity of the signatures of support were expressed in the case of the election list **“Serbia in the West – Zoran Vuletić – Nemanja Milošević – Experts Should Have a Say”**.

CEC members who made claims about forged signatures also pointed out that they did not have enough time to review the material in order to determine if there were any other suspicious statements by voters and circumvention of the law. Also, they believed that additional information about the performed certifications should be requested from the authorised certifiers, who certified such statements, in order to check whether the voter’s statements were certified by them, and following the example of the Republic Electoral Commission, which requested the City Administration of the City of Vranje and the Administration of the City Municipality of Novi Beograd, information on whether they have certified statements of voters in support of specific electoral lists.

The example of the Belgrade elections actually once again shows how important it is to organise the process of verifying voter support signatures in such a way that it is possible to determine the responsibility of the notary for each signature, **and this is only possible if the verification is entrusted exclusively to notary offices, i.e. returning the legal solution that is existed before 2020**, which CRTA suggests in its recommendations.

The first basic public prosecutor’s office in Belgrade formed three cases related to the forgery of voter support signatures.

## 6.4. Voters' Register

Every citizen who is registered in the Voters' Register can exercise his voting right guaranteed by the Constitution and vote in elections, that is, participate in the formation of the electoral will of voters. **The accuracy of the Voters' Register is crucial from the aspect of reflecting the real will of the voters, whether it is elections for the republic, province or local self-government level.** The inaccuracy and lack of up-to-datedness of the Voter's Register can cast doubt on the expressed real will of the voter, and any manipulation with it collapses the legality and legitimacy of the election.

At the session held on December 15<sup>th</sup>, 2023, the Republic Electoral Commission made a decision to determine the final number of voters in the Republic of Serbia for the elections of MPs, which amounted to **6,500,666 voters**.<sup>60</sup> On the same day, the City Electoral Commission of the City of Belgrade made a decision that established that **1,613,369 voters** have the right to vote in the local elections for councillors of the City Assembly of the City of Belgrade. It is commendable for CEC that together with the decision, the total number of voters by municipality and polling station in Belgrade was proclaimed.<sup>61</sup>

**The movement of the number of voters in the Republic Elections has been negative since 2014**, with the most drastic decrease in the 2020 elections of 141,284 voters, and in the 2022 elections of 81,358 voters. **(Table 1)** Compared to the previously held elections, the number of voters who had the right to vote in the parliamentary elections in December 2023 recorded the lowest drop in the past 10 years, from only 1,641 voters.

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<sup>60</sup> Republic Electoral commission, Decision on determining the final number of voters in the Republic of Serbia for the elections for deputies scheduled for 17<sup>th</sup>, December, <https://link.crta.rs/mj>

<sup>61</sup> City Electoral commission of the City of Belgrade, Decision on determining the final number of voters for the elections for the City of Belgrade Assembly on December 17<sup>th</sup>, <https://link.crta.rs/mk>

Table 1. Trends in the number of voters 2000-2023. (REC)

Elections	The number of voters registered in the Voters' Register	Change in the number of voters between elections	Annual rate of change
2023	6.500.666	-1.641	-864
2022	6.502.307	-81,358	-40,679
2020	6.583.665	-141,284	-47,095
2017	6.724.949	-14,492	-14,492
2016	6.739.441	-26,557	-13,279
2014	6.765.998	-4.015	-2.008
2012	6.770.013	61,316	15.329
2008	6.708.697	54.846	54.846
2007	6.653.851	121,588	40,529
2004	6.532.263	20,813	20,813
2003	6.511.450	-14,310	-14,310
2002	6.525.760	16,904	8.452
2000	6.508.856		

Unlike the voters who have the right to vote in the republic elections, **the Voters' Register in Belgrade has recorded continuous growth over the past 20 years, except for the elections held in April 2022**, when the number of voters was in a slight decline. (Table 2) The Voters' Register in Belgrade had its most drastic increase in the extraordinary elections of 2014, when it grew by 45,331 in just two years, i.e. between the elections of 2000 and 2004, when the annual growth rate was 22,943 registered voters. The number of registered voters in the elections held in December 2023 is higher by 12,906 voters compared to the Belgrade elections held a year and nine months earlier.

Table 2. Trends in the number of voters in Belgrade 2000-2023. (CEC)

Elections	The number of voters registered in the Voters' Register	Change in the number of voters between elections	Annual rate of change
2023	1.613.369	12,906	6,793
2022	1.600.463	-6,468	-1.617
2018	1.606.931	17,935	4.483
2014	1.588.996	45.331	22,665
2012	1.543.665	25,882	6,470
2008	1.517.783	74.118	18,529
2004	1.443.665	91,774	22,943
2000	1.351.891		

However, **monitoring this data is insufficient to explain how the changes in the Unified Voters' Register occur under the total difference between registered voters by election cycle.** This is especially important bearing in mind that in Serbia, in previous elections, the problem of passivation of addresses of citizens was already recognised, which automatically results in “de-registration” from the Voters' Register, thus making it impossible to exercise the right to vote, but also the non-transparency of the procedure implemented by the Ministry of Internal Affairs.<sup>62</sup> **Furthermore, the unusual situations in which citizens in the elections in Belgrade in 2014, 2018, 2022, and then in 2023 received notifications to vote at their home addresses for voters who were unknown to them, increasingly opened doubts among the public about the integrity of the Voters' Register.**<sup>63</sup> This phenomenon, which is known to the public as “phantom voters”, became more and more frequent from one election in Belgrade to the next.

The fact that the Ministry of State Administration and Local Self-Government also publishes the numbers of voters by municipality on a quarterly basis<sup>64</sup>, as well as that from January 2022 citizens have access to the names and surnames of voters registered at polling stations for all election processes that have been held since then, is

<sup>62</sup> In the parliamentary elections of 2020, this was a particular problem in Medveđa, where the number of voters was reduced by as much as 38 percent compared to the republic elections for the president of Serbia held in 2017. This reduction could not be justified by depopulation in the south of the country, but pointed to the process of passivation of the addresses of citizens living there, which was carried out in a systematic way. For more on this at: CRTA observation mission, *Final report with recommendations for the 2022 elections*, p. 61, <https://link.crtars/b4>

<sup>63</sup> CRTA observation mission, *Final report with recommendations for the 2022 elections*, p. 62-63, <https://link.crtars/b4>

<sup>64</sup> The last quarterly breakdown before election day on the state of the number of voters by municipality was published on October 23<sup>rd</sup>, 2023: Ministry of State Administration and Local Self-Government, Overview of the number of voters – Status as of October 23<sup>rd</sup>, 2023, <https://link.crtars/dh>

a step towards transparency, but it does not allow insight into the basis of changes in the Voters' Register. **The lack of transparency in the management of the Voters' Register, voter registration and the passivisation process, as well as low public confidence in its accuracy, and in the circumstances of the increasingly massive distribution of dubious notifications to vote**, which culminated in the Belgrade elections in 2023, raises the suspicion that beneath the simple differences in the Voters' Register electoral engineering happens between elections.

#### 6.4.1 Administrative problems with the Voters' Register: open doubts, lack of data

The lack of data on how and on what grounds changes are made in the Voters' Register is chronic and deepens the public's mistrust in its up-to-datedness and integrity from election to election. During the election process, **CRTA paid special attention to typical problems that voters have in relation to the Voters' Register**. The problems that voters most often face when it comes to the Unified Voters' Register during the election process can be grouped into two categories: problems with data up-to-datedness, and problems when making changes and corrections of data in the Voters' Register. **Nevertheless, the escalating concern among citizens, prompting CRTA to receive hundreds of reports before election day, focuses on individuals listed in the Unified Voters' Register who should not be there**. The frequent reasons for this are that the status of these persons in the official records has changed (died, moved away, etc.), or they are unknown persons who received notifications to vote at the addresses of citizens - known in the media as "phantoms". **Before election day, there were even some allegations by citizens that their polling station was moved from Belgrade, or from municipalities outside Belgrade to Belgrade**. All these allegations for the first time seriously called for consideration of the possibility of organised migration of voters for the sake of voting in local elections with the aim of changing the electoral will of citizens.

In addition, the statements of opposition representatives who, at the beginning of the election process, pointed out that in Belgrade on a daily basis several hundred citizens fictitiously change their address in order to participate in local elections<sup>65</sup>, as well as the statement of Milan Stamatović, the new political partner of the list "Aleksandar Vučić – Serbia must not stop"<sup>66</sup>, but also the recent member of the ruling party and former

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<sup>65</sup> N1, "Aleksić: 300 to 500 citizens fictitiously change their address daily due to the elections in Belgrade", October 19<sup>th</sup>, 2023, <https://link.crt.rs/de>

<sup>66</sup> "But if the municipalities are divided now, so that in March, when the regular elections are held, 70 municipalities remain, SNS can, considering its position, transfer a good part of the voters to Čajetina and thus win. Which is totally legit. Some safe voters, perhaps from Užice or from another country, can be transferred to Čajetina and you, with the good support of your citizens, can lose because of people who came from abroad. And why do we look forward to the future in the long term, what would happen if we, as the only local self-government, were the opponent of a machine that has all the levers of power to simply blow us off the political scene?"

minister Zorana Mihajlović<sup>67</sup>, were actually an announcement and a warning about the practice of “voter relocation”, which put the Voters’ Register under the public’s eye in this election process as well and opened up the issue of voter migration.

Such statements in the public, as well as the announcement of extraordinary local elections only in part of Serbia, further contributed to the belief of a part of the public that it was a political strategy that significantly influenced the results of the elections, but which is also suspected to be in the spring elections of 2024. be used in the rest of the municipalities. **The organised migration of voters in the Belgrade elections is covered in detail in [chapter 9](#)** of this report.

The CRTA observation mission sent a letter to the competent ministries – the Ministry of State Administration and Local Self-Government and the Ministry of Internal Affairs with an invitation to a meeting, in order to gather additional information regarding procedures of importance for such cases of potential Voters’ Register manipulations, i.e. voter migrations. **Until the conclusion of this report, the responses to the calls of the CRTA Observation Mission have not arrived.** In addition, CRTA sent a request for access to information of public importance to the Ministry of the Interior to obtain precise information on applications and passivation of residence. The response to the request arrived on November 17<sup>th</sup>, but with incomplete information<sup>68</sup>, which **prevented a complete insight into the problem and removal of suspicions about manipulations of citizens’ migrations.**

On January 18<sup>th</sup>, the Ministry of Internal Affairs also published data on the movement of active applications for residence in the territory of the City of Belgrade as of November 29<sup>th</sup>.<sup>69</sup> However, the data are given collectively for minors and adults, which, as in the case of the response of the Ministry of Internal Affairs to the request for access to information of public importance, **prevents further analysis and elimination of suspicions about manipulations of citizens’ migrations.**

**Additionally, through field observation of the work of police stations in Belgrade, the CRTA observers noted that there is an uneven practice by which citizens can check whether unknown persons have been registered at their addresses, that is, by which**

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Today, Milan Stamatović explains for N1 why he joins Vučić’s movement, October 24<sup>th</sup>, 2023, <https://link.crtars.rs/df>

<sup>67</sup> “What we have come up with are various lists of people who switch to come to Novi Sad and Belgrade, primarily to Belgrade. These are the lists we received from the Federation of Bosnia and Herzegovina. So these are tens of thousands of people who transfer their residence to fictitious addresses in Belgrade. Everyone will say that it is not a criminal offense, and it is not a criminal offense, but it is immoral and shows how the elections will look on December 17<sup>th</sup>, Zorana Mihajlović announced that her movement is not participating in the elections, and then showed the list of phantom voters that the SNS brings to the Belgrade, Nova S, November 8<sup>th</sup>, 2023, <https://link.crtars.rs/lc>

<sup>68</sup> “The Ministry is unable to provide information on the number of adult citizens of the Republic of Serbia who have registered their residence in the territory of the city of Belgrade, and whose previous residence was abroad.”

<sup>69</sup> Ministry of Internal Affairs, “Display and movement of active applications for residence in the territory of the city of Belgrade”, November 22<sup>nd</sup>, 2023, <https://link.crtars.rs/dg>

**they can passivate them.**<sup>70</sup> The officers of some police administrations considered it sufficient that citizens request that all persons who are not members of the household be passivated, and some police stations requested that a request be first submitted to determine whether there are persons who are not members of the household at the address, and only then the passivation procedure. What is more, in Belgrade, CRTA determined the transfer of jurisdiction from the municipal police stations to the Directorate for Administrative Affairs, which is currently located at the address Omladinskih brigada no. 1, and vice versa for the case of checking and passivating unknown tenants. As a result, the CRTA observation Mission sent a letter to the Ministry of Internal Affairs on October 23, 2023, with a request that the Ministry present precise information to the citizens regarding the mentioned procedures, but there was no response. The invitation to the Ministry of Internal Affairs was further repeated on October 27<sup>th</sup> and November 7<sup>th</sup>, but the Ministry did not respond even after the third letter sent. **On November 22<sup>nd</sup>, CRTA appealed to the Protector of Citizens with a complaint about the work of the Ministry of Internal Affairs, with the hope that this institution, in accordance with its powers, will contribute to citizens getting the requested answers. CRTA received an answer from the Ministry only after the end of the election process, on January 31<sup>st</sup>, 2024.**<sup>71</sup>

Although the Ministry of State Administration and Local Self-Government took a step forward in the previous elections in 2022, enabling, among other things, a quarterly review of the number of voters by municipality, as well as an insight into the names of voters by polling station, **it is necessary for the Government and competent ministries to make greater efforts that the Voters' Register itself, as well as all processes that are assumed to lead to changes in the Voters' Register, be transparent.** The transparency of changes in the Voters' Register is also important in the inter-election period, and especially in the period immediately before the elections, when the topic of the Voters' Register takes on high political importance. **All changes should be fully explained by clear demographic and administrative causes, otherwise mistrust in electoral mechanisms will further deepen.**

**Confidence in the integrity of the Unified Voters' Register has been drastically eroded in these elections due to established facts that show that there was illegal and illegitimate manipulation of the Voters' Register in Belgrade in order to influence the**

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<sup>70</sup> Article 3 of the Law on Temporary and Permanent Residence of Citizens stipulates that the passivation of an address is the marking in the records of the competent authority that the citizen does not live at the address of the registered residence or residence.

<sup>71</sup> In a letter from the Ministry, CRTA was informed that the owner of real estate can submit a request for the submission of data on persons who have a registered residence at the address of his real estate, as well as a request for passivation of residence for persons who are registered but do not actually live at the address of the real estate owned by him, to the clerk of the competent police department, that is, police stations. The procedure described in the letter by the Ministry of Internal Affairs was not consistently applied in practice.

**outcome of the election by organising the migration of voters from other parts of Serbia and surrounding countries. An indispensable part of restoring this trust would be the determination of responsibility for violations of the law and criminal acts, as well as the final implementation of independent verification of the Voters' Register.**

## 6.5. Polling stations

Elections for MPs were held at a total of **8,273 polling stations**,<sup>72</sup> while in the Belgrade elections, voting was held at 1,180 polling stations. In Serbia, voting is personal and is carried out only at polling stations, without the possibility of electronic voting or voting by mail, so the determination of polling stations is an important element of the electoral process, which can affect the rights of voters, as well as the outcome of the election.

These are the second republic elections in a row, where the authority for determining polling stations has passed completely from the Republic Electoral Commission to the local electoral commissions. However, **the way in which the local electoral commissions communicated the determined polling stations was not consistent and made it very difficult for the election observers and the general public to get information** about the polling stations and compare them with the previous elections. To that should be added the fact that the document with the precisely determined territory of the polling stations for the whole of Serbia was only available two weeks before the election day when the Ministry of State Administration and Local Self-Government submitted to the Republic Electoral Commission the decision on the conclusion of the Unified Voters' Register for the elections for MPs.

**During the determination of polling stations**, based on the data available from the decisions of local electoral commissions, out of 167 municipalities and cities, in 145 of them there were no changes in the number of polling stations, while in 22 municipalities or cities there were changes in the territories of polling stations, in relation to polling stations in the 2022 elections. **In seven municipalities and cities, the number of polling stations was reduced**, by merging the areas of several stations into one, in five the polling stations were split into several new ones, in four municipalities or cities there was an unclear mixing of the territories of the polling stations aiming to form new polling stations. **In three polling stations in Serbia, there were several different types of changes** in the territories of polling stations between the elections in April 2022 and the elections in December 2023.

**The biggest change in the structure of polling stations took place in the municipality of Zemun in Belgrade, where the territory of polling stations was changed in 26 cases. In**

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<sup>72</sup> Of which 29 are in institutions for the execution of criminal sanctions, and 81 are polling stations abroad, in 35 countries.



a number of polling stations, the polling station was split into two new polling stations, but there were also cases where the territory of three or more polling stations was mixed in order to form a larger number of new polling stations. In addition to Zemun, **Novi Sad underwent similar changes**, but to a much lesser extent (13 polling stations) than Zemun. **Valjevo is also one of the cities where a larger number of polling stations were changed** (13 polling stations), but in Valjevo, the area of several polling stations was in every case merged into one.

Polling stations in penitentiary institutions are determined in exactly the same way as in the previous elections. Polling stations for voters from the territory of Kosovo were determined by the local electoral commissions of Kosovo municipalities on November 25<sup>th</sup>, unlike the 2022 election, when this was done just before the election day. A total of 52 polling stations were designated in four municipalities in Serbia for voters from the territory of Kosovo – Kuršumlija, Vranje, Raška, and Tutin. Such a circumstance, where voters from Kosovo are given the opportunity to vote far from their place of residence, actually makes voting difficult, and potentially impossible.

Polling stations abroad have been determined in a larger number than in 2022, and far more than in previous election processes. **(Table 3)** The number of registered voters to vote abroad is lower than in the previous elections, but it is also many times higher than before the 2022 elections.

*Table 3. Polling stations and registered number of voters for voting abroad in the republic elections (REC)*

Elections	Number of polling stations abroad	Number of registered voters
2023	81	32,216
2022	77	39,777
2022 (referendum)	10	1.766
2020	40	13.251
2017	53	9.984
2016	37	6.649

In order to highlight the differences in the number of polling stations that are open abroad for voting in the parliamentary elections in December 2023, the overview of their number in **Table 4** shows data not only for 2023, 2022 and 2020, but also for presidential elections in 2017, after which the first structural changes in the scope of the organisation of voting abroad can be seen, especially in Bosnia and Herzegovina.

Changes in the number of polling stations by state between 2017 and 2023 are shown in “traffic light” colours: in green the number of polling stations increased, in yellow we have the same number, and in orange the number of polling stations decreased in December 2023.

*Table 4. Polling stations abroad in the 2017, 2020, 2022 and 2023 elections.*

Country	2017	2020	2022	2023
Bosnia and Herzegovina	2	11	15	19
Germany	6	6	7	6
Italy	4	4	5	5
Montenegro	4	1	5	4
Austria	1	1	5	5
Switzerland	3	3	3	4
Canada	1	0	1	3
SAD	4	1	3	3
France	2	2	3	2
Croatia	1	2	3	2
Russia	1	2	2	2
North Macedonia	1	1	2	2
Sweden	1	0	2	2
Belgium	1	1	1	1
Czech Republic	1	1	1	1
Hungary	1	1	1	1
Slovenia	1	1	1	1
Denmark	0	1	1	1
Cyprus	0	1	1	1
Romania	2	0	1	1

Country (continued)	2017	2020	2022	2023
Finland	1	0	1	1
Netherlands	1	0	1	1
Lebanon	1	0	1	1
Malta	1	0	1	1
Norway	1	0	1	1
Slovakia	1	0	1	1
Turkey	1	0	1	1
UAE	1	0	1	1
United Kingdom	1	0	1	1
Bulgaria	0	0	1	1
Luxembourg	0	0	1	1
Spain	0	0	1	1
New Zealand	0	0	0	1
Portugal	0	0	0	1
Central African Republic	0	0	0	1
Qatar	1	0	1	0
Greece	2	0	1	0
China	2	0	0	0
South African Republic	1	0	0	0
Poland	1	0	0	0

	2017	2020	2022	2023
<b>Number of countries</b>	32	17	34	35
<b>Number of polling stations</b>	53	40	77	81

Polling stations abroad were opened at the proposal of the Ministry of Foreign Affairs (MFA), based on the number of registered citizens who submitted a request to enter in the Unified Voters' Register the information that they will vote abroad. At least 100 interested voters are required to register for the polling station to be open. Polling stations were not opened in December in Qatar, Greece, China, the Republic of South Africa and Poland, where voting was held in earlier election processes, because not enough voters registered. In December, polling stations were opened for the first time in New Zealand, Portugal, Cyprus and the Central African Republic.

Among the countries where voting was held, Bosnia and Herzegovina stands out for the third time in a row, where there is a clear upward trend in the opening of polling stations since 2020, when five times more polling stations (11) were opened than in previous elections. **The number of polling stations in Bosnia and Herzegovina then continued to increase, and thus 15 polling stations were opened in 2022, while as many as 19 polling stations were opened in 2023.** The number of polling stations in Bosnia and Herzegovina in the republic elections is also many times higher than the polling stations opened in other countries of the world.

Nonetheless, just like in 2020 and 2022, this time too, it remains unclear how registration was done, because the websites of the embassy in Sarajevo and the consulates general in Banja Luka and Mostar do not list voting locations, nor precise instructions for registration. Therefore, **it is not clear how Serbian citizens were able to register to vote** in Bijeljina, Bratunac, Višegrad, Doboј, Zvornik, the village of Branjevo near Zvornik, Lopar, Prijedor, Rud, Mrkonjić Grad, Pale and Novo Goražde if there was no prior information that voting would be held in these places. Voting in these 13 additional polling stations in Bosnia and Herzegovina, two of which are in Bjeljina, was not held in the diplomatic and consular posts of Serbia, but in secondary and primary schools (seven), cultural centres (five), a business association in Banja Luka (one) and in the town hall (one). Although elections abroad can be held outside the diplomatic and consular posts, this is not an established practice. This is why it is even more surprising that actually two-thirds of polling stations in Bosnia and Herzegovina are determined in such a way. **(Table 5)**

Table 5. Polling stations in Bosnia and Herzegovina with the number of voters, 2022 and 2023.

City/ municipality	Name of the polling station	Number of voters in 2022.	Number of voters in 2023.	Difference
Sarajevo	Embassy of RS Sarajevo	1.196	300	-896
Banja Luka	Consulate General of the RS Banja Luka	1.086	1150	+64
Mostar	Consulate General of RS Mostar	198	176	-22
Drvar	Consular office of the GC in Mostar, Drvar	219	202	-17
Trebinje	Consular office of the GC in Banja Luka, Trebinje	567	349	-218
Banja Luka	M:Tel Banja Luka	892	1589	+697
Bijeljina	Centre for Culture Bijeljina	1.531	0	-1.531
Bijeljina	Elementary school "Vuk Karadžić"	0	1210	+1,210
Bijeljina	Elementary school "Vuk Karadžić"	0	810	+810
Bratunac	Secondary school centre "Bratunac"	405	400	-5
Visegrad	High school centre "Ivo Andrić"	1.273	1000	-273
Doboj	Gallery of the Centre for Culture and Education Doboj	941	959	+18
Zvornik	Elementary School "Sveti Sava"	1.073	703	-370
Branjevo	Elementary school "Vuk Karadžić" Rožević - Branjevo district	471	598	+127
Lopare	Elementary School "Sveti Sava"	752	690	-62
Prijedor	Elementary school "Desanka Maksimović"	340	340	0
Rudo	Secondary school centre "Rudo"	491	555	+64
Mrkonjić Grad	High school centre "Mrkonjić Grad"	0	160	+160
Pale	Elementary school "Serbia"	0	251	+251
Novo Goražde	Municipality of Novo Goražde	0	270	+270

	2022	2023
Polling stations	15	19
Number of voters	11,435	11,712

Although the differences in the total number of voters who registered to vote in Bosnia and Herzegovina between the 2022 and 2023 elections are insignificant, four new polling stations were opened, one more in Bjeljina, where voting was held before and for the first time in the municipalities of Mrkonjić Grad, Pale and Novo Goražde. The biggest decrease in the number of registered voters was recorded in Sarajevo.

The sudden increase in the number of open polling stations and the number of voters in the past three election cycles in the municipalities of Republika Srpska remains unclear. Also, **without verification of the Voters' Register, it is not clear whether these are dual citizens** of Serbia and Bosnia and Herzegovina who live in Bosnia and Herzegovina but have registered residence in the Republic of Serbia, on the basis of which they are automatically entered in the Voters' Register. On the other hand, this **also points to possible organised voter registration that would favour certain candidates in the elections**. Finally, this way of opening polling stations, which is drastically different from the practice in all other countries, also points **to a possible motive to enable as many voters as possible to vote without the need for a long journey, which would encourage higher turnout in Bosnia and Herzegovina**.

CRTA's recommendation is to liberalise the opening of polling stations abroad, that is, to enable as many citizens as possible to exercise their right to vote, in which the first step would be to stop making the opening of polling stations in diplomatic and consular posts dependent on the number of registered voters. However, the selective facilitation of voting in some countries, while maintaining restrictive rules for other countries, is not a practice that should be maintained, because this kind of action by the election administration puts Serbian citizens in an unequal position in the Republic of Serbia and abroad.

## **6.6. Gender equality in election implementation bodies**

Article 15 of the Constitution of the Republic of Serbia prescribes gender equality, i.e. prescribes that the state guarantees the equality of women and men and develops a policy of equal opportunities. Article 3 of the Law on Gender Equality further defines that term and states that it implies, among other things, equal rights, responsibilities and opportunities, as well as equal participation and balanced representation of women and men in all areas of social life.

### **6.6.1. Republic Electoral Commission**

The permanent composition of the Republican Electoral Commission has 34 members, of which **12 are women (35.29%), which according to the Law on Gender Equality (Article 6, Paragraph 1, Point 9) implies a significantly unbalanced representation of**

**the sexes.** In that case, the Law on Gender Equality stipulates the obligation to undertake special measures (Article 11, paragraph 1 item 1) in order to eliminate the gender imbalance in the composition of the body.

The Law on the Election of Members of Parliament (Article 19)<sup>73</sup> precisely prescribes special measures in order to ensure a balanced representation of the sexes only in the permanent composition of the Republic Electoral Commission. **In practice, this legal provision is violated.**

In the case of significantly unbalanced representation of the sexes, the Law on Gender Equality (Articles 19 to 24) prescribes the obligation to adopt a Risk Management Plan for Violation of Gender Equality, which contains: 1. assessment of the degree of risk; 2) preventive measures to eliminate risks and deadlines for their implementation; 3) data on persons responsible for implementing measures from the risk management plan (Article 20).

#### 6.6.2. City Electoral Commission of the City of Belgrade

The City Electoral Commission has a total of 26 members (Article 18, Paragraph 1 Point 4 of the Law on Local Elections) including deputy members, **10 of whom are women (38.46%), which according to Article 6 paragraph 1 item 9 of the Law on Gender Equality implies significantly unbalanced representation of the sexes.** In that case, the Law on Gender Equality stipulates the obligation to undertake special measures (Article 11, paragraph 1 point 1) in order to eliminate the gender imbalance in the composition of the body.

By the principle provision of the Law on Local Elections (Article 13, paragraph 1)<sup>74</sup> which regulates the general rules on the nomination of members and deputy members in the bodies for the implementation of elections, it is only prescribed that the authorised proposer, when nominating members and deputy members of the bodies for the

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<sup>73</sup>Article 19 of the Law on the Election of Members of Parliament - Representation of the sexes in the permanent composition of the Republic Electoral Commission. The parliamentary group entitled to nominate three persons to the permanent composition of the Republic Electoral Commission is obliged to nominate two members of one gender and one member of the other gender. The parliamentary group entitled to nominate four persons to the permanent composition of the Republic Electoral Commission is obliged to nominate two members of each gender. The parliamentary group entitled to nominate five persons to the permanent composition of the Republic Electoral Commission is obliged to nominate three members of one gender and two members of the other gender. The proposal of the parliamentary group that has the right to nominate more than five persons to the permanent composition of the Republic Electoral Commission must contain at least 40% of members of the less represented gender among the proposed persons”.

<sup>74</sup> Article 13, paragraph 1 of the Law on Local Elections: “When authorised proposers nominate members and deputy members to the bodies for the implementation of elections, they should take into account the balanced representation of the sexes and the need to include persons with disabilities in the implementation of the election procedure”

implementation of elections, should take into account the balanced representation of the sexes.

The Law on Local Elections (Article 13, Paragraph 1) **does not prescribe special measures that should contribute to eliminating the gender imbalance in the bodies for conducting elections and achieving a balanced representation of the sexes** in the way it was done in the Law on the Election of Members of Parliament, but only when it comes to the permanent composition of the Republic Electoral Commission (Article 19). The Law on Local Elections should prescribe concrete special measures, especially in relation to the permanent composition of the municipal/city Electoral Commission, as it was done in the Law on the Election of Members of Parliament.

In the case of significantly unbalanced representation of the sexes, the Law on Gender Equality (Articles 19 to 24) prescribes the obligation to adopt a Risk Management Plan for Violation of Gender Equality, which contains: 1. assessment of the degree of risk; 2) preventive measures to eliminate risks and deadlines for their implementation; 3) data on persons responsible for the implementation of measures from the risk management plan (Article 20).

## **7. ELECTION CAMPAIGN**

The main characteristic of the election campaign on the ground and in the media is **the disappearance of the border between the party and the state**, where the scope of abuse of institutions, i.e. the public positions of the highest state representatives, has increased compared to previous elections in which these phenomena were also acute. **Abuse of public functions, resources and personal data, pronounced inequality and imbalance in media coverage, forgery of signatures for submitting candidacies, are also the concerns of citizens who have raised serious suspicions of abuse and compromise of the Voters' Register, Polarisation and incitement of intolerance towards political dissidents, prevention of participation in political life, incidents and conflicts, intimidation, pressure and electoral corruption – these are the mechanisms that marked the race for the parliamentary and Belgrade elections in just over 45 days of the election campaign.**

The climate in which the election campaign took place indicates **a tendency to normalise and tolerate illegitimate and illegal practices that undermine the democratic spirit of the election process, which creates justified doubts about the integrity and legitimacy of any subsequent election process.** Without the determination and

willingness of the institutions to act autonomously and to face the problems that compromise the elections instead of denying, ignoring or encouraging these problems, the elections in Serbia will remain a tool for maintaining the government, and not a mechanism for the free expression of the political will of the citizens.

Within the ensuing text, in addition to the overview of activities carried out by political parties and public authorities during the election campaign, the main characteristics of the campaign will be analysed, the effects and consequences of which were manifested during the election day and in the days after the election.

## **7.1. The flow of the campaign on the ground**

In the period from November 1<sup>st</sup> to December 17<sup>th</sup>, approximately 5,700 observer reports on the activities of political parties and public authorities were received and analysed.

**The election campaign on the ground was marked by the dominance of the “Aleksandar Vučić – Serbia must not stop” list.** The activities of this list represent more than half (about 58%) of the total number of recorded activities of all political parties. The second most active on the ground is the “Serbia against violence” list, which has almost seven times less recorded activities than the ruling party. **Infrastructure, economy** (issue of standard of living, investments) and issues from the **sphere of social policy** stand out as the **most represented topics** in this election campaign. **The issue of Kosovo** was in the thematic focus of the ruling list, as well as of the parties of the right bloc, but also of the Socialist Party of Serbia, especially in the last weeks of the campaign.

Since the beginning of the campaign, **the ruling list** has carried out various activities in the field, which were attended by a large number of public officials: promotion at stands, organisation of public events (such as gatherings, “social events” with members and sympathisers, tribunes, celebrations and public festivities), rallies, door-to-door campaign, landscaping of public areas and more. Despite the position of the Agency for Prevention of Corruption that the parties’ humanitarian activities are against the law, this list also organised a large number of humanitarian activities. CRTA observers recorded 133 events in which goods of considerable value were distributed to the socially disadvantaged and sympathisers: firewood, food packages, major appliances, bicycles, computers. For promotional purposes, the list “Serbia must not stand still” organised free health examinations, as well as providing legal advice. As in previous election cycles, the Serbian Progressive Party published a list of celebrities’ support



before the elections this year<sup>75</sup>. The **target group** towards which this list mostly directed its activities are precisely the socially and economically deprived categories of society, as well as the retired, female population, young people and refugees and internally displaced persons. In the thematic focus of the activities of the ruling list were **infrastructure, economics and economic growth, social policy, health, education, but also the issue of Kosovo**. The activities of the ruling party were especially intensified in municipalities where local elections were held.

Although the campaign officially started later (November 16<sup>th</sup>), **the list “Serbia against violence”** significantly increased its activities related to direct communication with citizens in the second part of the campaign (stands, street promotions, tribunes, rallies, as well as the “door-to-door” campaign). **In addition to the topic of violence**, the thematic focus of her campaign was put on the economics and better living standards, infrastructure, social policy, ecology, health, the judiciary, but also on the topic of election conditions.

From the beginning of the election campaign, **the activities of the list “Ivica Dačić – Prime Minister of Serbia” were visible on the ground**. This list organised various events (street actions, forums, talks with citizens, rallies) where **the presence of state officials**<sup>76</sup> (directors of public companies and public institutions, but also ministers) was recorded. This party also organised activities related to the provision of free medical assistance, as well as legal advice<sup>77</sup>. As in the activities of the ruling party, the target group of the “Ivica Dačić – Prime Minister of Serbia” list is **the elderly and female population**<sup>78</sup>, while health care, social policy, infrastructure and a better standard of living are among the topics. Both **the topics of Kosovo** and providing support to Russia were the focus of this list’s campaign<sup>79</sup>.

The activities of the NADA coalition and the list “We, Voice of the People” were present on the ground to an insignificant extent.

The far-right bloc, **the National Gathering** (Dveri and Oath Keepers) also stepped up its activities in the second part of the campaign, especially through announcements in the

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<sup>75</sup> As a reminder, in 2017, this party organised “Appeal 650”, and in 2018 and 2020, “Appeal thousand plus”. This year, however, the emphasis was placed on the 2,000 signatories supporting the “Serbia must not stop” list. Just as the appearance of the first list of support can be connected with the “Appeal 100” initiative that preceded it, so in these elections the appeal can be interpreted as a response to the activities of the citizen initiative “ProGlas”, which gathers a large number of prominent personalities and which has so far been signed by more than 190 thousand citizens.

<sup>76</sup> You Tube, Kopernikus RTV Jagodina, “The coalition “Socialist Party of Serbia – United Serbia – Greens of Serbia” held forums on the occasion of the upcoming parliamentary elections in the Jagodina villages of Dobra Voda and Dražmirovac”, November 21<sup>st</sup>, 2023. <https://link.CRTA.rs/ft>

<sup>77</sup> Instagram, SPS Voždovac, Belgrade, November 22<sup>nd</sup>, 2023. <https://link.CRTA.rs/fs>

<sup>78</sup> Facebook, SPS Sombor, November 27<sup>th</sup>, 2023. <https://link.CRTA.rs/fv>

<sup>79</sup> X (Twitter) SPS, Dušan Bajatović, December 3<sup>rd</sup>, 2023. <https://link.CRTA.rs/fw>

media, promotion through posters and billboards, and several political rallies and meetings for supporters and members.

The electoral lists for the local level differed in some municipalities from the list at the republican level. Many of the parties went to the local elections independently or in a coalition with parties that are not in their republican coalition. In almost 70% of municipalities, the SPS went to the local elections independently, and on some lists there were also unexpected combinations – for example, DS and POKS in Krupanj, while in the municipality of Babušnica there were two lists with “against violence” in their name. In four municipalities (Doljevac, Lapovo, Rača and Žabari), only the lists of parties that are at the republican level of government went to the elections. In this election cycle too, the participation of a certain number of groups of citizens whose lists actually include local government officials is recorded<sup>80</sup>, but also the participation of minority lists in municipalities where there are almost no members of given minority communities<sup>81</sup>, which **leaves room for suspicion of manipulation and abuse of democratic processes and the position of minorities**, which were also recorded in previous election cycles.<sup>82</sup>

In addition to the election candidates, the activities and initiatives of “ProGlas”, a group of individuals who are concerned about the direction in which the government is leading the country’s policy and which gathered with the aim of inviting citizens to go to the polls in large numbers, stand out on the ground. The initiative collected more than 190,000 signatures of support from citizens, and on the ground it organised tribunes of public figures gathered around the initiative.<sup>83</sup>

### 7.1.1. Overview of government activities in the field

In the period of the election campaign, the government also intensified its activities aimed at stimulating voters and which were largely synchronised with the activities of the ruling list.

Government officials were present on the field throughout the campaign. About **800 appearances of high state officials in local communities were recorded**. In one day, December 6<sup>th</sup>, the presence of as many as 17 holders of high state positions was

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<sup>80</sup> Dušan Zeka Aleksić, member of the City Council for Education of Kragujevac, is on the first place and on the list of the Citizens’ Group 300 Kragujevac, and in Batočina, also on the first place and on the list of the Citizens’ Group Zajedno za Batočina, is Srđan Biorac, the municipal councillor for urbanism and spatial planning.

<sup>81</sup> In Šabac, three minority lists are running for election – two Russian and one Slovak. According to the 2011 census, there were 15 Slovaks and 35 Russians in Šabac out of a total of 115,884 inhabitants. Republic Institute of Statistics, Census 2011, Census data <https://link.CRTA.rs/fy>

<sup>82</sup> Vreme, “Come out and fight”, 2018. <https://link.CRTA.rs/fz>

<sup>83</sup> The first forum of the “ProGlas” initiative was organised on November 13 in Zrenjanin.

recorded on the field. During the entire election campaign, **only 11% of municipalities and cities were not visited by any of the state officials.**

Since the beginning of the campaign, observers have noted about 1,700 activities of the authorities related to the promotion of works and projects in the area of infrastructure (renovation and reconstruction<sup>84</sup>, road cleaning<sup>85</sup>, roads asphaltting, etc.), economic investments<sup>86</sup>, organising free education programmes for specific groups<sup>87</sup>, free transportation actions, donations to institutions<sup>88</sup>. **Activities and measures aimed at the most vulnerable and their economic empowerment** (humanitarian packages for refugees and displaced persons)<sup>89</sup>, donations to poor families in the form of food packages, major appliances and firewood, introduction of electricity<sup>90</sup>, giving away houses<sup>91</sup>, tour of temporary accommodation for the homeless and announcement of better conditions<sup>92</sup>). **The focus is on the female population** as a target group<sup>93</sup>, according to which the public authorities organised various activities during the entire election campaign, such as conversations and meetings with public officials, training, education and professional development and economic empowerment of women.

**As in the case of the activities of political parties, it is also noted that the activities of the authorities are more intense in places where local elections were held.**

**This election cycle is also characterised by a wave of republican one-time financial aid that was distributed to different social groups before the election: pensioners,**

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<sup>84</sup> Instagram, GO Palilula, Belgrade, November 23, 2023 <https://link.CRTA.rs/q0>

Media, Kula, "Mileva Agić home facility for adults with mental disabilities opened in Kula", November 30<sup>th</sup>, 2023 <https://link.CRTA.rs/q1>

<sup>85</sup> Instagram, Čukarica Municipality, Belgrade, November 20<sup>th</sup>, 2023 <https://link.CRTA.rs/q2>

<sup>86</sup> Instagram, Čukarica Municipality, Belgrade, November 24<sup>th</sup>, 2023 <https://link.CRTA.rs/q4>

<sup>87</sup> Instagram Palilula City Municipality, Belgrade, November 20<sup>th</sup>, 2023 <https://link.CRTA.rs/q5>

Facebook, Opština Mionica, November 20<sup>th</sup>, 2023. <https://link.CRTA.rs/q3>

<sup>88</sup> BC Info, Bela Crkva, "Žarko Zrenjanin Elementary School in Bela Crkva received an IT cabinet from MTS", November 20<sup>th</sup>, 2023 <https://link.CRTA.rs/q6>

Instagram, SNS Plandište, November 20<sup>th</sup>, 2023 <https://link.CRTA.rs/q7>

City of Zrenjanin, Republic of Serbia, "The President of the Sports Federation of Serbia Davor Štefanek handed over sets of equipment, balls and props to the athletes and talked to the children in Tomaševac", November 24<sup>th</sup>, 2023 <https://link.CRTA.rs/q8>

Facebook, Dragana Sotirovski's official page, "From today, Niš again has a mobile digital mammogram, a gift from the Princess Katarina Karađorđević Foundation", November 28<sup>th</sup>, 2023 <https://link.CRTA.rs/q9>

Sremske news, "Dom zdravlja Ruma received an ultrasound machine: Improvement of women's health care", November 30<sup>th</sup>, 2023. <https://link.CRTA.rs/ga>

<sup>89</sup> City of Zrenjanin, "The City of Zrenjanin was awarded two more contracts in the Commissariat for Refugees and Migration: close to 1.5 million dinars for the procurement of food packages and the economic empowerment of the most vulnerable", November 20<sup>th</sup>, 2023. <https://link.CRTA.rs/gc>

Mondo, "HELP FOR INTERNALLY DISPLACED FAMILIES! The municipality helped 28 families with packages for firewood – HERE'S HOW MUCH THEY GOT!", November 24<sup>th</sup>, 2023 <https://link.CRTA.rs/ge>

<sup>90</sup> Facebook, TV 5 Užice, "Sjenica: Sloba Bandović was waiting to move into a house that began to be built in 2018, in the village of Gradac. These days, electricity was introduced, furniture arrived, as well as renovations for the bathroom", November 20<sup>th</sup>, 2023. <https://link.CRTA.rs/gf>

<sup>91</sup> Municipality of Kovin, "Three more houses were bought with the funds of the Ministry for the Care of the Village", November 30<sup>th</sup>, 2023. <https://link.CRTA.rs/gg>

<sup>92</sup> Instagram, Municipality of Savski venac, Belgrade, November 20<sup>th</sup>, 2023 <https://link.CRTA.rs/gh>

<sup>93</sup> Instagram, Municipality of Bečej, November 23<sup>rd</sup>, 2023 <https://link.CRTA.rs/gj>

beneficiaries of social assistance, mothers of children up to the age of 16, high school students and students. It is estimated that the state allocated around 450,000,000 dinars for these benefits.

Among the activities of public authorities, the so-called **retroactive aid**, so farmers from Kuršumlija whose farms suffered damage due to floods received help in the midst of the election campaign, instead of in May and June<sup>94</sup>, while in Leskovac, money for textbooks was distributed to students in December<sup>95</sup>. It was also noticed that in the election race and winning over voters, the activities of the republican government (such as, for example, the Government's decision to permanently employ a large number of medical and non-medical workers in health institutions) are presented as the success of the local government.

**Some municipalities even resorted to recycling news on their websites and accounts on social networks**, but also in local media, bragging again and again about projects that have already been completed, or about already announced investments.

It can be seen that in addition to the topics of infrastructure, economy, investments and social policy, special attention is paid to **the renovation of religious buildings**<sup>96</sup>, churches and monasteries, and announcements for greater investments in the preservation of religious and cultural heritage .

### 7.1.2. Erasing the border between the party and the state

**Since the beginning of the election campaign, the line between the activities of the ruling party and the state has been hard to see. The campaign was marked by unclearly separated roles of public and party officials who actively participate in the activities**<sup>97</sup>**for which it is difficult to discern whether they are party or public authority activities, and in which the abuse of public resources and functions, as well as state symbols, has become a practice.**<sup>98</sup> This limit does not even exist in the discourse and communication strategy of the state and the party: addressing the same target groups, through the same narratives, which are dominantly focused on economics and economic growth and the issue of national identity, and in which the merits are

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<sup>94</sup> Toplicke vesti, "Help to farmers who suffered damage from the flood", November 20<sup>th</sup>, 2023 <https://link.CRTA.rs/gk>

<sup>95</sup> City of Leskovac, "Today, 14.3 million dinars were paid from the budget of the city of Leskovac to parents of elementary school students for textbooks", December 6<sup>th</sup>, 2023. <https://link.CRTA.rs/gl>

<sup>96</sup> Niške vesti, "Signed agreement on the financing of works for the completion of the church of St. Basil of Ostrog", November 28<sup>th</sup>, 2023 <https://link.CRTA.rs/gm>

<sup>97</sup> For example, from October 1<sup>st</sup> to December 8<sup>th</sup>, as many as 68 appearances of Darija Kisić were recorded – both in the capacity of a state official and in the capacity of a party functionary, i.e. in that period she had an average of one appearance on the field per day.

<sup>98</sup> Ministers are often accompanied in party activities by state secretaries from their ministry, which further highlights their state at the expense of their party function. Instagram, Nikola Selaković, December 11<sup>th</sup>, 2023. <https://link.CRTA.rs/k5>

**attributed to the president of the state. In this way, an idea of a single entity was created consisting of the state and the party, whose symbol and representative is the President of the Republic of Serbia, Aleksandar Vučić, who in the election race are united against the political parties of the opposition.**

State officials were present on a daily basis on the ground in the activities of the Serbian Progressive Party. The presence of government officials was recorded in almost half of the activities of this party – **since the beginning of the election campaign, in more than 600 recorded activities of the SNS, one of the representatives of the national, provincial or local authorities or one of the representatives of the state institutions has been present.**<sup>99</sup> **During these activities, a large number of abuses of public functions were recorded.** According to observers' reporting, in almost 70 recorded cases, high state officials were represented at party events of the Serbian Progressive Party in the capacity of representatives of public authorities, and representatives of municipal authorities appeared in the capacity of public officials in about 100 recorded activities of this party. On the other hand, it has been noted that representatives of provincial and municipal authorities, as well as representatives of public institutions, were presented as party officials in around 150 public authority activities, while the highest state officials, representatives of national authorities, were presented as party officials in almost 50 activities in which they participated as public officials. The frequency of unclearly separated roles of party and state officials is also illustrated by the fact that in about 100 party activities, as well as in about 200 government activities, observers could not unequivocally identify in which capacity public officials were present. **This form of campaign provides an opportunity for public officials aligned with the party preferred by voters to gain an additional advantage.**

In addition to the presence of public officials, in the activities of the Serbian Progressive Party, **state symbols stand out in the foreground** (e.g. the coat of arms on the activists' uniforms, symbols of cities and municipalities and logos of public companies) or the **recognisable AV logo**. Such abuses are especially present in promotional video materials<sup>100</sup> in which, in addition to clips from gatherings, meetings, conversations with citizens and other party activities, employees of public companies also appear, often in front of or inside official premises and vehicles. Projects financed by foreign donations are also mentioned in the aforementioned videos, which makes these projects part of

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<sup>99</sup> The highest state officials actively participated in party activities even before the official start of the election campaign. **In the period from October 1<sup>st</sup> to December 8<sup>th</sup>**, as many as 301 participations of some of the ministers in party activities were recorded, that is, **on average**, during that period, **four ministers appeared at a party celebration, tribune, stand, meeting every day...**

<sup>100</sup> Instagram, SNS Valjevo, November 25<sup>th</sup>, 2023 <https://link.CRTA.rs/qv>

Instagram, SNS Krupanj, November 30<sup>th</sup>, 2023 <https://link.CRTA.rs/gz>

Facebook, SNS Petrovac na Mlavi, November 25<sup>th</sup> 2023. <https://link.CRTA.rs/h0>

Instagram, SNS Savski Venac, Belgrade, November 22<sup>nd</sup>, 2023 <https://link.CRTA.rs/h1>

X (Twitter), Merošina SNS, December 5<sup>th</sup>, 2023. <https://link.CRTA.rs/h2>

the party's propaganda<sup>101</sup>. Abuses are also observed in posts on social networks in which the ruling party promotes the jobs, works and activities of the public authorities<sup>102</sup>, attributing the credit for the success in the work of the public authority to the political party<sup>103</sup>. **Abuse of public resources (official premises and offices, vehicles, machines or mechanisation of public companies, etc.) was recorded in about 260 cases, of which 91% of cases were committed by the ruling party.**

Manifestations, events and works that were financed from the state budget were used for political promotion and by **highlighting party symbols** in such events and activities, but also **by openly inviting citizens to vote for the ruling party.**<sup>104</sup> As a practice, it is **observed that public officials visit places on the same day (sometimes several events within one visit) both in the capacity of public and party officials, abusing public resources.** It is also common for **public officials to promote public works and activities on their social networks, citing party slogans and symbols or tagging party pages.**<sup>105</sup> **Highlighting the party affiliation of personnel in public sector institutions**<sup>106</sup> which must not be associated with any political organisation can be interpreted as a form of manipulation, because the party intentionally identifies itself with institutions that should serve citizens regardless of political orientation. Furthermore, **this gesture suggests that the criteria for the selection of managers in the public sector are primarily political, not professional.**

**And the discourse of representatives of public authorities and representatives of the ruling party is coherent.** For example, strengthening the narrative about the elements of national identity (concern about religion<sup>107</sup> and cultural heritage) in the government's activities is in agreement with the ruling party's discourse about a "state-building" party that defends the national interest and national identity. **Addressing the same target groups (socially disadvantaged, pensioners, women, minority communities), through**

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<sup>101</sup> Instagram, SNS Babušnica, December 2023. <https://link.CRTA.rs/h3>

<sup>102</sup> Instagram, SNS Novi Beograd, November 20<sup>th</sup>, 2023. <https://link.CRTA.rs/h4>

<sup>103</sup> Instagram, SNS Ljubovija, November 20<sup>th</sup>, 2023. <https://link.CRTA.rs/qx>

Pirot Plus Online, "Vladan Vasić, holder of the list "Aleksandar Vučić – Pirot must not stop": Who tried to politicize the initiative to open a faculty similar to FON in Pirot? It is about an initiative that will historically change the city of Pirot", November 23<sup>rd</sup>, 2023. <https://link.CRTA.rs/h6>

Instagram, SNS Plandište, November 20<sup>th</sup>, 2023. <https://link.CRTA.rs/qv>

Facebook, SNS OO Surčin, Belgrade, November 26<sup>th</sup>, 2023. <https://link.CRTA.rs/qw>

<sup>104</sup> Instagram, SNS Smederevska Palanka, November 15<sup>th</sup>, 2023 <https://link.CRTA.rs/qn>; Instagram, SNS Smederevska Palanka, November 14<sup>th</sup>, 2023 <https://link.CRTA.rs/go>

<sup>105</sup> Instagram, Miroslav Petković, November 20<sup>th</sup>, 2023. <https://link.CRTA.rs/gp>

Instagram, Miroslav Petković, November 20<sup>th</sup>, 2023. <https://link.CRTA.rs/gq>

Instagram, Miroslav Petković, November 20<sup>th</sup>, 2023. <https://link.CRTA.rs/gr>

Facebook, Boško Ničić, November 23<sup>rd</sup>, 2023. <https://link.CRTA.rs/qt>

<sup>106</sup> The press release of the Serbian Progressive Party (Ljubovija) announced: "THE PRIMARY HEALTH CARE UNIT IN LJUBOVIJA RECEIVED A DIRECTOR FROM THE RANKS OF THE SNS, THE RESULTS ARE ALREADY VISIBLE AFTER LESS THAN A MONTH"

Instagram, SNS Ljubovija, November 20<sup>th</sup>, 2023. <https://link.CRTA.rs/gx>

<sup>107</sup> In this area, the statements coming from church circles are also in favour of this discourse. Večernje novosti, AFTER THE AGE OF NEMANJIĆ, THE MOST SANCTUARIES ARE BEING BUILT TODAY: Porfirije, Those who lead Serbia and Serbia care about spirituality, November 26<sup>th</sup>, 2023 <https://link.CRTA.rs/h7>

**the organisation of similar activities, reinforces the impression that the state and the ruling party are acting as one entity in these elections.**

### 7.1.3. Polarisation and incitement of intolerance, hatred and violence

Incendiary rhetoric is one of the main characteristics of this election campaign. More than 200 party activities were recorded that contained elements of a negative campaign against opponents, of which the Serbian Progressive Party was the actor in 57% of cases.

**The tension between the two poles of the political scene, power and position, intensified during the campaign. The campaign was saturated with inappropriate speech and rhetoric that incites bigotry, discrimination and violence.** Insults and derogatory names also came from the ranks of the ruling coalition<sup>108</sup> and the opposition<sup>109</sup>. Such messages were not only communicated during party activities, but local media were also used as channels for announcements of this nature.<sup>110</sup> The campaign is also marked by the speeches of certain party officials<sup>111</sup>, in which individuals are attacked on a national basis<sup>112</sup> and incites hatred towards them<sup>113</sup>. However, **instead of actively participating in calming the tensions, the institutions of the state intensified these tensions by joining dangerous insinuations that some actors have a plan to challenge the election results through violence.**

The dominant narrative of the representatives of the ruling party during the campaign created a referendum climate, suggesting that these **elections are fateful and that these elections are not only about the future direction of Serbia, but also about the preservation of national identity.**<sup>114</sup> In the narrative, those who support the list “Aleksandar Vučić – Serbia must not stop” are presented as guardians of the state and nation, while all others – opposition parties and critics of the government – are

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<sup>108</sup> The ruling coalition sent a series of insults and derogatory names to the representatives of the opposition, calling them thieves, pests and thugs, bastards and haters of Serbia, foreign mercenaries, who want to harm the president and his family personally.

Facebook, SNS GO Novi Pazar, “Đilas and Marinika’s “Serbia against violence” today at the “peaceful” handover of the list in Novi Pazar”, November 22<sup>nd</sup>, 2023 <https://link.CRTA.rs/h9>

Kikinda portal, “SNS President Miloš Vučević in Kikinda: The elections on December 17<sup>th</sup> are fateful, don’t let political pests come to us again”, December 8, 2023 <https://link.CRTA.rs/ha>

Facebook, SNS Požega, November 17<sup>th</sup>, 2023. <https://link.CRTA.rs/hb>

SNS Serbia, Kraljevo, “ĐILAS’ S MARIONETTES DO NOT RESPECT THE SERBIAN HERO”, November 20<sup>th</sup>, 2023 <https://link.CRTA.rs/hc>

SNS Serbia, Kraljevo, Press Release, November 22<sup>nd</sup>, 2023 <https://link.CRTA.rs/hd>

<sup>109</sup> Instagram, “Sorry, this is for you”, November 19<sup>th</sup>, 2023 <https://link.CRTA.rs/he>

<sup>110</sup> You Tube, Regional television Kraljevo and Ibarske novosti, “Announcement GrO SNS Kraljevo”, November 24<sup>th</sup>, 2023 <https://link.CRTA.rs/hf>

<sup>111</sup> Nataša Jovanović, Member of Parliament, on her Instagram profile called the representative of the opposition, Ponoš, a fraud and a manipulator, calling him names because of his Croatian citizenship. Instagram, Nataša Jovanović Kragujevac, SNS Serbia, November 22<sup>nd</sup>, 2023 <https://link.CRTA.rs/hg>

<sup>112</sup> Instagram, Nebojša Bakarec, SNS Serbia, November 26<sup>th</sup>, 2023 <https://link.CRTA.rs/hh>

<sup>113</sup> Since mid- October, on the eve of the calling of early elections, anonymous materials – such as leaflets, posters or stencils – have been recorded in Belgrade and several cities in Serbia, which aim to incite hatred towards opposition leaders, such as the identification of Pavle Grbović with the Ustasha regime or Zdravko Ponoš with the NATO general. Opposition leaders, such as Marinika Tepić, Miroslav Aleksić and others, were targeted with anonymous leaflets.

<sup>114</sup> X (Twitter), SNS OO Indija, November 28<sup>th</sup>, 2023 <https://link.CRTA.rs/hk>



presented as those who work to the detriment of national interests. Although he is no longer formally the president of the Serbian Progressive Party, the country's president, Aleksandar Vučić, represented the central figure after whom the ruling list is named and bases its campaign on the "AV" brand. **The party, the state and the people were subsumed under this central figure in the campaign, insinuating that they are on the same side, a kind of unique entity, which effectively equates Aleksandar Vučić not only with the party, but also with the state and the people.** This deepens the polarisation to a dangerous level, because it is suggested that citizens who do not support the president are, therefore, citizens who are against their people and their country, that is, enemies of the state and the people.

On the same day that the elections were announced, November 1<sup>st</sup>, the President of Serbia labelled the representatives of the opposition list "Serbia Against Violence" as "beaters"<sup>115</sup>, which was followed by a series of articles about the alleged "crimes of the opposition leaders"<sup>116</sup>. Headlines about "monstrous attacks on Vučić's family" followed<sup>117</sup>, "the 'shooting' of Vučić with chanting of anti-Serbs"<sup>118</sup>, and everything is presented as a combination of tycoons, the opposition and their media. Accusations that "tycoons", "false patriots" and the "pro-European elite" have joined forces to "overthrow Vučić" appeared on the front pages<sup>119</sup>, while the portals also wrote about the scenario that "should weaken Serbia" and which implies that "three heads must fall in order for Vučić's to fall."<sup>120</sup> In his speeches and at party rallies, the President of Serbia emphasised that the only programme of the opposition is "hate".<sup>121</sup>, and that opposition politicians "want the destruction of our families" and "the destruction of our country"<sup>122</sup>. An almost identical message was repeated by the Speaker of the Assembly, Vladimir Orlić<sup>123</sup> and the Minister of Construction, Transport and Infrastructure, Goran Vesić<sup>124</sup>.

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<sup>115</sup> YouTube, Aleksandar Vučić, "Vučić: The elections will show what kind of politics the citizens support", November 1<sup>st</sup>, 2023, <https://link.CRTA.rs/du>

<sup>116</sup> Srpski telegraf, "Outrageous violence and crimes of opposition leaders: Who is behind the announcement of the opposition and how they behave on the public stage", November 7<sup>th</sup>, 2023, <https://link.CRTA.rs/dm>

<sup>117</sup> Kurir, "Monstrous attacks on Vučić's family – A strong message from the president: My father is Anđelko and I love him endlessly", November 4<sup>th</sup>, 2023, <https://link.CRTA.rs/dn>

<sup>118</sup> Večernje novosti, "Documentary on TV N1: The 'shooting' of Vučić with the chanting of anti-Serbs", November 4, 2023, <https://link.CRTA.rs/do>

<sup>119</sup> Informer, "Now everything is finally clear to everyone – Ljotić's supporters + Europeans = Đilas's gang – Tycoons, false patriots and the 'pro-European elite' joined together with only one goal – to overthrow Vučić and bring Dragan Đilas to power, so that he could once again get rich by stealing from the people", November 6<sup>th</sup>, 2023, <https://link.CRTA.rs/dp>

<sup>120</sup> Srpski telegraf, "There is a scenario at work that should weaken Serbia: Three heads must fall for Vučić's to fall", November 6<sup>th</sup>, 2023, <https://link.CRTA.rs/dr>

<sup>121</sup> YouTube, Aleksandar Vučić, "Vučić: We will defeat them all together and convincingly", November 3<sup>rd</sup>, 2023, <https://link.CRTA.rs/dv>

<sup>122</sup> YouTube, Aleksandar Vučić, "Vučić: We will save all families in Serbia", November 3<sup>rd</sup>, 2023, <https://link.CRTA.rs/dw>

<sup>123</sup> Informer, "Destroying families is the only programme of the opposition! Orlić on the tycoon's attack on Andrej Vučić: Every day a chase!", November 4<sup>th</sup>, 2023, <https://link.CRTA.rs/ds>

<sup>124</sup> Informer, "Pure hatred! Vesić: The opposition's only policy is to attack Vučić and his family", November 12<sup>th</sup>, 2023, <https://link.CRTA.rs/dx>



Alleged “hunts for the president”<sup>125</sup>, in the pro-government media, there was also proof that the opposition is working “against its own people”<sup>126</sup>. Analysts and the media contributed to such intimidation of citizens by announcing that “in the upcoming weeks we can expect a dirty campaign by the opposition.”<sup>127</sup>, that the opposition is planning an attack on the Republic Electoral Commission on election night<sup>128</sup>, “the destruction of the country”<sup>129</sup>, that he wants to “come to power by force” and “set the country on fire”<sup>130</sup>. One of the most explicit examples of the disinformation campaign about the violent opposition, which has been led by SNS representatives in cooperation with the media since the beginning of the campaign, is the statement of the President of the State in the morning programme of Pink television, in which he said that one of the main messages of the opposition is “if it turns out that we have not won, we will kill all of them”<sup>131</sup>. In this kind of rhetoric, national sentiment is often manipulated, so the issue of Kosovo and Srebrenica is often used as a dividing line, as well as the entry into NATO and the issue of imposing sanctions on Russia. Threats to the citizens of the opposition were also reflected in the forecasts of the representatives of the government that, in case of victory, the opposition politicians would impose sanctions on Russia, join the NATO alliance, declare the Serbs a “genocidal people”, and Kosovo would get a seat in the UN.<sup>132</sup> While listening to these forecasts, viewers of Pink TV also watched a video with the statements of the candidates of the “Serbia Against Violence” list about the genocide in Srebrenica, and the audience of the portal also read along with the same video how the opposition candidates “put a stamp on the Serbs”.<sup>133</sup> In this context, the pro-European opposition bloc is presented as a “friend of Kurti’s enemy” and “those who will betray/sell Kosovo”, while the right-wing parties are presented as false patriots<sup>134</sup> which use the national issue for personal material gain. Among other statements that echoed in the media, and which can also be placed in the category of threats, was the statement of the former director of the Security Intelligence Agency and the leader of

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<sup>125</sup> Srpski telegraf, “Shame! Vučić is bringing back what is Serbian, and the opposition is chasing the president! Another proof that they are working against their own people – a national treasure returned to Serbia!”, November 13<sup>th</sup>, 2023, <https://link.CRTA.rs/dz>

<sup>126</sup> Ibid.

<sup>127</sup> Kurir, “In the coming weeks we can expect a dirty campaign of the opposition! Gajić gave advice to citizens before the elections: This is what they should know, November 8<sup>th</sup>, 2023, <https://link.CRTA.rs/e0>

<sup>128</sup> Hello, “Attack on REC – We discover what the opposition is planning on election night: The most aggressive proponent of such ideas is Čuta, and Srđan Milivojević gives him wholehearted support”, November 10<sup>th</sup>, 2023, <https://link.CRTA.rs/e1>

<sup>129</sup> Hello, “Demolishing opposition: The pro– Western opposition, gathered around Dragan Đilas in the desire for Serbia to stop, openly presented a plan to destroy the country by stopping crucial projects for only one reason – Vučić started them!”, November 14<sup>th</sup>, 2023, <https://link.CRTA.rs/e2>

<sup>130</sup> Informer, “They would set the country on fire again! The people of Đilas want to come to power by force”, November 16<sup>th</sup>, 2023, <https://link.CRTA.rs/e3>

<sup>131</sup> YouTube, Aleksandar Vučić, “Vučić: For us, the future of Serbia is a key issue”, November 18<sup>th</sup>, 2023, <https://link.CRTA.rs/e4>

<sup>132</sup> YouTube, Aleksandar Vučić, “Vučić: People who love Serbia are the greatest strength of our country”, November 9<sup>th</sup>, 2023, <https://link.CRTA.rs/e5>

<sup>133</sup> Srpski telegraf. “The entire Đilas’s opposition stamped on the Serbs: Does anyone on the ‘Serbia against violence’ list not consider that our people are genocidal?”, November 13<sup>th</sup>, 2023, <https://link.CRTA.rs/e7>

<sup>134</sup> Facebook, Serbian Progressive Party Knjaževac, November 10<sup>th</sup>, 2023, <https://link.CRTA.rs/e9>

the Socialist Movement, Aleksandar Vulin, that the recognition of Kosovo will be “galloping if Vučić is not in power.”<sup>135</sup> The tragedy that happened in May was also used to deal with the opponents, with accusations that the opposition tried to “politically profit from the death of the children who suffered.”<sup>136</sup>

**On the other hand, in the addresses of the representatives of the opposition, strong criticism of the government was directed, which in some cases was presented through the use of labelling, stereotyping and speech that encourages intolerance.** Phrases like “mafia organisation and scum”<sup>137</sup>, “SNS beaters”, “professional hand holders in the Assembly”<sup>138</sup> could be heard from representatives of the opposition. The belittling of the party symbols of the Serbian Progressive Party was also noted<sup>139</sup>, but malicious labels for supporters of the Serbian Progressive Party could also be heard.

The messages of intolerance and hatred of representatives of political parties were not addressed only to political opponents, but were directly and indirectly addressed to the media as well.<sup>140</sup>, the civil sector and citizens who are insulted in the addresses of party and public officials because of their political orientation, sexual orientation<sup>141</sup> or nationality<sup>142</sup>. The targets of verbal attacks were also individuals gathered around the “ProGlas” initiative, who were accused by the ruling party and the media close to the authorities of “waging a special war against the state”<sup>143</sup>, as well as the media and

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<sup>135</sup> Večernje novosti, “Interview, Aleksandar Vulin: The recognition of Kosovo will be galloping if Vučić is not in power”, November 12<sup>th</sup>, 2023, <https://link.CRTA.rs/eb>

<sup>136</sup> Facebook, Serbian Progressive Party Krusevac, November 10<sup>th</sup>, 2023, <https://link.CRTA.rs/ec>

<sup>137</sup> SOinfo, “Nikolić: Mafia state or state mafia”, November 14<sup>th</sup>, 2023, <https://link.CRTA.rs/ee>

<sup>138</sup> Facebook, Glas Pirota, November 15<sup>th</sup>, 2023, <https://link.CRTA.rs/eg>

<sup>139</sup> Facebook, National Movement of Serbia – Kladovo, November 16<sup>th</sup>, 2023, <https://link.CRTA.rs/eh>

<sup>140</sup> An example of a campaign directed against the media was observed in the reactions to the broadcast of the documentary “I, Aleksandar: State gambit” which was shown on television N1. After the broadcast of the film, which presents the political biography of Serbian President Aleksandar Vučić from the author’s point of view, Informer published an article entitled “VUČIĆ ON TARGET! A general attack is underway that should result in his murder and the murder of his family!”. High-ranking officials – Irena Vujović, Siniša Mali, Milenko Jovanov and others – also reacted to the documentary, announced as a “saga about the devastation caused by the autocratic regime” by Aleksandar Vučić, on social networks. In addition to the media preparation of the assassination of the president, N1 was also accused of running “the dirtiest anti-Serb campaign”, and the film was said to “reminisce Hitler’s and Goebbels’ propaganda films against the Jews”.

Informer, “VUČIĆ ON TARGET! A general attack is underway that should result in his murder and the murder of his family!”, November 2<sup>nd</sup>, 2023,

<https://link.CRTA.rs/ek>

N1, “I, Alexander: State Gambit”, premiering on N1 on Thursday at 8 p.m., October 28<sup>th</sup>, 2023, <https://link.CRTA.rs/el>

Instagram, SNS Serbia, November 3<sup>rd</sup>, 2023, <https://link.CRTA.rs/em>

Instagram, SNS Serbia, November 2<sup>nd</sup>, 2023, <https://link.CRTA.rs/eq>

Instagram, SNS Srbija, November 2<sup>nd</sup>, 2023, <https://link.CRTA.rs/ep>

X (Twitter), Vladimir Đukanović, November 2<sup>nd</sup>, 2023, <https://link.CRTA.rs/er>

Informer, “Nebojša Bakarec: Two hours of hatred – N1 checked himself!”, November 3<sup>rd</sup>, 2023, <https://link.CRTA.rs/es>

<sup>141</sup> Vranje News, “Palma in Vranje: Three things Dačić and I will never allow”, November 11<sup>th</sup>, 2023,

<https://link.CRTA.rs/et>

<sup>142</sup> N1, “People’s Movement of Serbia: After the forum of Miroslav Aleksić, Nazi messages on the house of an opposition activist of Roma nationality”, November 21<sup>st</sup>, 2023,

<https://link.CRTA.rs/eu>

<sup>143</sup> Instagram, Branislav Malović, member of the SNS presidency, November 23<sup>rd</sup>, 2023 <https://link.CRTA.rs/hi>

Instagram, Naš blok 22, <https://link.CRTA.rs/hj>

journalists who have a critical attitude towards the government.<sup>144</sup> **With such attacks, the right and freedom of choice were disavowed and, paradoxically, presented by some actors as an obstacle to a democratic society, and not as the basis of every democratic society.**

Instead of calming tensions and calling all political actors to account, the reactions of public and party officials to these events were aimed at legitimising inappropriate and illegal behaviour and speech. **The Government of the Republic of Serbia, the Ministry of State Administration and Local Self-Government, as well as the institution of the President of the Republic of Serbia, were misused to deal with political opponents and to encourage incendiary and irresponsible rhetoric. Through the channels of these institutions, it was insinuated during the election campaign that some actors were planning to challenge the election results through violence.**<sup>145</sup> Due to the worrisome rhetoric used by representatives of the government, as well as the opposition, while state institutions actively participate in inciting hatred and intolerance against political opponents of the government, the CRTA observation mission has publicly called on all parties to calm tensions, and state institutions to protect the integrity of the elections and to enable citizens to go to the elections on December 17<sup>th</sup> without fear.<sup>146</sup> However, despite the indication of the possible escalation of tensions, they continued at a higher intensity even after the election day.

#### 7.1.4. Conflicts, incidents, obstructions and prevention of participation in political life

**The rhetoric of aggression and violence and the irresponsible and inappropriate behaviour of political actors, to which citizens were exposed even before the official kick-off of the election campaign, resulted in verbal conflicts and numerous incidents that intensified as the campaign progressed. Since the beginning of the campaign,**

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<sup>144</sup> Večernje novosti, "The opposition proclamation was supported by a woman to whom Serbia is a fascist society!", November 9<sup>th</sup>, 2023, <https://link.CRTA.rs/ev>

<sup>145</sup> Their desire is to keep Serbia in permanent instability and chaos, and that is why they are now using ODHIR in order to prepare for protests, which they already plan to start after the next elections, and in an attempt to further destabilise the country if the citizens, again, in this election cycle as well as in too many previous ones, they will not want to vote for them."

Government of the Republic of Serbia, "Commitment of the Government to an open, fair and democratic electoral process" – announcement by the Prime Minister, October 15<sup>th</sup>, 2023, <https://link.CRTA.rs/ex>

"It is obvious that, on the one hand, the opposition is looking for an alibi for the election defeat, and on the other hand, these everyday brutal lies represent political preparation to declare the election victory of the opposition on December 17<sup>th</sup>, immediately after the end of the elections, and to take to the streets of Serbian cities and municipalities, and to cause chaos, and maybe civil war."

Ministry of State Administration and Local Self-Government, "Martinović: The will of the people, not lies and manipulation" – announcement by the minister, November 10, 2023, <https://link.CRTA.rs/ez> ;

"They have (a message) – we hate Vučić and his family, we have to protect the private business of Šolak and Đilas and number three – and if it turns out that we have not won, we will kill them all, we will hide them all, because it is theft because we have to win. Šolak and Đilas must not lose, the people, the whole nation is always for them and the whole nation hates Vučić's family."

YouTube, Aleksandar Vučić, "Vučić: For us, the future of Serbia is a key issue", November 18<sup>th</sup>, 2023, <https://link.CRTA.rs/f6>

<sup>146</sup> CRTA, "Enable citizens to vote without fear of "chaos and civil war", November 11<sup>th</sup>, 2023, <https://link.CRTA.rs/f7>

**about 40 allegations of cases with elements of verbal or physical violence have been recorded.** Attacks on activists were recorded in the reports of CRTA observers<sup>147</sup> and the premises of the parties<sup>148</sup>, cases of threats and violent behaviour<sup>149</sup>, obstructions when setting up stands<sup>150</sup>, violent destruction of stands<sup>151</sup>, physical attacks<sup>152</sup>, cases of harassment of party officials<sup>153</sup>, social media harassment and threats<sup>154</sup> and destroying billboards<sup>155</sup>. In the course of just three days, on November 20, 21 and 22, a number of incidents were recorded: setting fire to the estate of the President of the Democratic Party in Prokuplje and burning machines<sup>156</sup>, writing Nazi messages on the house of an opposition activist of Roma nationality<sup>157</sup>, breaking the windshield of the car of a journalist of an independent local media<sup>158</sup>, activating a smoke bomb and unfurling an offensive banner in the parliament in Majdanpek<sup>159</sup>.

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<sup>147</sup> Instagram, SNS Novi Beograd, November 30, 2023 <https://link.CRTA.rs/i1>

<sup>148</sup> SNS Novi Sad announced that the glass in their office was broken. Instagram, Danica Vukajlović, November 21<sup>st</sup>, 2023, <https://link.CRTA.rs/f5>

Instagram, SNS Grbavica, Novi Sad, November 19<sup>th</sup>, 2023. <https://link.CRTA.rs/f5>

<sup>149</sup> SSP Mladenovac (Serbia against violence) reported the intimidation of its activists in Mladenovac, when the mayor of the municipality, accompanied by associates, approached their stand. Along with the application, a video was published, in which you can see a verbal altercation with the president of the municipality in front of the opposition stands. X (Twitter), Freedom and Justice Party Mladenovac, October 29<sup>th</sup>, 2023, <https://link.CRTA.rs/f4>

The published video shows the disruption of the stands, it is about the stands of the opposition "Serbia against violence" in the settlement of Stepa Stepanović in the municipality of Voždovac in Belgrade, which was attended by the president of the municipality with her associates. According to the statements of eyewitnesses obtained by the Observation Mission of the Line, right after the opposition set up their stands, SNS activists appeared and set up their stands. A group of 7 to 8 men dressed in black appeared with them and stood in front of the opposition stands, preventing citizens from approaching them. According to eyewitnesses, there was also an attempt to seize the "Serbia against violence" walker, which was prevented, to which the police patrol that happened to be nearby did not react and moved away, and another police patrol, which came later on the call, stated that there is no security threat. X (Twitter), Miroslav Šantić, November 7<sup>th</sup>, 2023, <https://link.CRTA.rs/f2>

<sup>150</sup> N1, "How progressives led by the director of the Pension and Disability Insurance Fund provoke the opposition", November 21<sup>st</sup>, 2023 <https://link.CRTA.rs/hx>

<sup>151</sup> X (Twitter), SNS Medijana– Niš, November 25<sup>th</sup>, 2023. <https://link.CRTA.rs/hv>

<sup>152</sup> Opposition politician, Janko Veselinović, claims that he and an activist were physically attacked while they were carrying out a field campaign near Novi Sad with 'Serbia Against Violence' activists – they claim that they were physically injured. He claims that he was attacked by the director of City Greenery of Novi Sad, who followed him with his associates before that. SNS Novi Sad denies this case with the words "Đilas's psychopaths, thugs and liars have shown this time that they are no stranger to violence and lying", with claims that the director of City Greenery was actually attacked, and that the case was reported to the police.

Autonomy, "Beta: Janko Veselinović was physically attacked by the director of City Greenery from Novi Sad", November 12<sup>th</sup>, 2023, <https://link.CRTA.rs/f1>

Dnevnik, ""ĐILAS'S GANG VIOLENT AND LIAR" The SNS city committee in Novi Sad strongly condemned the untruths that Janko Veselinović makes public", November 12<sup>th</sup> 2023, <https://link.CRTA.rs/f0>

Instagram, SNS Novi Beograd, December 6<sup>th</sup>, 2023. <https://link.CRTA.rs/i2>

Radio hundred plus, "Raška protest organiser attacked against violence", November 29<sup>th</sup>, 2023 <https://link.CRTA.rs/i0>

X (Twitter), Džunić Čedica, December 10<sup>th</sup>, 2023. <https://link.CRTA.rs/i3>

<sup>153</sup> N2, "Violeta Marković: I experienced harassment and persecution by a person close to SNS", November 22<sup>nd</sup>, 2023 <https://link.CRTA.rs/hs>

<sup>154</sup> E Vršac, "How to describe this kind of hatred? Detained convicted rapist who persecuted the president of the Municipality of Alibunar", December 1<sup>st</sup>, 2023. <https://link.CRTA.rs/hu>

<sup>155</sup> N1, "Coalition NADA: The government destroys our billboards", November 21<sup>st</sup>, 2023 <https://link.CRTA.rs/hv>

<sup>156</sup> Beta, "The DS requests an urgent investigation into the fire at the property of the president of the DS in Prokuplje", November 20<sup>th</sup>, 2023, <https://link.CRTA.rs/ev>

<sup>157</sup> N1, "People's Movement of Serbia: After the forum of Miroslav Aleksić, Nazi messages on the house of an opposition activist of Roma nationality", November 21<sup>st</sup>, 2023, <https://link.CRTA.rs/ew>

<sup>158</sup> Voice of Šumadija, "Ritam grada journalist's car smashed", November 21<sup>st</sup>, 2023, <https://link.CRTA.rs/eq>

<sup>159</sup> Nova, "The members of the opposition lit a smoke bomb at the session of the Assembly of Majdanpek, they face a sentence of three years in prison", November 2<sup>nd</sup>, 2023, <https://link.CRTA.rs/ej>

In the second part of the campaign, the Serbian Progressive Party issued several statements about attacks on activists of this party. **The CRTA observation mission tried to verify and collect additional information about the allegations in the statement, but calls to the Serbian Progressive Party for a meeting went unanswered.**

Also, in 19 cities and municipalities<sup>160</sup> allegations of obstructions in the process of collecting signatures for candidacy were also recorded. The interlocutors of CRTA state that notaries and certifiers in courts were instructed to prioritise certain parties, which is why some parties could not organise the collection and verification of signatures even though they had previously received confirmation of the dates. Intimidation and threats were also recorded against citizens who came to sign their support for certain opposition lists. CRTA's interlocutors referred to **the climate of fear** in which signatures were collected in some smaller municipalities, because activists of the ruling party and representatives of the local government watched and "followed who entered the party's premises", which some citizens experienced as intimidation, and they gave up signing. The process of announcing electoral lists for local elections was followed by complaints, mostly from opposition parties, expressing suspicion of the ruling coalition's attempt to obstruct the electoral process and prevent the opposition from participating in local elections.<sup>161</sup>

Moreover, the interlocutors of CRTA's observers, who come from the ranks of the ruling coalition and the opposition, as well as state institutions, testified about **the pressures that are used in local areas to prevent equal political competition<sup>162</sup> and holding public events of actors who are critical of the current government.<sup>163</sup>** CRTA observers have recorded situations in which prominent representatives of the local community deny or make it difficult to rent space for party events or civil movement events, i.e. placing advertisements and billboards in public space.

Attempts to stifle freedom of expression and pressure were also exerted on certain professional groups that have been expressing, since the beginning of the election campaign, their dissatisfaction with working conditions and unfulfilled promises by the line ministries through protests and blockades. Although none of the protests were officially supported or organised by any political party, in their speeches, representatives

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<sup>160</sup> Barajevo, Kučevo, Medijana, Novi Kneževac, Palilula (Niš), Pancevo, Paraćin, Požega, Sopot, Veliko Gradište, Vlasotince, Žagubica.

<sup>161</sup> Danas, "Why were the opposition electoral lists rejected in Veliki Gradište and Rača and why were the electoral processes obstructed in Paraćin and Prokuplje?", November 30<sup>th</sup>, 2023. <https://link.crtars.org/fx>

<sup>162</sup> CRTA observers recorded cases in Loznica, Zrenjanin, Sombor and Pančevo where it was difficult or impossible for opposition parties to find space for their party promotion. Also, cases of destruction of promotional materials and billboards were recorded in Inđija, Zrenjanin, Sombor and Stara Pazova.

<sup>163</sup> During the Proglas forum held on November 13<sup>th</sup> in Zrenjanin, SNS activists, led by the deputy mayor of Zrenjanin and a member of parliament, threw insults at the participants, which caused the forum to be interrupted for a moment.

of the government tried to politicise the protests of farmers, employees of Public Enterprise Post (JP Pošta) and employees of the Clinical Centre, interpreting them as an attempt by the opposition to destabilise the state in this way as well. **The consequence of this discourse manifested itself through a wave of violence and intimidation** to which the participants of the farmers' protest were exposed. In the conversation with CRTA's observers, the agricultural assessors testified that they were called by phone by unknown persons who threatened to harm them if they continued with the protest.<sup>164</sup> and that during the night unknown perpetrators painted the facades of their houses<sup>165</sup>. In one of the cases of threats sent by telephone, the prosecutor reacted and initiated the fact-finding procedure. The incident in Bavanište stands out in particular<sup>166</sup>, when the house of one of the farmers' protest organisers was blocked.

In the second part of the campaign, the case of the representative of the opposition party stands out, who was first publicly called a "human disgrace" by the president with insinuations that the government has compromising information about him, only to be contacted by unknown persons who indicated that they possessed compromising material<sup>167</sup>, which was then published, first on social networks, and then in the media. This case was in the focus of the media for days, and the ruling party used the whole case for reckoning with the opposition.<sup>168</sup>

#### 7.1.5. Political pressure, blackmail and intimidation

**This election campaign was marked by a series of activities in which the dignity of citizens and their right to freedom of choice, but also to privacy, was threatened.**

**In more than 110 activities throughout Serbia, elements of pressure primarily on citizens were recorded, but also on political actors. Observers' reports and interviews conducted with citizens from different parts of Serbia (18 interviews were conducted with victims of pressure<sup>169</sup>)** record increasingly unscrupulous forms of political pressure, which are accompanied by threats and intimidation.

It draws earlier in its reports<sup>170</sup> indicated that pressures on citizens, as is the manner of political folklore in Serbia, are continuous and are not exclusively related to the election

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<sup>164</sup> These cases were recorded in Sombor and Kikinda.

<sup>165</sup> Two such cases were recorded in Bačka Palanka.

<sup>166</sup> Nedeljnik, "Bavaniste and the paradigm of society: SNS cadres blocked a farmer's house, the locals defended him with more than 50 tractors", November 14<sup>th</sup>, 2023, <https://link.CRTA.rs/ef>

<sup>167</sup> X (Twitter), Đorđe Miketić, November 27<sup>th</sup>, 2023. <https://link.CRTA.rs/i4>

<sup>168</sup> Informer, "Brnabić: The thesis that Vučić is to blame for Miketić snorting cocaine is a new level of opposition madness", December 1<sup>st</sup>, 2023 <https://link.CRTA.rs/i5>

SNS Serbia, "Nikolić: Đilas insults the intelligence of all normal people", December 2<sup>nd</sup>, 2023 <https://link.CRTA.rs/i6>

X (Twitter), Luka Kebara, December 1<sup>st</sup>, 2023. <https://link.CRTA.rs/i7>

<sup>169</sup> Interviews were conducted with interlocutors from the following cities and municipalities: Bačka Palanka, Novi Kneževac, Pećinci, Stara Pazova, Kula, Kovin, Novi Sad, Kučevo, Leskovac, Zrenjanin, Mataruška Banja, Belgrade.

<sup>170</sup> CRTA, Political pressures on citizens, <https://link.CRTA.rs/ei>



cycle, but that they intensify before each election. And this election campaign confirms the same dynamics.

Observers' reports indicate that **public sector employees are especially exposed to pressure**, who are blackmailed to participate in party activities (to gather reliable and capillary votes, to participate in door-to-door campaigns and to attend political meetings or to bring someone else with themselves) if they would not keep their jobs.<sup>171</sup> Employees in the public sector also refer to **the control and censorship that exists in their collectives**. One of the interlocutors, an employee of the city administration, points out that no one in her collective is spared from "working for the party" – going to rallies and collecting sure votes. This interlocutor also describes the additional pressure on employees that is created due to the struggle of managers "for votes", who are "competing" with each other because their functions and further advancement (both in the party hierarchy and in the hierarchy at work) depend on the number of secure votes. One of the victims of the pressures, a public sector worker, testified that she was intimidated because she no longer wanted to be a member of a certain party (she received threatening messages by phone, her car tires were punctured). This interlocutor also experienced threats of violence at the workplace, and as a "punishment" she was moved to a lower position with a reduced salary. The second interlocutor was pressured by her superior to "do him a favour in order to fulfil the quota" and change her place of residence in order to vote at another polling station. There was also pressure on health workers, who were forced to register in the list of safe votes.

Observers note that employees in the public sector were especially exposed to pressure in connection with attending the meeting of the Serbian Progressive Party on December 2<sup>nd</sup>. On the eve of this meeting, observers also reported on the pressures on transporters, as well as on the owners of private companies who received quotas for the number of employees they must bring to the meeting. Also, it was recorded that citizens were offered money (2,500 dinars) for going to this event.

Even the most vulnerable categories of our society are not protected from political pressures. **CRTA records disturbing allegations about pressures on old and demented persons**, users of nursing homes. According to the statements of two interlocutors (a person employed in a nursing home and a person who is a family member of a beneficiary of a nursing home), the employees put pressure on the beneficiaries through explicit blackmail to provide support to the party. Moreover, CRTA recorded allegations that employees vote instead of users of these institutions. **Manipulation of the elderly**,

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<sup>171</sup> Such cases have been recorded in several municipalities so far: Kostolac, Piroć, Smederevo, Zaječar, Barajevo, Indija, Irig, Koceljeva, Kragujevac, Smederevo.

**demented and persons with health problems** has been recorded in the activities of both parties and public authorities: tours and filming of these persons without regard for their dignity<sup>172</sup>, exerting pressure on the users of nursing homes (to be so-called safe voices), photographing and recording partially clothed citizens during medical examinations (ECG, mammography). There was also **the case of an oncology patient** who testified that she was pressured to join the party so that her name would be moved up on the oncology waiting list, as well as a case of “punishment” and denial of social assistance to beneficiaries of the social work centre who supported the opposition party election list<sup>173</sup>.

**In the campaign, various examples of child abuse were observed that crossed the boundaries of the forms of this phenomenon that have been present so far, and there was even a case where children were in charge of distributing flyers and promotional material.**<sup>174</sup>

The interlocutors pointed to **the climate of fear**, but also to distrust towards the institutions, which they cite as the main reason why such cases are not reported. In the interviews, **the attitude of political parties towards voters** was also problematised, in which **they are treated as quotas that are necessary for the acquisition of political power, and not as citizens whose interests the political parties should represent.**

#### 7.1.6. Clientelistic attitude towards citizens

What is also worrying are the cases that **record forms of clientelism, which manifests itself as one of the main characteristics of the electoral processes in Serbia and as one of the basic instruments in the fight for votes.** In the municipalities of Mladenovac, Indija, Vranje, Kula, Vršac, Obrenovac, Golubac, Paraćin, Apatin, Ćuprija and Pančevo, observers recorded allegations of vote buying. The cases recorded during the election day confirm the allegations of clientelism mechanisms collected by observers during the campaign.

CRTA’s observers recorded cases in which citizens were offered money and services (getting a job in the public sector, contract extension) in exchange for a supporting signature for candidacy, joining a party or for a (secure) vote.<sup>175</sup> There have been recorded cases in which citizens and sympathisers and party members received various gifts of high value (firewood, televisions, refrigerators, bicycles, walkers, computers...).

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<sup>172</sup> Vojvodina live, “Municipal President Đorđe Radinović visited the oldest fellow citizen in Stara Pazova”, November 23<sup>rd</sup>, 2023 <https://link.CRTA.rs/i9>

<sup>173</sup> Prokuplje Press, “FOR SNS VOTERS THERE IS AID, FOR THE OTHERS THERE IS NOT”, December 10<sup>th</sup>, 2023. <https://prokupljepress.rs/2023/12/10/za-glasace-sns-ima-za-ostale-nema/>

<sup>174</sup> This case was recorded in India.

<sup>175</sup> Such cases have been recorded so far in Belgrade, Novi Kneževac and Indija.



In Indija, there was also a case of distribution of personalised vouchers in the amount of 3,000 dinars to supporters of the ruling party, which are valid only with an ID card and can only be used in local markets. A similar case was recorded in the territory of the municipality of Kovin. Observers also reported cases where the ruling party offered from two to five thousand dinars for a vote on social networks and Viber groups, but also cases where citizens offered their vote in exchange for money or some other service. An example of entrenched clientelistic practices is reflected in the “threats” of boycotting elections by citizens in rural areas, if the public authorities do not adopt their demands. Those demands, for example, refer to the introduction of more regular public transport between urban and rural areas<sup>176</sup>, as well as the opening of certain public institutions such as outpatient clinics, pharmacies or post offices in the village itself or in their local community<sup>177</sup>, or paving the road and introducing street lighting.

**The target of bribery and party clientelistic mechanisms are often citizens from socially and economically deprived categories**, i.e. those who are most dependent on state aid. One of the illustrative examples of the clientelistic attitude of the parties towards the citizens is the case of a mother who was promised by the municipality that her deaf and mute son would get a job if she collected a sufficient number of safe votes. CRTA’s interlocutor, a beneficiary of social assistance, also testified that representatives of the Serbian Progressive Party contacted him by phone, asked him by name and offered help (firewood and a package of groceries) if he provided political support to this party. The interlocutor also testifies that he received everything he was promised, but also that the party representatives announced to him that he would receive more food packages, as well as that he would be provided with the possibility of voting from home (since he is a person with health problems). In this, as in previous campaigns, populist messages were most often sent to the most vulnerable categories of society. Dominantly, such messages came from the ruling coalition. Activities that promoted care for the vulnerable and marginalised were primarily intended for party members and sympathisers, but some of them targeted other citizens as well. These categories of citizens were often addressed in the addresses and activities of representatives of the public authorities, and initiatives and measures related to them were promoted and announced. In addition to these categories, stimulation through appropriate packages and gifts was also carried out in activities aimed at the female population, pensioners, minority communities, and refugees and internally displaced persons.

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<sup>176</sup> Južne Vesti, “Inhabitants of the Aleksinac village of Vrelo are looking for transport or they will boycott the elections”, November 18<sup>th</sup>, 2023. <https://link.CRTA.rs/ib>

<sup>177</sup> Južne Vesti, “The residents of the Aleksinac Mine are looking for a clinic and a pharmacy, but before the election, because they will not “vote for nothing”, November 4<sup>th</sup>, 2023. <https://link.CRTA.rs/ic>

**The normalisation and legitimisation of this phenomenon is reinforced by the absence of reaction from the competent institutions, but also by the messages coming from the holders of high government positions.** After the journalist's report, which indicated the potential buying of votes and unauthorised collection of data in the call centre of the Serbian Progressive Party, instead of the reaction of the competent institutions, the president of the country, Aleksandar Vučić, visited the call centre and posted a photo and video of the visit on his Instagram profile.<sup>178</sup> The climate in which the fight for the electorate involves the "bartering" of material goods and services in exchange for political support points to an insufficiently developed political culture, but also to weak institutions that are not autonomous in their work, and thus unable to sanction the aforementioned phenomena.

#### 7.1.7. Suspicion of misuse of personal data

**The reports of CRTA's observers point to a large number of possible abuses of personal data.** Since the beginning of the election campaign, **CRTA's observers recorded around 90 allegations of potential misuse of personal data. The collected examples suggest that this type of abuse is part of an organised, planned scheme of manipulation and that it is not a matter of isolated and sporadic cases.**

The observers' reports point to the suspicion of **misuse of personal data of social assistance beneficiaries and gerontological services beneficiaries for political purposes**, prisoners in prisons, pensioners who received personalised invitations to party events, but also refer to the potential misuse of data on the health status of the citizens who were invited to party forums on health, in the area that includes the health problems that these citizens have. Also, in conversations with CRTA, the interlocutors testify **about the misuse of employee data by employers and superiors in both the public and private sectors.** In one of the recorded cases, the head of the city administration even asked for ID cards from employees, as well as from their adult family members, in order to enter them in the list of safe votes.

The characteristics of households, which are targeted by clientelistic activities, raise the suspicion that they are on the "list" of political parties because their contacts and needs were obtained through illegal means. Research carried out by CRTA during and in the period after the elections held in 2022 showed the susceptibility of the social protection system, i.e. centres for social work, to misuse of data about their users. The fact that party activists with gifts mostly visit households that are in a worse socio-economic position is a strong indicator of a planned campaign based on previously obtained data.

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<sup>178</sup> Instagram, Aleksandar Vučić, December 5<sup>th</sup>, 2023. <https://link.CRTA.rs/id>

On the other hand, during this election campaign, CRTA observers recorded in several cities in Serbia a case that came to the public about special lists in which party activists classify citizens by social status as well.<sup>179</sup> In one of the allegations, the suspicion is expressed that the party trustee took ID cards from the beneficiaries of one-time financial aid and instead of these persons submitted the application for aid and then withdrew the money on their behalf.<sup>180</sup> As in previous cycles, these activities are primarily linked to the parties in power.<sup>181</sup>

Furthermore, observers and citizens reported a large number of notifications to vote for people who do not live at those addresses, which indicated **the possibility of manipulation of the Voters' Register, which was unequivocally and confirmed by the evidence in the analysis of the CRTA Observation Mission**. Because of these allegations, CRTA appealed to competent institutions and civil servants to conscientiously perform their duties and protect the law, institutions and public interest in elections.

As in previous election processes, the CRTA Observation Mission recorded statements from citizens all over Serbia that they received phone calls from parties or agencies, which, with frequent manipulative presentations (“I am calling you from the office of the President of Serbia, Aleksandar Vučić”, “we have a personal message from Aleksandar Vučić’s for you”), also raised suspicions about misuse of personal data. In some cases, citizens who received calls were addressed by the name and surname of the person who has a contractual relationship with mobile operators (Telekom, Yettel in the cases recorded so far), and not the actual user of the number. Moreover, it was recorded that some agencies called citizens for the purpose of conducting short “political polls” without collecting the respondents’ demographic data. In these situations, it was also recorded that all citizens from the same household received calls in short periods of time, which additionally raises suspicions about the previous possession of personal data, false representation and targeted collection of data for unknown needs, which causes fear among citizens. It was also recorded that elderly citizens, whose family members are abroad, were contacted by party operators who addressed them by their first and last names, and then asked about their family members and whether they would vote.

The phenomenon of misuse of polls for propaganda purposes – **push poll** – which misleads voters, and which CRTA has been recording since 2020, is also a registered

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<sup>179</sup> Kragujevačke, “Gatherers of “safe votes” for progressives: I left the building crying”, November 17<sup>th</sup>, 2023, <https://link.CRTA.rs/ed>

<sup>180</sup> Facebook, Danilo Lukić, November 22<sup>nd</sup>, 2023. <https://link.CRTA.rs/jh>

<sup>181</sup> Tours of poor households were recorded, where they were given firewood, food packages, major appliances (refrigerators, washing machines), but also bicycles and toys for children from these households.

tactic of the call centre of the Serbian Progressive Party. When calling citizens, interviewers pretend to be calling from the office of the President of Serbia, Aleksandar Vučić, then ask questions about satisfaction with the government's work, and they are also played a personal message from Aleksandar Vučić, in which he addresses himself as the president of the country. In this way, the boundary between the state and the party is further blurred.

The last week of the election campaign was also marked by the suspicion of misuse of citizens' data and falsification of their signatures for candidacy submission.<sup>182</sup>

**A large number of such allegations leaves room for justified suspicion of the illegal actions of the ruling party, but also points to the involvement of state institutions and services in election machinations and manipulations. The aforementioned phenomena also marked the previous election processes, however, they remained without an adequate institutional epilogue.**

## 7.2. Pluralism in the media

Media coverage during the 2023 election campaign was marked by marked inequality and imbalance, with an extremely biased approach that favoured the ruling majority. The media devoted more time to the ruling majority. What is more, the tone of reporting on them was often positive, and almost never negative, which created a climate of social consensus around the policies of the ruling majority. In contrast, the opposition was marginalised, with significantly less representation and a predominantly negative portrayal. Compared to 2022, the situation with media pluralism further worsened, increasing the unequal and unequitable position between representatives of the ruling majority and the opposition. While in the overall observed television programme there was a certain difference in the representation and way of presenting political actors in the campaign, in the informative parts of the programme there was a marked bias on all televisions, with an emphasis on favouring the ruling majority and marginalising the opposition.

President Aleksandar Vučić dominated the media space, occupying a central role on all televisions. The media constantly portrayed him as an irreplaceable leader and guardian of national interests. His representation in the prime times of all televisions was equal to the total representation of all opposition representatives combined, while his presence in news programmes was extremely high, accounting for almost two-thirds of the total time allocated to political actors. Vučić was often presented neutrally or positively, with minimal negative portrayal, while numerous direct addresses and

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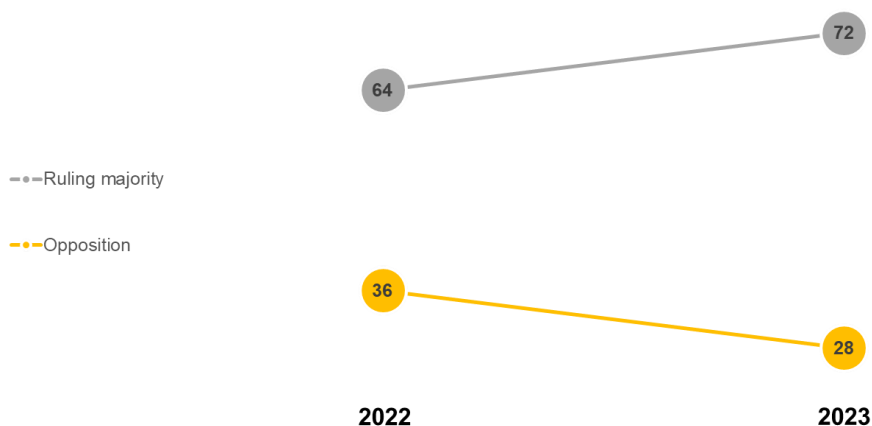
<sup>182</sup> Vreme, "Jelena Zorić: Forging signatures is pure organised crime", November 28<sup>th</sup>, 2023 <https://link.CRTA.rs/ie>  
Nova, "Criminal charges due to Radet Basta's election list: A woman whose name was misused for a signature spoke out", November 23<sup>rd</sup>, 2023. <https://link.CRTA.rs/ig>

interviews only further enhanced his media ubiquity. This approach of the media not only highlighted Vučić's central role in the country's political life, but in that way the media sent a message that his survival in power is crucial for the state's interest and the country's well-being.

### 7.2.1. Representation, tone and access to the media

Media reporting in Serbia during the 2023 election campaign was marked by significant **imbalance and unequal treatment of various political actors, which was reflected in favouring the ruling majority over the opposition**. By watching over 1,500 hours of prime time programming<sup>183</sup> on television with national coverage<sup>184</sup> the CRTA observation mission determined that 72 percent of the time was allocated to the representatives of the ruling majority, compared to 28 percent of the time allocated to the opposition. This represents a significant increase in unequal coverage compared to the 2022 elections, when the ruling majority was allocated 64 percent of the time and the opposition 36 percent, indicating that **the situation in the media from the 2022 elections to the 2023 elections further deteriorated**. (Chart 1)

*Chart 1. Representation of representatives of the ruling majority and the opposition on television with national coverage in the 2022 and 2023 election campaign*

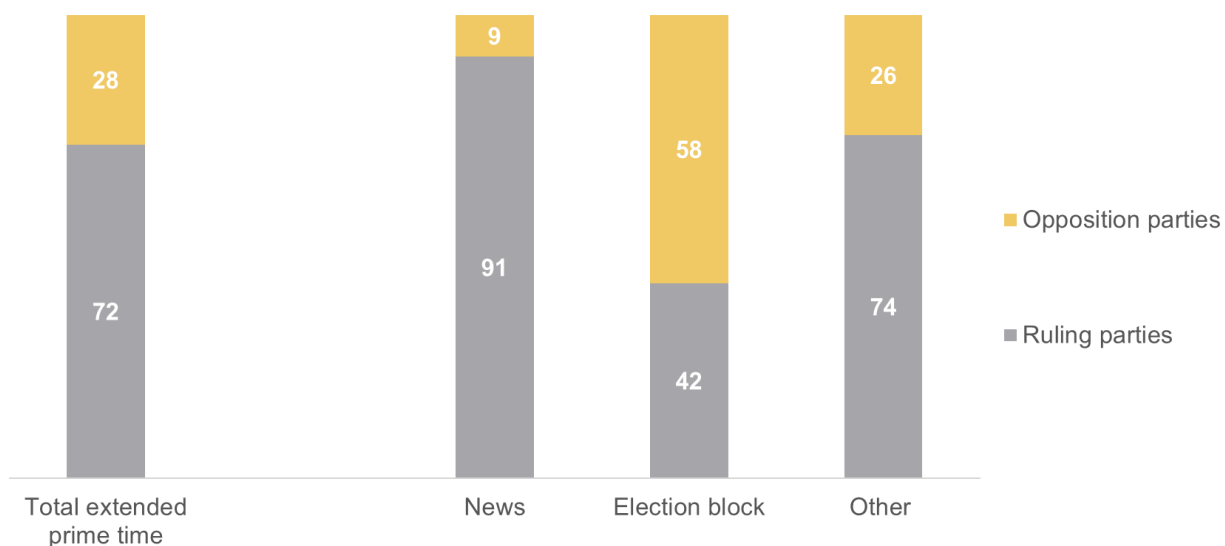


<sup>183</sup> Primetime means the period from 5:30 p.m. to midnight

<sup>184</sup> The sample of observation televisions consists of: public media service RTS1 and four commercial televisions, TV Pink, TV Prva, TV Happy and TV B92.

**An even more pronounced imbalance** in reporting on political representatives in the election campaign was recorded in news broadcasts <sup>185</sup> where the ruling majority is assigned as much as 91 percent of the time, compared to only nine percent of the time for the opposition. This **imbalance in the representation of political actors in news broadcasts** represents only an extension of the trend that was the practice of television in the period before the start of the election campaign. The part of the programme that creates **the appearance of pluralism** in the campaign period is the result of the electoral parts of the programme, which are often organised in such a way that they represent only an extension of the political marketing of the parties participating in the elections and do not reflect the real picture in the entire media space. In this part of the program, 42 percent of the time is allocated to the ruling majority, and 58 percent to the opposition. (Chart 2)

*Chart 2. Representation of representatives of the ruling majority and the opposition in various television programmes with national coverage*

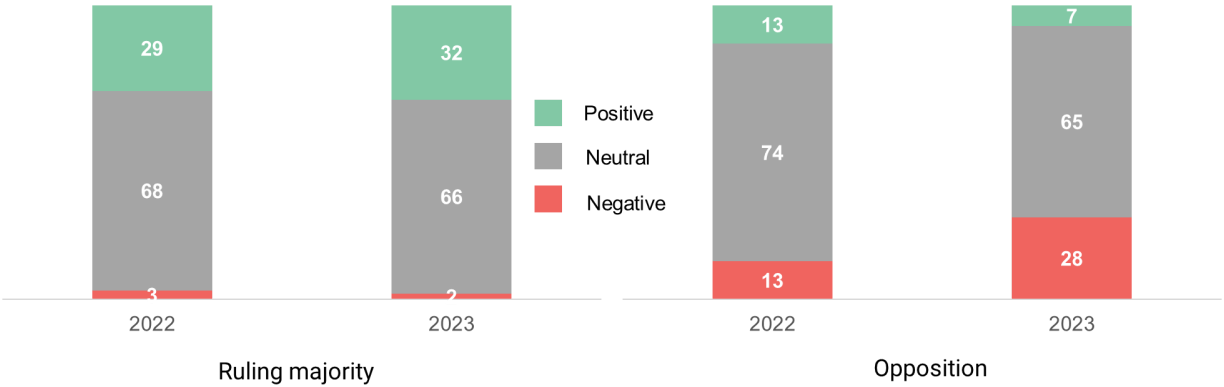


Media reporting showed an obvious **bias, favouring the ruling majority, while the opposition was often marginalised and presented in a negative light**. The ruling majority was most often represented neutrally (66 percent), with a significant share of positive reporting (32 percent), while negative reporting was only two percent. In contrast, the representatives of the opposition are mostly portrayed neutrally (65 percent), but with a high share of negative reporting (28 percent) and seven percent of positive reporting. Compared to last year's election campaign, the way of reporting on representatives of the government remained almost the same, while reporting on

<sup>185</sup> News and central information shows

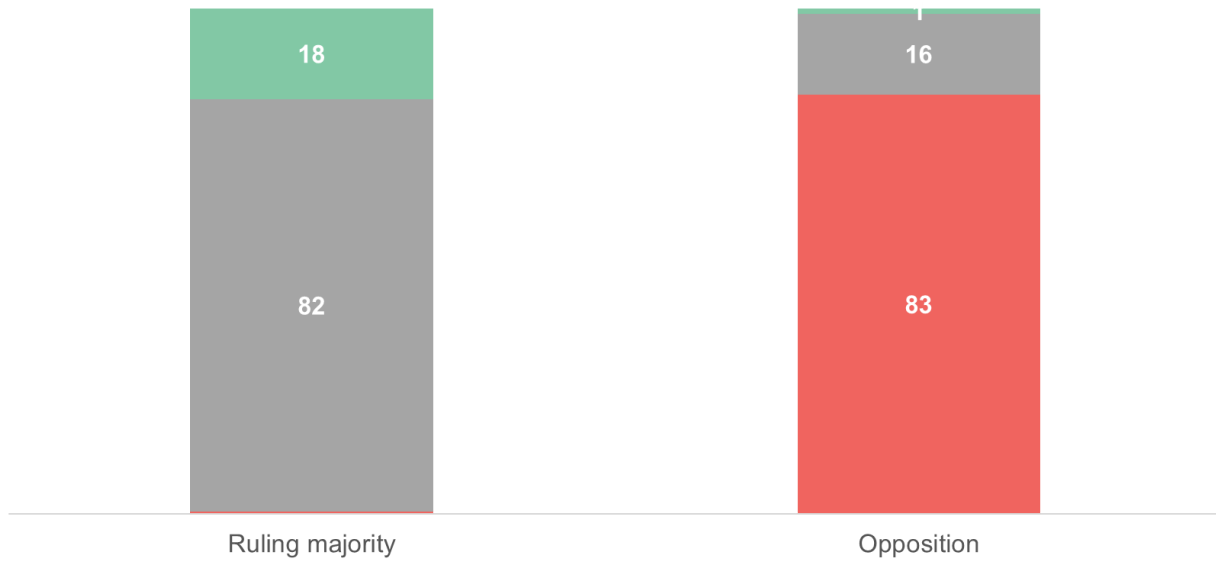
representatives of the opposition worsened, bearing in mind that its representatives were most often represented neutrally (74 percent), but equally positively and negatively (13 percent each). (Chart 3)

Chart 3. Tonality of representation of electoral actors according to party affiliation on television with national coverage in the 2022 and 2023 election campaign



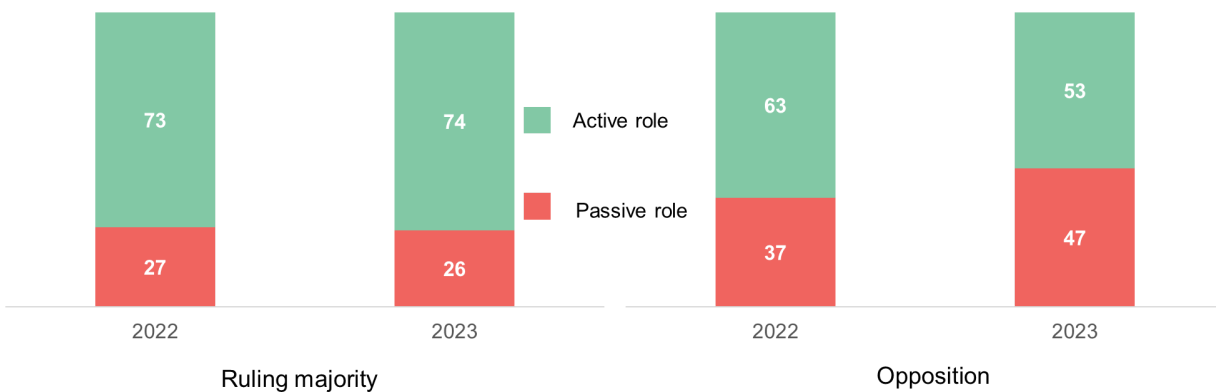
**The disproportion in the tonality of reporting in the informative parts of the programme** even more clearly illustrates the bias of the media and the favouring of the ruling majority. Coverage of the ruling majority was predominantly neutral (82 percent) or positive (18 percent), with almost no negative coverage (less than 0.5 percent or less than ten minutes of total time). In contrast, the opposition was predominantly portrayed negatively (83 percent), then neutral (16 percent) and almost slightly positively (one percent, or less than three minutes). (Chart 4)

Chart 4. Tonality of representation of electoral actors according to party affiliation in news programmes on televisions with national coverage



This imbalance in reporting is additionally reinforced **by the unequal representation of political actors in the media in an active role, which is reflected in the opportunities for direct, first-person address to citizens.** Representatives of the ruling majority had the opportunity to address citizens directly 74 percent of the time, while the opposition was given that opportunity only 53 percent of the time. **This unequal access to the media is further emphasised compared to previous elections,** where the opposition had a greater opportunity to address directly (63 percent of the time in 2022 compared to 53 percent in 2023). (Chart 5)

Chart 5. The role of representation of electoral actors according to party affiliation on television programmes with national coverage in the 2022 and 2023 election campaign





The unequal approach of political actors of the ruling majority and the opposition to television, as well as the appearance of media pluralism, become even more evident when debate shows and their participants are taken into account. Of the 67 broadcasts recorded by the CRTA observation mission, 14 were on televisions with national coverage, which have the largest audience reach,<sup>186</sup> and 16 on the public media service, RT Vojvodina, while the rest was broadcast on cable television. It is important to note that the only programme on television with national coverage, where representatives of the ruling majority and the opposition could directly discuss and address citizens, was the programme “Reč na reč” broadcast on RTS 1. **This practice did not exist on any commercial television with national coverage during the entire election campaign, where almost exclusively the guests were representatives of the ruling majority.**

**The decrease in the opportunity for the opposition to directly address the citizens indicates a trend of worsening conditions in the media space of Serbia. Not only is there an imbalance in the amount of time allocated to different political actors, but also in the way these actors are presented to the public. This further strengthens the climate of social consensus around the policies of the ruling structure, while simultaneously marginalising and discrediting the opposition. Lack of pluralism, bias in reporting, unequal position of representatives of the ruling majority and the opposition in the media have become more pronounced from one election cycle to another.**

### 7.2.2. Reporting of individual television stations

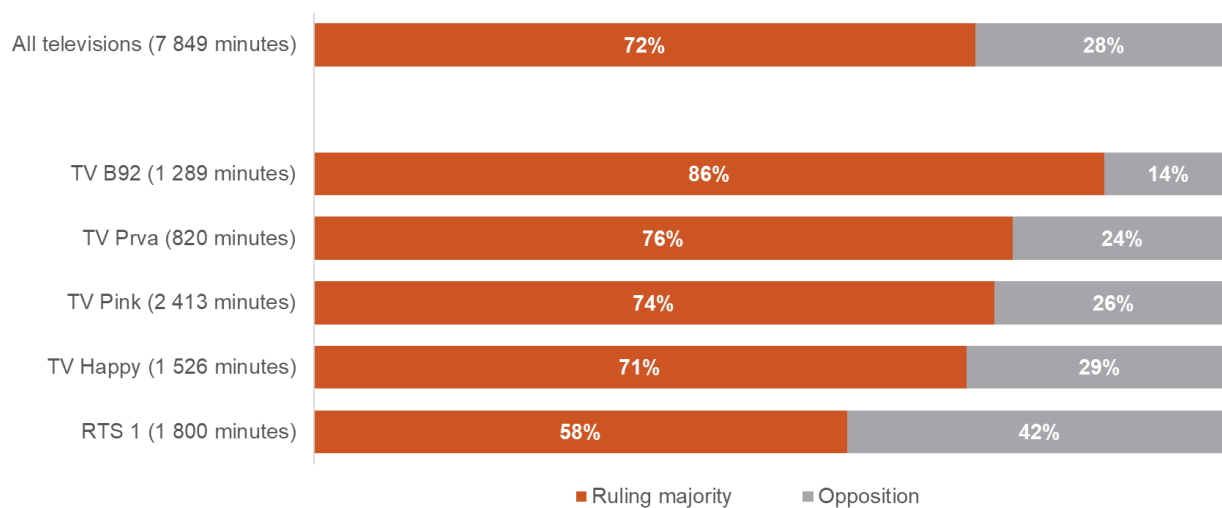
Data on the coverage of individual television stations with national coverage show varying levels of bias and uneven coverage during the election campaign. Nevertheless, **there is a clear tendency for all television stations to favour the ruling majority over the opposition, both in terms of representation and tone of reporting.**

Analysing the individual coverage of television stations with national coverage during the election campaign, **TV Pink and TV B92 stand out for their high degree of bias and favouring the ruling majority.** TV Pink allocated 74 percent of the time to the ruling majority and only 26 percent to the opposition, with a distinctly negative tone in portraying the opposition. Similarly, TV B92 allocated as much as 86 percent of the time to the ruling majority, with minimal or no negative reporting on it, while the opposition received only 14 percent of the time, mostly in a negative context. (Chart 6)

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<sup>186</sup> CRTA, “The importance of the media – is the reach enough and why not?”, September 5<sup>th</sup>, 2023, <https://link.crtars.rs/kj>

Chart 6. Representation of representatives of the ruling majority and the opposition divided by televisions with national coverage



On the other hand, the public media service, RTS 1 reports were the most balanced, attributing 58 percent of the time for the ruling majority and 42 percent for the opposition. However, when we focus on news programmes, the picture changes. All televisions, including RTS 1, showed exceptional bias and favouritism of the ruling majority. **On RTS 1, the news programme was almost exclusively dedicated to the ruling majority (99 percent), while the opposition was almost non-existent.**

**TV Prva and TV Happy also showed bias**, although to a lesser extent compared to TV Pink and TV B92. On TV Prva, the ruling majority was allocated 76 percent of the time, while the opposition was allocated 24 percent, and on TV Happy, 71 percent of the time was assigned to the ruling majority against 29 percent to the opposition. In news programmes, both channels also gave preference to representatives of the ruling majority.

Although **TV Pink** allocated slightly less time to the ruling majority in news programmes (84 percent) compared to other television stations, and somewhat more to the opposition (16 percent), the way the opposition was presented was extremely negative. (Graph 7) **The CRTA observation mission registered numerous examples of negative campaigns against representatives of the opposition, including videos that discredited and targeted them**, for which the CRTA mission submitted several reports to the Regulatory Body of Electronic Media (REM).<sup>187</sup>

<sup>187</sup> See the section "[Reports to the Regulatory Body of Electronic Media](#)"

### 7.2.3. The role of the President of Serbia in the election campaign

The media campaign during the elections in Serbia in 2023 was marked **by a referendum climate** in which the media and representatives of the ruling majority insisted on an election for or against the president and his policy “which is the only one that does not lead the country and its citizens to ruin.”<sup>188</sup> **His media ubiquity was not only the result of his role as president and holder of the “Aleksandar Vučić – Serbia must not stop” list, but also a reflection of the constant narrative that portrays him as an irreplaceable leader and guardian of national interests.**

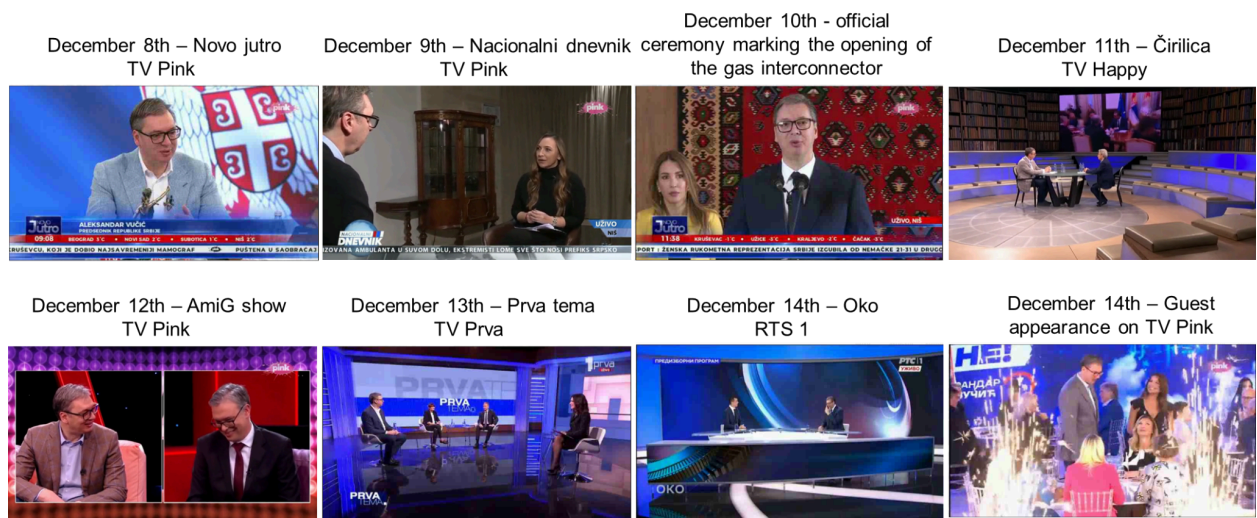
During the election campaign, 28 percent of the media space on televisions with national coverage was allocated to Vučić. Measured in seconds, **Vučić was allocated the same amount of time as the entire opposition together** (slightly more than 36 hours). Its representation in segments of news programmes was even higher, amounting to almost two thirds of the total time devoted to political actors (61 percent). Compared to last year’s parliamentary and presidential elections, his representation remains similar, with almost two-thirds of the total time allocated to him personally (32 percent in 2022 compared to 28 percent in 2023). **Taking into account that only parliamentary and not presidential elections were held this year, these data indicate an even more pronounced favouring of Vučić in the media.**

Vučić was most often represented neutrally (72 percent), but in over a quarter of cases positively (27 percent), while negative representation accounts for only one percent. In as much as 71 percent of the time, he had the opportunity to actively address the citizens, **and in the last week of the campaign, he addressed the television with national coverage at least once, on certain days even several times a day, and a total of 17 times. (Chart 7)**

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<sup>188</sup> Politika, Aleksandar Vučić in Smederevo: If the opposition wins the elections, I will not be president, November 12<sup>th</sup>, 2023. <https://link.CRTA.rs/ky>

Chart 7: Aleksandar Vučić's direct address on television with national coverage in the last week of the election campaign



Vučić's exposure in the media during the campaign was supported by numerous direct addresses and interviews. **During the campaign alone, he directly addressed the national television audience 46 times, 12 of which were interviews.** Every party meeting of the Serbian Progressive Party, where he was a central figure, was widely broadcast on over 30 local and cable television stations, further enhancing his media presence. **The total number of speeches given by Aleksandar Vučić in 2023, as recorded by CRTA, is 304, which further underscores the intensity and scope of his campaign, which lasted throughout the year. (Chart 8)**

Chart 8: Number of direct addresses of Aleksandar Vučić on television with national coverage in 2023

2023.



**Total number of President Vučić direct addresses on TV channels with national coverage.**



Particularly indicative are the media contributions in news broadcasts on television with national coverage, where citizens thanked the president for the construction of infrastructure projects, rural and local roads, hospitals, health institutions and employment. The CRTA observation mission recorded over 100 such reports, which additionally illustrates the media's effort to create a positive image of President Vučić and his achievements. This practice was most common on Pink TV.

**The media presented Vučić as a key leader responsible for all positive changes in the country, but also as a guardian of national and state values, whose role is essential both domestically and internationally. With such reporting, the media not only sends a message that his presence in the political arena has no adequate alternative, but also**

**that the survival of the state's interests is threatened in the event of his departure from power.**

#### 7.2.4. Media language in the service of deepening divisions in society

**The media space during the entire election campaign was shaped by the narratives put forward by the representatives of the authorities, with violence and threats being the basis of each of them.** The first and most represented one, which took place in the period after election day, was **the narrative of violent opposition.** The President of Serbia called the opposition leaders from the “Serbia Against Violence” list “beaters” right after the elections were announced<sup>189</sup>, the Prime Minister accused them of “destabilising” the country and preparing “chaos” on the streets<sup>190</sup>, while the Minister of State Administration and Local Self-Government went a step further, stating that the intention of the opposition was to cause a “civil war”.<sup>191</sup> These messages were reported by the media as the opposition’s plan to launch an “attack” on the Republic Electoral Commission on election night<sup>192</sup>, the aspiration to “come to power by force” and “set the country on fire”<sup>193</sup>. They further marked the public space and stated that the Serbian president says that the “Serbia against violence” coalition consists of “all bullies and no one else”<sup>194</sup>, as well as headlines about “dark minds” and “quasi-fighters against violence” who want to “change the government on the street”, thereby “bringing matches to gunpowder and dangerously fuelling hatred”.<sup>195</sup> The national leadership linked almost all of its messages to the outcome of the election and to consequences that Serbia would face in the event of a change of government. In the first place, there were **threats based on identity issues such as the Kosovo issue, attitudes towards the crimes of the nineties, towards Russia and the NATO alliance.** And in this case, the president of Serbia was the one who set the framework for the manipulation of forecasts so that the opposition would make a decision on Serbia joining NATO, advocate for sanctions against the Russian Federation, claim that the Serbs are a “genocide nation”, and Kosovo would, according to them, “get a chair in the United Nations”.<sup>196</sup> The media stuck

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<sup>189</sup> YouTube, Aleksandar Vučić, “Vučić: The elections will show what kind of politics the citizens support”, November 1<sup>st</sup>, 2023, <https://link.CRTA.rs/du>

<sup>190</sup> Kurir.rs, “THEY DENIGRATE EVERY DAY THEIR OWN COUNTRY” Brnabić on the lies of the opposition: Their goal is CHAOS in Serbia already on December 18<sup>th</sup> – they have two campaigns!, November 9<sup>th</sup>, 2023, <https://link.CRTA.rs/ii>

<sup>191</sup> Ministry of State Administration and Local Self-Government, “Martinović: The will of the people, not lies and manipulation” – announcement by the minister, November 10<sup>th</sup>, 2023, <https://link.CRTA.rs/ez>

<sup>192</sup> Hello, “Attack on REC – We discover what the opposition is planning on election night: The most aggressive proponent of such ideas is Čuta, and Srđan Milivojević gives him wholehearted support”, November 10<sup>th</sup>, 2023, <https://link.CRTA.rs/e1>

<sup>193</sup> Informer, “They would set the country on fire again! The people of Đilas want to come to power by force”, November 16<sup>th</sup>, 2023, <https://link.CRTA.rs/e3>

<sup>194</sup> YouTube, Aleksandar Vučić, Vučić: We have returned life and safety to Serbia, November 26<sup>th</sup>, 2023, <https://link.CRTA.rs/je>

<sup>195</sup> Kurir.rs, “DARK MINDS Quasi-fighters against violence want to change the government at any cost on the street! They bring matches and powder and DANGEROUSLY FOSTER HATRED”, November 28<sup>th</sup>, 2023, <https://link.CRTA.rs/jh>

<sup>196</sup> YouTube, Aleksandar Vučić, “Vučić: People who love Serbia are the greatest strength of our country”, November 9<sup>th</sup>, 2023, <https://link.CRTA.rs/ij>

to the given framework, labelling the opposition leaders as “Shiptar’s favourites”<sup>197</sup>, who “are silent all the time about Kurti’s terror against the Serbs, and during the campaign they all of a sudden remember the brothers from the heart of Serbia”.<sup>198</sup> A large number of citizens also received a video clip with the statements of the candidates of the “Serbia against violence” list about the genocide in Srebrenica, which was broadcast on TV Pink and published on portals and almost all channels, and the thesis that “false right-wingers want to come to power with those who see Kosovo as an independent state, who think that genocide was committed in Srebrenica and who are in favour of sanctions against Russia”.<sup>199</sup> The divisions were further deepened by the narrative that was also constructed by the President of Serbia, which sent the message to voters that **a vote for any other list is a “vote for Đilas”**.<sup>200</sup> Other SNS officials and the media then repeated that in the elections on December 17<sup>th</sup>, “the choice is between Vučić and Đilas”.<sup>201</sup>, i.e. that he is also a “vote for the false right”<sup>202</sup> at the same time, the vote for the leader of the Party of Freedom and Justice. **During the entire campaign, President Vučić was an undisputed leader who “guards the sacred”**<sup>203</sup>, “don’t give to your people”<sup>204</sup>, “returning what is Serbian”<sup>205</sup> and “don’t let the tycoons sell Kosovo”<sup>206</sup>, but also a “victim of media terror” in “tycoon magazines”<sup>207</sup>, as the critical media TV N1 and TV Nova were called. Those television stations were also accused of “poisoning with hate”<sup>208</sup>, “brutal violence”, “incitement”, and the intention to “lynch” the head of state was attributed to them<sup>209</sup>. On the other hand, the media labelled the political opponents of

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<sup>197</sup> Informer.rs, “Shiptar’s favourite! Kurti rolls out the red carpet for Miloš the Frenchman!”, November 22<sup>nd</sup>, 2023, <https://link.CRTA.rs/iv>

<sup>198</sup> Kurir.rs, “A CLOUD OF GRASSHOPPERS WHEN IT’S NOT THEIR SEASON. They are silent all the time about KURTI’S TERROR against the Serbs, and in the campaign they suddenly remembered the brothers from the heart of Serbia”, December 8<sup>th</sup>, 2023, <https://link.CRTA.rs/j2>

<sup>199</sup> Alo.rs, “Fake right– wingers want to come to power with those for whom Kosovo is independent, Srebrenica is a genocide and who are in favour of sanctions against Russia”, December 4<sup>th</sup>, 2023, <https://link.CRTA.rs/j9>

<sup>200</sup> YouTube, Aleksandar Vučić, “Vučić: People who love Serbia are the greatest strength of our country”, November 9<sup>th</sup>, 2023, <https://link.CRTA.rs/ij>

<sup>201</sup> Republika.rs, “VUČEVIĆ DECIDES TO ORDER: In the elections on December 17, the choice is between Vučić and Đilas”, November 29<sup>th</sup>, 2023, <https://link.CRTA.rs/il>

<sup>202</sup> B92.net, “Now it’s clear: A vote for the false right is a vote for Đilas”, November 24<sup>th</sup>, 2023, <https://link.CRTA.rs/in>

<sup>203</sup> Informer, “THE PRESIDENT OF SERBIA, ALEKSANDAR VUČIĆ, GUARDS SACRED PLACES: I will not let the tycoons sell Kosovo”, November 6<sup>th</sup>, 2023, <https://link.CRTA.rs/jb>

<sup>204</sup> Srpski telegraf, “Don’t give to your people: Vučić lashed out at the head of NATO”, November 22<sup>nd</sup>, 2023, <https://link.CRTA.rs/in>

<sup>205</sup> Republika.rs, “SHAME! VUČIĆ IS RETURNING WHAT IS SERBIAN, AND THE OPPOSITION HAS STARTED THE HUNT FOR THE PRESIDENT! Another proof that they are working against their own people – a national treasure returned to Serbia!”, November 13<sup>th</sup>, 2023, <https://link.CRTA.rs/io>

<sup>206</sup> Informer, “THE PRESIDENT OF SERBIA, ALEKSANDAR VUČIĆ, GUARDS SACRED PLACES: I will not let the tycoons sell Kosovo”, November 6<sup>th</sup>, 2023, <https://link.CRTA.rs/jb>

<sup>207</sup> Republika.rs, “THE PRESIDENT OF SERBIA IS A VICTIM OF UNREMEMBERED MEDIA TERROR IN THE TYCOON NEWSPAPERS: 120 hours of spitting on Vučić”. November 29<sup>th</sup>, 2023, <https://link.CRTA.rs/j5>

<sup>208</sup> Kurir.rs, “HYPNOSIS WITH VUČIĆ AND HATE POISONING: N1 and Nova S slander the president, devote the entire programme in November to bashing Vučić”, December 1<sup>st</sup>, 2023, <https://link.CRTA.rs/j6>

<sup>209</sup> Republika.rs, “ALEKSANDAR VUČIĆ IS A VICTIM OF MEDIA TERROR! 120 HOURS OF BRUTAL VIOLENCE! Šolak’s media wants to lynch the president – they are inciting THIS!”, November 29<sup>th</sup>, 2023, <https://link.CRTA.rs/j8>



Aleksandar Vučić as “haters of everything Serbian”<sup>210</sup>, who work “against their own people”<sup>211</sup> and “everything for a position”.<sup>212</sup> Apart from **the discrediting of the leaders of the opposition parties**, the period from November 1<sup>st</sup> to December 17<sup>th</sup> was also marked by episodic campaigns against other opposition actors, as well as officials of the Socialist Party of Serbia. **The limits in the confrontations of the ruling structure with political opponents, the unequivocal abuse of security system institutions, the endangerment of dignity and the right to privacy**, were overstepped in the case of Đorđe Miketić, a candidate for councillor of the Belgrade Assembly on the “Serbia Against Violence” list. His private videos appeared on social networks, the president of the state characterised him as a “human disgrace” in his media appearances<sup>213</sup>, and for the media it was “Đilas’s errand boy”<sup>214</sup>, who “spends the MP’s salary on cocaine”<sup>215</sup> so “he blames the government for personal fornication and immorality”.<sup>216</sup> The whole case took on worrying proportions when on December 1<sup>st</sup>, in the morning programme TV Pink, with blurred faces and intimate parts of the body and in the pre-election programme, a part of the explicit video that was already circulating on social networks was shown. Apart from the media aspect, which was also controversial for the Regulatory Body of Electronic Media (REM)<sup>217</sup>, in this case the participation of government representatives, especially the Security Information Agency, was also problematic.<sup>218</sup><sup>219</sup> Some officials of the Socialist Party of Serbia also played the role of villains on the front pages and portals. Referring to unnamed sources, the media wrote about “murky actions”<sup>220</sup>, “crime”<sup>221</sup>, “theft and machinations”<sup>222</sup> committed by socialists, “secret life” to which they linked “fornication and debauchery”, and accusations that “closed parties with narcotics and prostitutes are organised” for some “false patriots”

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<sup>210</sup> Informer.rs, “This is what it looks like when haters of everything Serbian unite! Guillon reacted to the opposition’s shameful statements about Novak Đokovic”, November 25<sup>th</sup>, 2023, <https://link.CRTA.rs/is>

<sup>211</sup> Republika.rs, “SHAME! VUČIĆ IS RETURNING WHAT IS SERBIAN, AND THE OPPOSITION HAS STARTED THE HUNT FOR THE PRESIDENT! Another proof that they are working against their own people – a national treasure returned to Serbia!”, November 13<sup>th</sup>, 2023, <https://link.CRTA.rs/io>

<sup>212</sup> Kurir.rs, “ĐILAS LIKE A GOLDEN FISH He wants a pro– Brussels government in which the Oathkeeper and Boško do not give him two percent! But here they are united – EVERYTHING FOR THE POSITION”. November 30<sup>th</sup>, 2023, <https://link.CRTA.rs/iu>

<sup>213</sup> YouTube, Aleksandar Vučić, Vučić: Massive changes await Serbia, November 29<sup>th</sup>, 2023, <https://link.CRTA.rs/jo>

<sup>214</sup> Informer, “Scandalous behavior of the Đilas race: He was drugged and filmed himself, then attacked the state to spy on him?!” November 30<sup>th</sup>, 2023, <https://link.CRTA.rs/jq>

<sup>215</sup> Alo.rs, “The people set aside money for MPs’ salaries, Miketić spends it on cocaine”, November 30<sup>th</sup>, 2023, <https://link.CRTA.rs/jr>

<sup>216</sup> Kurir.rs, “MIKETICU JEL’ YOU ARE FIGHTING FOR THIS GOVERNMENT AND LAWS MP’s salary for prostitutes and drugs, and the government blames you for personal FORNICATION and IMMORALITY”, November 30<sup>th</sup>, 2023, <https://link.CRTA.rs/k6>

<sup>217</sup> www.rem.rs, Proceedings initiated against PMU TV Pink, December 1<sup>st</sup>, 2023, <https://link.CRTA.rs/jl>

<sup>218</sup> www.bia.gov.rs, Security Intelligence Agency announcement November 28<sup>th</sup>, 2023, <https://link.CRTA.rs/jn>

<sup>219</sup> www.bia.gov.rs, Security Intelligence Agency announcement November 29<sup>th</sup>, 2023, <https://link.CRTA.rs/jp>

<sup>220</sup> Kurir.rs, “SHADDY ACTIONS: Bajatović and the failed “South Stream” served for machinations! Doubled Serbia’s expenses, wasted 30 million euros!”, November 11<sup>th</sup>, 2023, <https://link.CRTA.rs/ji>

<sup>221</sup> Ibid.

<sup>222</sup> Kurir, “Theft and machinations of another socialist – Forest Mafia: Dačić’s former son– in– law turned a public company into a private farm through criminal activities – felling forests and reselling, was also caught in taking bribes?!” November 15<sup>th</sup>, 2023, <https://link.CRTA.rs/ls>



from the SPS.<sup>223</sup> By labelling and discrediting all political opponents, the Serbian Progressive Party and the President of Serbia suppressed almost all other topics in the election campaign – the identification of parties by specific political and social issues. **The most viewed and most influential media were used to further incite hatred and deepen divisions, glorify and accumulate power in the hands of one political figure.**

## 8. ELECTION DAY

### 8.1. Methodology

The CRTA observation mission monitored the quality of the voting process in the parliamentary and Belgrade elections on December 17<sup>th</sup>, 2023. The CRTA observers, trained according to the highest international standards, were deployed on a random and representative sample of 500 polling stations for the parliamentary and 500 polling stations for the Belgrade elections. Almost 3,000 accredited observers monitored and reported on the voting process from the moment of the opening of polls to the conclusion of the voting results at the polling stations. In addition to observing inside the polling stations, part of the observers were assigned to mobile teams that followed the events in front of and around the polling stations. This report is based on their observations.

### 8.2. Turnout

Extraordinary parliamentary elections in Serbia, as well as extraordinary local elections in Belgrade, were held on December 17<sup>th</sup>, 2023. In the parliamentary elections, **6,500,666 voters had the right to vote at a total of 8,273 polling stations** (of which 29 are in penitentiary institutions, and 81 polling stations abroad, in 35 countries), while **in the Belgrade elections, 1.613.369 had the right to vote at 1,180 polling stations.**

Based on the results collected from polling stations from a random and representative sample (500 polling stations in Serbia and 500 in Belgrade, excluding foreign countries, penitentiary institutions and polling stations for voters from Kosovo), **the parliamentary elections recorded a turnout of 58.9 percent (margin of error 0.9%).** This is almost **identical to the turnout recorded in the previous parliamentary elections in April 2022, when 58.7 percent of voters went to the polls** (margin of error 0.9%), which is 2.2 percentage points more compared to the parliamentary elections in 2016, and as much as 9.9 percentage points more than in 2020 (when part of the opposition parties boycotted the elections).

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<sup>223</sup> Kurir.rs, "Fornication and debauchery – The secret life of a socialist: For Braunović in a luxury hotel in Ivanjica, they organise closed parties with narcotics and prostitutes?!", November 26<sup>th</sup>, 2023, <https://link.crtars.rs/lr>

**58.3 percent of voters turned out for the Belgrade elections (margin of error 0.4%), which is 1.1 percentage points more than the turnout recorded in the previous elections to the Belgrade City Assembly in April 2022 (57.2 percent). and by 7.3 percentage points more than in 2018.**

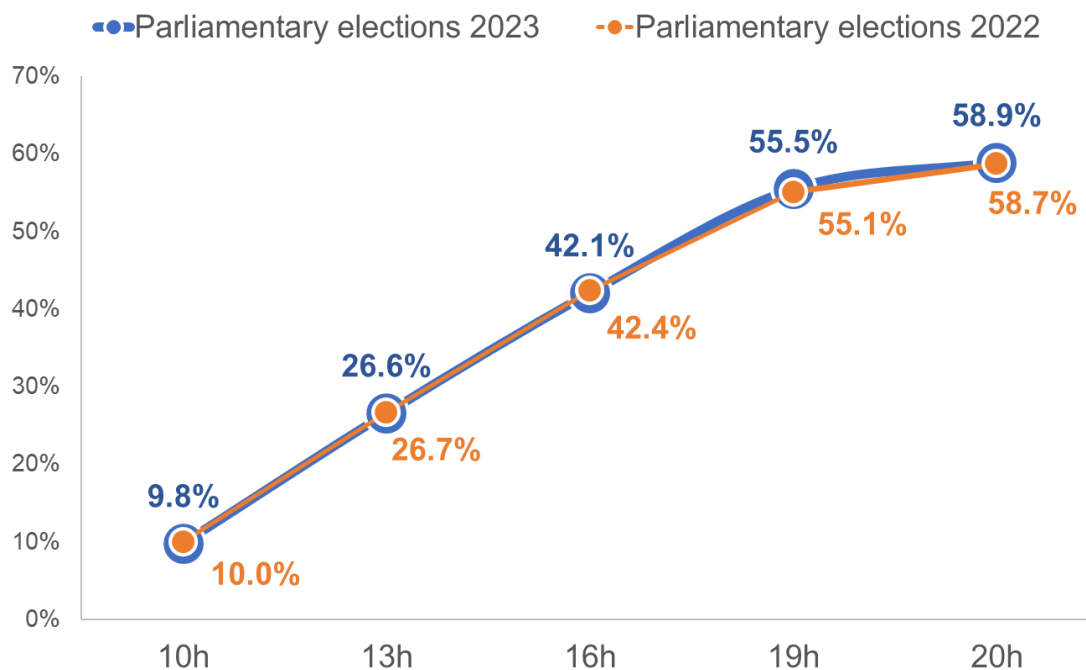
*Graph 9. Voter turnout at the parliamentary and Belgrade elections*



CRTA received cross-sections of the turnout from observers four times during the day – at 10:00, 13:00, 16:00 and 19:00. In the time periods when the Republic Electoral Commission announced the turnout (9.94 percent at 10:00. and 42.36 percent at 16:00), those data were within the margin of error of the data from the CRTA sample.

The highest turnout during election day was recorded between 10:00 and 13:00. In this period, 16.8 percent of citizens went to the polls. Throughout the day, the turnout in the parliamentary elections followed in percentage terms the turnout in the previous parliamentary elections in 2022.

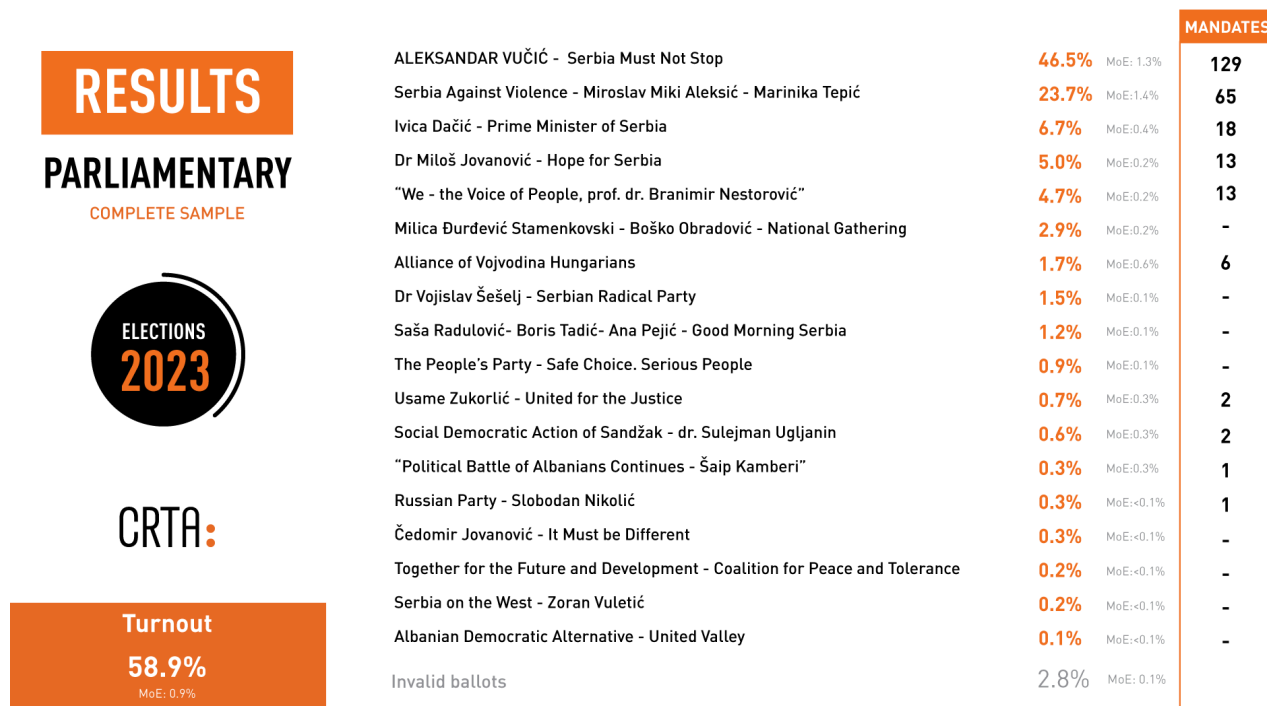
Graph 10. Voter turnout in parliamentary elections during election day



### 8.3. Results

A total of 18 lists participated in the parliamentary elections, and a total of 10 passed the threshold (five majority and five minority – Hungarian, two Bosniak, one Albanian and list: Russian Party – Slobodan Nikolić). The election results on a sample of polling stations also showed that the current ruling coalition won the majority of a total of 250 mandates.

Graph 11. Projection of parliamentary election results



A total of 14 electoral lists participated in the elections for the Belgrade City Assembly, and based on the results, five of them passed the threshold.

Chart 12. Projection of the results of the Belgrade elections



## 8.4. Opening of polling stations

About nine percent of polling stations in Serbia and seven percent in Belgrade were delayed in opening, but after the initial delay, all polling stations were opened.

Table 6. Opening of polling stations

	Before 06:50	06:50 - 07:10	After 07:10
<b>Parliamentary elections</b>	8%	83%	9%
<b>Belgrade elections</b>	5%	88%	7%

In the republic elections, **more than half of the polling stations were not accessible to persons with disabilities (54 percent)**, while at the level of Belgrade, a slightly larger number of polling stations were better equipped and accessible to persons with disabilities (57 percent).

Table 7. Representation of polling stations accessible to persons with disabilities

	Yes	Ne
Parliamentary elections	46%	54%
Belgrade elections	57%	43%

At every fifth polling station in Serbia and every fourth one in Belgrade (19 percent at the level of Serbia and 23 percent in Belgrade), not all members of the polling station committees were present when the polling stations were opened. Of particular concern is the fact that at eight polling stations in the sample of polling stations in Belgrade, i.e. nine in the sample of polling stations for Serbia (about two percent), **CRTA observers were at certain times banned or prevented from observing the opening or preparation of polling stations.**

Table 8. Opening of polling stations

	Polling stations where not all members of the polling committee were present at the opening	Polling stations where CRTA observers were at some point banned or prevented from observing the opening or preparation of the polling station
Parliamentary elections	19%	2%
Belgrade elections	23%	2%

When it comes to the gender balance among the presiding officers of the electoral commissions, CRTA observers noted that in the parliamentary elections it was **dominantly in favour of men.** Women occupied this position in just over a quarter of the polling stations in Serbia (28 percent). In the Belgrade elections, the situation was more balanced, as women presided over polling committees at 43 percent of polling stations.

## 8.5. Voting process

During the election day, both at the polling stations for the parliamentary elections and for the Belgrade elections, **a large number of irregularities were recorded that could lead to the compromise of the election results at those polling stations.**

**Several cases of physical violence** have been recorded at polling stations in Belgrade and Serbia, and one of these cases includes an attack on CRTA observers in the

courtyard of the local police station in Odžaci. CRTA's observers were removed from the polling stations and were the target of pressure and threats at the polling station itself or in the vicinity of the polling stations, which was recorded on the election day itself (somewhat more often in Belgrade than in the rest of Serbia), but the scale of the threats became clear only in the days after the election, when observers started reporting additional irregularities, since they were too scared to do so on election day itself.

**In Belgrade, if compared to Serbia, cases of pre-filled ballots were recorded during election day, but voters were also brought to vote against their will.** When it comes to cases of vote buying that were recorded, there is no difference between Belgrade and the rest of Serbia.

**In as many as 20 percent of the polling stations for the parliamentary elections and 17 percent for the Belgrade ones, throughout the day there were failures in the procedure of checking with a UV lamp, and in 13 percent of the polling stations in the parliamentary elections, there were cases where voting was carried out without checking the identity card.** A subsequent check found that there were a large number of polling stations in rural areas in Serbia where there was no voter identity check during the day, nor was there a check to see if the voters had already voted. In some places where such irregularities were noted, the Serbian Progressive Party recorded a particularly high result (in some places over 80% of the votes of the voters who went to polls) and a significantly better result compared to the previous parliamentary elections in April 2022.

While such problems during the election day were more often a feature of polling stations for the parliamentary elections, **at the polling stations for the Belgrade elections irregularities related to the Voters' Register occurred disproportionately more often. At every fifth polling station in Belgrade (20 percent), during the election day, voters were not found in the Voters' Register.** This was much less often the case in the parliamentary elections, where in almost every tenth polling station (nine percent) it happened that the voters could not be found on the Voters' Register. At an additional **five percent of polling stations in Belgrade** during the election day, there were cases where voters were not able to vote even though they were registered in the Voters' Register, because someone had already signed the extract from the Voters' Register instead of the voter. As in the previous case, such irregularities occurred somewhat less frequently at the level of parliamentary elections (two percent).

In addition to the aforementioned irregularities, as a result of which citizens were unable to vote at their polling stations, **at 12 percent of polling stations in the Belgrade**

**elections and at eight percent of polling stations in the parliamentary elections, voting on behalf of other voters was reported.**

By the end of the election day, at every tenth polling station in Belgrade (10 percent), it was recorded that parallel records were kept inside and/or outside the polling station, and at the level of Serbia, at eight percent. Suspicious persons were present in about five percent of the places. At polling stations throughout Serbia, there have been recorded cases of presidents of local communities, mayors of municipalities or other representatives of local authorities coming to polling stations and staying there.

**At about five percent of polling stations in Serbia and Belgrade, the secrecy of voting was violated, and several cases of group voting were recorded.**

*Table 9. The most frequent irregularities recorded at the polling stations during the election day %*

	Parliamentary elections	Belgrade elections
The proper use of the UV lamp was not observed	20	17
Voters voted without identity verification	13	3
Voters were not found in the Voters' Register	9	20
Voters voted on behalf of others	8	12
Parallel record keeping of voters	8	10
Procedures at the polling station were not followed	7	9
The secrecy of the vote has been violated	5	4
Unauthorised persons were present at the polling stations	4	5
The procedure of voting from home was violated	2	6
Someone signed their name instead of the voter	2	5

CRTA especially followed the information obtained from long-term observation about illegal and illegitimate changes in the Voters' Register for the sake of organising the migration of voters from other parts of Serbia and neighbouring countries to Belgrade, i.e. other places where the elections were held on December 17<sup>th</sup>. **On the election day itself in Belgrade, CRTA observers reported from 71 polling stations of the sample, individual situations that indicated organised voter recruitment, including cases of supervised voting, escorted voting and potential manipulation of the Voters' Register and voter identity.**

In addition to the large number of incidents that were recorded at polling stations throughout the country during the election day, **CRTA's observers witnessed at the polling stations and in front of the polling stations an insufficiently developed electoral**



**and political culture in Serbia, which is characterised by tolerating, but also encouraging behaviour that goes against the prescribed procedures and which damages the reputation of the election process itself.** Insufficient training, carelessness and frivolous approach of members of polling station committees were noted mainly in smaller and rural areas and areas with a predominantly elderly population. A large number of polling stations where selective or incorrect application of the rules (use of UV lamps and sprays, identification of voters) was observed is an indicator of the normalisation of non-compliance with procedures, which opens up space for further election manipulations. It was noticed that the elections in some small polling stations were completely conducted in an informal atmosphere – with the use of alcohol at the polling station and the gathering of locals. Public voting stands out as an informal practice in small communities where everyone knows each other.

**The reports of CRTA's observers from the election day corroborate the findings of long-term observation, which suggest that parties in power intensively pressured and bribed voters, as well as that the mechanisms by which these parties exercise control over voters are strict and organised in advance.** During election day, party activists and officials visited polling stations and households, handed out packages to citizens, brought them to vote and took pictures of them as they arrived or left the polling station. The members of the polling station committees actively participated in this, and according to the findings of observers at a large number of polling stations, throughout the day they were in intensive communication with the voters, kept voter records and welcomed them in front of the polling stations. **It was also noted that the members of the polling station committees themselves were under pressure during the election day, that they constantly received calls from party and public officials who urged that certain voters be animated, checked, but also that, for example, some voters be allowed to vote outside polling station.** Near the polling stations, facilities where party activists gathered, but also where voters were sent after voting, were also observed. **Recorded phenomena point to possible manipulations and abuses that limit and control citizens' right to freedom of choice.**

**CRTA submitted seven reports to the police regarding the allegations of observers who, during the election day, observed events that point to vote buying.** These seven cases refer to events in Titel, Mali Iđoš, Vršac, Odžaci and the Belgrade municipalities of Čukarica and Novi Beograd. In all cases, the police officers went to the field and spoke with CRTA observers, while the further outcomes of the police actions are currently unknown. Also, during the election day, three events were recorded in which observers were attacked and intimidated (physical attack in Odžaci, as well as verbal attacks and threats in Doljevac and Žabalj). All these cases have been reported to the police.

## 8.6. Closing of polling stations and counting of votes

**At 20:00, the time scheduled for the end of voting, there were citizens who wanted to vote at five percent of polling stations in Serbia, which was not possible for them at two percent of polling stations. In Belgrade, at six percent of polling stations at 20:00, there were still voters who wanted to vote, and they were denied that right at almost all polling stations where they happened to be.**

## 8.7. Activities of electoral commissions on election day

During the election day, the coordinators of the Republic Electoral Commission, in charge of different districts, provided technical support to the polling station committees during the process of running the election and during the handover of election materials and control of the minutes of the work of the polling station committees. The President of the Republic Electoral Commission together with the representative of the Statistical Office of the Republic of Serbia held five press conferences during which they communicated information about the turnout of voters in the elections and gave assessments about the regularity of voting during the election day. Representatives of news agencies as well as representatives of observers were able to monitor voter turnout via monitors at the headquarters of the REC, while the public could monitor it via the official website of the Republic Election Commission.

When it comes to the actions of the Belgrade City Electoral Commission (CEC) on election day, its coordinators provided technical support to polling committees for the needs of conducting voting at polling stations and when handing over election materials for the Belgrade elections.

**Some members of the CEC and some members of the RIK from the ranks of the opposition, as a result of the information that appeared in the public about the organised bringing of voters from other places in Serbia and surrounding countries to vote in the local elections in Belgrade, tried to places to check these events by going to Štark Arena, which is suspected to have been the largest logistical centre for the implementation of this operation.<sup>224</sup> However, the members of the election administration were prevented from doing so by the persons who secured the entrance to the Arena. Furthermore, there was a lack of support from other members of the CEC. Given that the CEC establishes the voting results based on the records of the polling station committees' activities and adjudicates objections raised by authorised**

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<sup>224</sup> More about the "Arena" case in the section "[Analysis of the election day report by CRTA observers.](#)"

individuals regarding the legality of voting procedures at polling stations, these instances of law circumvention and misuse of voting rights did not formally impact the determination of the overall election results for the Belgrade City Assembly councillors. However, this calls into question the legitimacy of the election results and the integrity of the entire election process, and the assumption that this practice will continue is of additional concern.

## 9. ELECTION FORENSICS

**The final assessment of the CRTA Observation Mission is that every fifth polling station in Belgrade (21 percent) was contaminated with serious irregularities that affected the outcome of the vote, while in the parliamentary elections there were 13 percent of such polling stations. 152,700 voters vote at the mentioned 21 percent of polling stations in Belgrade, and 72,992 voters have the right to vote at 13 percent of polling stations in the parliamentary elections.**

At the parliamentary election level, the final assessment was made based on irregularities reported by observers on the election day, as well as through additional detailed analysis of reports from polling stations and discussions with over 150 observers. Through these discussions, additional information about incidents and irregularities was gathered, some of which observers were too afraid to speak about on the election day. At the level of Belgrade, CRTA also conducted analyses of Voters' Registers for the 2022 and 2023 elections before election day. On the election day itself, certain locations were specially monitored in order to check for indications of organised voter migration, and after the election, additional analyses of the official results of the local elections in Belgrade were carried out. **The final assessment of the number of compromised polling stations in Belgrade is the result of crossing the findings of these different statistical analyses with observers' reports.**

**CRTA came to the conclusion that at least 30,000 votes for the Serbian Progressive Party in the elections for the Belgrade City Assembly in the December elections were the result of electoral manipulations that largely included the organised migration of voters from other municipalities in Serbia and surrounding countries.**

The conclusion on the scale of electoral manipulations is very conservative and is based on a number of analyses that include: 1. a demographic analysis of the differences between the Voters' Registers from the referendum in 2022 to the local elections in Belgrade in 2023, 2. an analysis of the distribution of votes in local elections in Belgrade by turnout, 3. an analysis of voting patterns in Belgrade by place of

residence, as well as 4. assessment of the number of voters brought from Bosnia and Herzegovina to vote in local elections in Belgrade based on the analysis of Voters' Registers for local elections in Belgrade and general elections in Bosnia and Herzegovina.

## **9.1. Election forensics before election day**

**In the period before the election day, the CRTA Observation Mission focused on establishing the veracity of suspicions and allegations about the implementation of organised voter migration.** In December 2023, CRTA received information from insiders that indicated a large scale of organised migration of voters from parts of Serbia, where local elections were not scheduled, to Belgrade, but also organised migration of voters from other countries to Belgrade.

In order to determine whether the received information represents individual cases or actually indicates an organised action on a larger scale, CRTA began to actively collect evidence and conduct numerous analyses. **Extensive analyses of the publicly available Voters' Registers for the January 2022 referendum and the elections held in April 2022 and December 2023 were performed, but data was also collected from citizens who contacted CRTA before election day, as well as through the statements of political actors from the ranks of the regime and the opposition who confirmed or even justified the practice of organised voter migration.**

### **9.1.1. Organised migration of voters – concept and practice**

**Organised voter migration is a type of electoral engineering that involves the coordinated behaviour of voters who temporarily change their residence in order to influence the results of an election in a local government unit in which they do not live.**

Organised migration of voters is neither legal nor legitimate. Registration of fictitious residences for the purpose of exercising the right to vote in local self-government units where voters do not live **is contrary to the law that regulates the residence** of citizens in Serbia. Moreover, they **undermine electoral equality and significantly violate the guaranteed right of citizens to elect local self-government.**

**In recent years, allegations of organised voter migration, often referred to as voter tourism, have intensified in several neighbouring countries: Hungary, North Macedonia and Montenegro.** In all three countries, these types of electoral manipulations have been used by authoritarian governments as a means of ensuring safe votes and electoral victories. While these practices were sporadic until 2023, organised voter

migration emerged as a serious problem in the electoral process in Serbia during the last elections.

**Allegations of organised voter migration or voter tourism have become more frequent in previous election cycles in Hungary.** “Phantom” voters, who are believed to have gained the right to vote by manipulating electoral rolls with false address declarations, are said to have been brought in in large numbers from Ukraine, Serbia and Romania to vote in Hungary’s elections.<sup>225</sup> In 2018, a series of anomalies related to the organised bringing of voters to the polls in the Hungarian elections reached its greatest extent.<sup>226</sup> Former Ukrainian officials confirmed that hundreds of people were transported from Ukrainian towns bordering Hungary to vote for Orbán’s Fidesz party. Additional claims indicate that the number of voters increased by 5,000 in one border district. Ahead of the 2022 elections, Hungary’s Fidesz government decriminalized the creation of fake addresses, which was widely seen as legalizing cross-border voter migration.

**Previous election cycles in North Macedonia have also been overshadowed by suspicions of voter tourism, falsification of identity documents and organised groups to vote in elections.** It was noted that the irregularities were related to the “industry of production of falsified identity documents and passports” and the entry of non-existent streets and building numbers in the electoral roll.<sup>227</sup> Some reported cases state that dozens of voters, mostly from Albania, were registered at one address in Skopje, Resen and Kicevo. In the famous “Titanic” case, cameras caught voters from Albania voting as residents of Skopje.<sup>228</sup> The focus on electoral engineering intensified after the extraordinary parliamentary elections in 2011.

**Finally, the elections in Montenegro were burdened with accusations of voter migration, especially for local elections.** Ahead of the 2020 parliamentary elections in Montenegro, reports of phantom voters emerged, suggesting that 50,000 phantom voters would be able to vote in the upcoming elections.<sup>229</sup> Some prominent examples in this election cycle include cases where the number of voters exceeded the actual population and cases where more than half of the names on the electoral roll were listed without a valid address. In 2022, alleged cases of voter tourism in Montenegro in connection with local elections were repeated.<sup>230</sup> One case was the municipality of Šavnik, where the electorate increased by almost 20 percent.

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<sup>225</sup> Hungary 2022: Election Manipulation and the Regime’s Attempts at Electoral Fraud <https://link.crt.a.rs/le>

<sup>226</sup> Fresh evidence of Hungary vote-rigging raises concerns of fraud in European elections <https://link.crt.a.rs/lf>

<sup>227</sup> CAPTURED STATE: UNDERSTANDING THE MACEDONIAN CASE, <https://link.crt.a.rs/lt>

<sup>228</sup> Macedonian Ex-Ministers Suspected of Election Fraud, <https://link.crt.a.rs/lu>

<sup>229</sup> Army of ‘Phantom Voters’ Casts Doubt over Fairness of Montenegro Vote, <https://link.crt.a.rs/lv>

<sup>230</sup> ‘Electoral tourism’ in the fight for votes in 14 Montenegrin municipalities, <https://link.crt.a.rs/lw>

### 9.1.2. Relocation of voters and the right to local self-government

**Loud allegations in the public, as well as numerous evidence obtained by CRTA about the “relocation” or, rather, the registration of the residence of voters from the interior of Serbia, but also from neighbouring countries to Belgrade, without their actual relocation to the addresses at which they were registered place of residence, raised the question of the impact of such practice on the democracy of the electoral process in the capital.** The question arises whether such a practice is first of all legal, but also whether it is legitimate and in accordance with the basic principles of electoral law.

**One of the modern features of electoral law is the equality of elections.**<sup>231</sup> This is guaranteed by the Constitution in Article 52, as well as the Law on the Election of Members of Parliament in Article 5, as well as the Law on Local Elections, also in Article 5. **Equality of electoral rights implies that one voter has one vote, but also the need to take into account the equality of representation when forming electoral units.**

One of the most famous cases of violation of the equality of electoral rights is the so-called gerrymandering, which has become synonymous with electoral manipulation. It is, first of all, about the tendentious drawing of borders between electoral units with the aim of disrupting the equality of elections. **Such a phenomenon cannot affect the parliamentary elections in Serbia since Serbia is a single electoral unit**, so there is no possibility for such manipulations, and at first glance the same applies to local elections, bearing in mind that Article 5 of the Law on Local Elections stipulates that councillors are elected in to a local self-government unit as an electoral unit. However, gerrymandering also implies the grouping of the so-called safe voters in a larger number of small constituencies in order to achieve the advantage of the ruling party or coalition in relation to other participants in the elections. **This fact gains importance if we take into account the fact that local elections were held on December 17<sup>th</sup>, but not in all local self-government units, but only in 65 of them (out of 174).** The findings published by CRTA, as well as the allegations that appeared in the public, indicate that the parties of the ruling majority “transferred” their safe voters from local self-government units in which elections were not held to the City of Belgrade, thus gaining an advantage over other participants in the election race in the capital. Therefore, although Serbia is not formally divided into constituencies, the fact that local elections were not held in all local self-government units enabled the grouping of safe voters of the ruling coalition, primarily in the city of Belgrade (one constituency). In this way, a new type of electoral manipulation was created.

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<sup>231</sup> Equality of choice includes equality of suffrage and equality of representation.

**From the point of view of the legality** of this phenomenon, it should be pointed out that Article 39 of the Constitution stipulates that everyone has the right to move freely and live in the Republic of Serbia, while Article 2 of the Law on Permanent and Temporary Residence of Citizens establishes that All citizens of the Republic of Serbia who permanently reside within its territory have the right to a permanent residence. Therefore, every citizen of the Republic of Serbia has the right to settle in any part of its territory and to register their residence there. However, the Law on Permanent and Temporary Residence of Citizens in Article 3 defines **residence as a place where a citizen has settled with the aim of living there permanently, i.e. a place where the centre of his life, economic, social, professional and other ties is located, which prove his permanent connection with that place.** Otherwise, such declarations of residence would not be legal, i.e. it would be a matter of circumventing the law. Furthermore, this would imply a violation of the rights of other citizens residing in the capital, and above all the right to local self-government.

Article 176 of the Constitution stipulates that **citizens have the right to local self-government, which they exercise directly or through their freely elected representatives.** The Law on Local Self-Government stipulates in Article 2 that local self-government is the right of citizens to directly and through freely elected representatives manage public affairs of direct, common and general interest to the local population. The same law stipulates in Article 3 that local self-government is exercised in the municipality, town and city of Belgrade. Therefore, **citizens exercise their constitutionally guaranteed right to local self-government directly or through freely elected representatives in the local self-government unit where they reside.** Citizens who reside in the territory of the city of Belgrade have the right to manage public affairs of immediate, common and general interest to the local population and can do so directly (citizen's initiative, citizens' assembly or referendum) or through representatives they choose in elections, based on the fact to enjoy the right to vote in the city of Belgrade.

Article 3 of the Law on Local Elections stipulates that **the right to vote in local elections belongs to an adult citizen** of the Republic of Serbia over whom parental rights have not been extended, or who has not been wholly divested of legal capacity, with permanent residency in the territory of the local self-government unit in which he/she exercises the right to vote, shall have the right to vote. Therefore, residence on the territory of the local self-government unit is prescribed as a special and additional condition for enjoying the right to vote in local elections. In accordance with that, voters who change their place of residence and register it in the territory of the city of Belgrade acquire the right to vote in this local self-government unit, that is, the right to local self-government that they can exercise in that city.

If these citizens settled in Belgrade with the intention of living there permanently, that is, if the centre of their life, professional, economic, social and other ties that prove their permanent connection with Belgrade is located in that city, it would be both natural and logical that they decide who will rule the city. **Nevertheless, if citizens only register their residence (have a formal residence) in Belgrade without fulfilling the conditions from Article 3 of the Law on Permanent and Temporary Residence of Citizens, this raises the question of their participation in elections in which they have the opportunity to influence the appearance of the city government to the detriment of citizens who formally and essentially have their residence in the main the city.** More precisely, the question arises as to whether this poses a threat to the right to local self-governance for those citizens who actually live in Belgrade. It seems that **in this way citizens of the Republic of Serbia who are *de facto*** not local residents acquire the right to manage affairs of immediate, common and general interest for the local population in the city of Belgrade. In this way, they threaten the right to local self-government of the citizens of Belgrade by directly or through freely elected representatives (in elections) influencing the management of affairs that are of immediate, common and general interest to the citizens of Belgrade, and which do not fundamentally concern them.

**The “relocation” of voters threatened the democracy and integrity of the electoral process in Belgrade. Such a practice is neither legal nor legitimate, it violated the equality of elections in the capital and fundamentally threatened the right to local self-government of every citizen of the city of Belgrade, guaranteed by the Constitution and the law.**

### **Dual citizenship and the right to vote (in national and local elections)**

After the elections in December, there was doubt among the public about the legality and legitimacy of the fact that many residents of Bosnia and Herzegovina (primarily Republika Srpska) were seen coming to Belgrade to exercise their right to vote in the elections in the Republic of Serbia. Participation in the republic elections is possible for all citizens of the Republic of Serbia, and in the last ten years alone, over 160,000 citizens of Bosnia and Herzegovina<sup>232</sup> used the right to dual citizenship and enrolled in the Register of citizens of the Republic of Serbia, it is not surprising that a large number of citizens of Bosnia and Herzegovina wanted to elect MPs in the republic parliament this time as well. Nonetheless, for the purposes of voting in the republic elections in Bosnia and Herzegovina, a record number of polling stations was opened throughout the country this year (as many as 19).<sup>233</sup>

<sup>232</sup> Migration profile of the Republic of Serbia, Commissariat for Refugees and Migration, Ministry of Internal Affairs as a primary source.

<sup>233</sup> For the elections held in 2017, only 2 polling stations were open in Bosnia and Herzegovina, 11 in 2020, and 15 in 2022.



and the question arose as to why these citizens, who evidently reside in the territory of Bosnia and Herzegovina, travel such a long way to vote in the republic elections in Belgrade or in other places throughout Serbia. On election day, it was noticed that a large number of them actually voted in the elections for councillors of the Assembly of the City of Belgrade, which is a right that only residents of Belgrade have – i.e. those citizens who reside in that city. It turned out that many holders of dual citizenship are actually holders of two identity cards – one issued by the authorities of Bosnia and Herzegovina and the other issued by the authorities of the Republic of Serbia, with a residential address at one of the addresses in Belgrade, by definition as a place where a person permanently resides where he/she lives and where the centre of his/her life, economic, social, professional and other activities is located. The question arises on what basis the authorities of the Republic of Serbia issued identity cards to holders of dual citizenship from Bosnia and Herzegovina, when their residence is obviously in the territory of that country, and whether this was done only for the reason of gaining an unfair advantage in local elections in Belgrade and other cities and municipalities where this phenomenon was observed.

Article 23 of the **Law on Citizenship** stipulates that a member of Serbian nationality who is not residing in the territory of the Republic of Serbia is eligible for admission to citizenship of the Republic of Serbia without release from foreign citizenship, if he is over 18 years old and if he/she was not deprived of working capacity and if he/she submits a written statement that he/she considers the Republic of Serbia to be his/her country. Therefore, **for these persons, residence is not prescribed as a condition for acquiring citizenship**, which means that they are not obliged to have a registered residence on the territory of the Republic of Serbia.

On the other hand, **the Law on Identity Cards** stipulates that only citizens of the Republic of Serbia who reside in the territory of the Republic of Serbia are obliged to possess an identity card. Citizens of the Republic of Serbia who do not reside in the territory of the Republic of Serbia have the right to an identity card, but they cannot actually exercise that right. Namely, in Article 13 of the Law on Identity Cards, **as a mandatory information in the request for the issuance of an identity card, the information on residence in the territory of the Republic of Serbia at the time of submission of the application is stated, among others**, which effectively makes it impossible for those persons to exercise the right to an identity card.

Additionally, Article 3 of the **Law on Local Elections** prescribes that only persons residing in the territory of the local self-government unit can vote in local elections. Therefore, persons who have dual citizenship and did not settle with the intention of permanently living in a local self-government unit on the territory of the Republic of Serbia, i.e. in a certain local self-government unit is not the centre of their life, professional, economic, social and other ties that prove permanent connection with that unit of local self-government, that is, with the

territory of the Republic of Serbia, not only cannot exercise the right to an identity card, but they also do not have the right to vote in local elections in that place.

It should be noted again that all citizens of the Republic of Serbia (including those with dual citizenship) have the right to vote in the republic elections, that is, that the Law on the election of members of Parliament does not prescribe residence as a special condition for exercising the right to vote in elections for MPs, but the right to vote in local elections only those who have proven to the authorities of the Republic of Serbia that they have settled permanently in one of the local self-government units in the Republic of Serbia have it.

### 9.1.3. Citizens' statements about voter migration before election day

**More knowledge gained before the election day showed that when manipulations of the Voters' Register are carried out on a large scale, it is impossible to hide them.** The CRTA observation mission collected several testimonies from citizens and insiders in the weeks before December 17<sup>th</sup>. In order to protect the safety of insiders and the privacy of citizens, their names and specific contexts have not been revealed, but the cases have been documented in detail.

**The number of citizens who called CRTA, reporting unusual problems with the Voters' Register was higher than ever.** Even before the election day, information was received about the migration of voters organised by the party, the municipal administration, as well as manipulations from the central level. **Some of the experiences were particularly strange.**

One person from Belgrade was allowed to vote only in local elections, and not in parliamentary elections, because her address was registered in Montenegro in the Voters' Register for those elections. That person has lived at the same address in Belgrade all her life and has never even visited the Montenegrin city in question.

A young man from Belgrade who recently came of age was allowed to vote in the municipal elections, but for the parliamentary elections he was registered in a town in Vojvodina, for unknown reasons.

Also, many citizens reported that they received notifications about elections for their deceased family members (notifications did not arrive for the elections held last year, nor in previous years).

CRTA also got the testimony and material evidence on the basis of which it was unequivocally established that in some cases the mechanisms of mass illegal

registration of residence were used. These cases deepen the suspicion that identical mechanisms were applied in many other places. **Flagrant examples are the facilities at Danijelova Street No. 9 in the Voždovac City Municipality in Belgrade and at Marko Kraljević No. 9 in the Savski Venac City Municipality, where an extremely large number of voters (129 and 110) registered to vote in the local elections, many of whom they did not have a place of residence in Belgrade or in Serbia before the 2022 elections.** A large number of these persons were registered to vote in the Belgrade elections at (apparently) fictitious residences, while for the parliamentary elections they were registered at various polling stations in Bosnia and Herzegovina.

Also, **CRTA was contacted by voters who, on the basis of the request submitted with their forged signatures, entered the information in the Voters' Register that they will vote in the parliamentary elections according to their place of residence abroad, specifically, in Banja Luka.** On the eve of the 2022 elections, all of them submitted requests to vote in that city, since they were then staying in Banja Luka on business. However, none of them submitted such a request for the elections held in 2023. After inspecting the documentation in the competent administrations of the local self-government units, the voters determined that the requests were submitted by misusing the data provided for the previous elections and that the signatures on them were falsified.

**CRTA received testimony about a similar case from a voter for whom, without his knowledge, information was entered that he would vote in the elections based on his place of residence in Zrenjanin, even though he had never lived in that city.** The consequences of the described abuses were the impossibility of voters to exercise their right to vote at the polling station according to their place of residence, even though on the day of the election they were in the place where they have registered residence.

### *Case 1: Party-organised migrations*

**The following case reinforces suspicions that local elections were called partially in order to facilitate the organised migration of voters for the sake of strengthening the results of the Serbian Progressive Party.**

A few weeks before the election day, CRTA was contacted by a person who wanted to share with her what was happening with her parent who lives in a municipality neighbouring Belgrade, where no local elections have been called (**Photo 1**).

The parent of this person is a supporter of Aleksandar Vučić. The local committee of the Serbian Progressive Party called the parent with the question of whether she is ready to support President Vučić, to which this person responded positively. She was

then told the day and time when she should appear at the local police station with her ID card.

There were about 20 people in the police station who came to do the same task as her. At the police station, she was registered at the address of her residence located in a neighbouring village, which administratively belongs to one of Belgrade's suburban municipalities and whose residents can vote in the upcoming city elections in Belgrade. A local Serbian Progressive Party activist gave her and the others in the group 2,000 dinars each and told them they would get another 2,000 after they will have voted in a few weeks.

When she returned home, bearing in mind the change of residence address, she was upset and asked the person who shared her experience with CRTA – “Where should I go for treatment?” (primary health care in Serbia is organised at the municipal level). Her name was found in the publicly available Voters' Register (electronic version) five days later, with a “new address” based on which she would be registered to vote in the elections in Belgrade (**Photo 2**). On election day, CRTA observers confirmed that she voted at a new polling station, where she was brought with others from her village. A few days after election day, CRTA discovered that it was no longer visible at all in the online version of the Voters' Register.

Photo 1. Inquiry into the Voters' Register before changing the address to the Belgrade municipality of Grocka

Преглед броја бирача Преглед бирача

УПИТ У ЈЕДИНСТВЕНИ БИРАЧКИ СПИСАК

JMBG: [018] **Datum: 18. novembar 2023.**

Документ: Лична карта  Пасош

\*унесите број личне карте/пасоша са свих девет цифара (Рег.бр./Бр. пасоша)

**EFMJ**

ПОНОВИТИ ТЕКСТ СА СЛИКЕ: ВУИФ

Претражи

Бирачко место на председничким / парламентарним изборима: [СМЕДЕРЕВО - ГРАД]

Бирачко место на локалним / покрајинским изборима: [СМЕДЕРЕВО - ГРАД]

ит у бирачки списак приказује податак о бирачком месту да ће бирач на пр парламентарним изборима аном месту гласања у земљи или иностранству, као и по месту боравишта за лица, / покрајинске изборе приказује податак за гласање бирача само по месту пр остатке уочене након извршеног упита у Јединствени бирачки списак потребно је да грађанин поднесе захтев за промену (упис, измена, допуна, исправка или бри у бирачком списку општинској односно градској управи према месту пребивалишта, односно боравишта за интерно расељена лица.

Photo 2. Inquiry into the Voters' Register after the change of address to the Belgrade municipality of Grocka

Република Србија  
МИНИСТАРСТВО ДРЖАВНЕ УПРАВЕ И ЛОКАЛНЕ САМОУПРАВЕ

Преглед броја бирача Преглед бирача по бирачком месту

УПИТ У ЈЕДИНСТВЕНИ БИРАЧКИ СПИСАК

JMBG: [018] **Datum: 30. novembar 2023.**

Документ: Лична карта  Пасош

\*унесите број личне карте/пасоша са свих девет цифара (Рег.бр./Бр. пасоша)

**PSYS**

ПОНОВИТИ ТЕКСТ СА СЛИКЕ: ТРНК

Претражи

Бирачко место на председничким / парламентарним изборима: [БЕОГРАД-ГРОЦКА]

Бирачко место на локалним / покрајинским изборима: [БЕОГРАД-ГРОЦКА]

НАПОМЕНА: Упит у бирачки списак приказује податак о бирачком месту да ће бирач на председничким парламентарним изборима према изабраном месту гласања у земљи или иностранству, као и по месту боравишта за интерно расељена лица, док за локалне / покрајинске изборе приказује податак за гласање бирача само по месту пребивалишта. За недостатке уочене након извршеног упита у Јединствени бирачки списак потребно је да грађанин поднесе захтев за промену (упис, измена, допуна, исправка или брисање) у бирачком списку општинској односно градској управи према месту пребивалишта, односно боравишта за интерно расељена лица.

Photo 3. The voter was consequently deleted from the Voters' Register after election day, by inquiry on December 21<sup>st</sup>, 2023.

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Република Србија  
МИНИСТАРСТВО ДРЖАВНЕ УПРАВЕ И ЛОКАЛНЕ САМОУПРАВЕ

Преглед броја бирача Преглед бирача по бирачком месту

УПИТ У ЈЕДИНСТВЕНИ БИРАЧКИ СПИСАК

JMBG: [018] **Datum: 21. decembar 2023.**

Документ: Лична карта  Пасош

\*унесите број личне карте/пасоша са свих девет цифара (Рег.бр./Бр. пасоша)

**FVVA**

ПОНОВИТИ ТЕКСТ СА СЛИКЕ: јвсв

Претражи

**УНЕТИ ПОДАЦИ НИСУ ВАЛИДНИ**

НАПОМЕНА: Упит у бирачки списак приказује податак о бирачком месту да ће бирач на председничким / парламентарним изборима гласати према изабраном месту гласања у земљи или иностранству, као и по месту боравишта за интерно расељена лица, док за локалне / покрајинске изборе приказује податак за гласање бирача само по месту пребивалишта. За недостатке уочене након извршеног упита у Јединствени бирачки списак потребно је да грађанин поднесе захтев за промену (упис, измена, допуна, исправка или брисање) у бирачком списку општинској односно градској управи према месту пребивалишта, односно боравишта за интерно расељена лица.

### *Case 2: Involvement of local administration*

**The following case illustrates one of the mechanisms through which local public administration officials become involved in illegal and corrupt practices that affect voting rights.**

A lawyer from a town near the state border of Serbia and Bosnia and Herzegovina contacted CRTA in the early days of the election campaign, wanting to share his client's experience.

One day, his client, who had been employed as an employee in the Registry Office for many years, was given 67 identity cards of persons from Bosnia and Herzegovina (Republika Srpska entity) by his superiors, with a request to record the residence of all of them in that city. He decided to photograph those ID cards. He was caught doing this, and subsequently he was taken off duty, but managed to save some photos.

After the first meeting with the lawyer, two lawyers from the CRTA Legal Team went to the border town to meet with him and his client. Analysing the available documents and data, they discovered that on September 21<sup>st</sup>, 67 persons from villages and towns in Bosnia and Herzegovina (Republika Srpska entity) along the state border with Serbia were registered in the Voters' Register of Serbia with permanent addresses in the municipality of Surčin, which is one of the suburban municipalities of Belgrade.

Furthermore, they came across a surprising finding that on November 23<sup>rd</sup>, permanent residencies for all those individuals were registered in the municipality where the source of information from the Registry Office is employed (and local elections were held in that municipal).

### *Case 3: Centralised manipulation*

**In the next case, CRTA received testimonies about the centralised level of manipulation of the Voters' Register.**

The allegations that reached CRTA indicate that certain persons from the ruling SNS party have unauthorised access to data in the Voters' Register, which they use to mark who should be deactivated or deleted in order to control the "balance" when adding new voters. Obviously, during such interventions, "mistakes" are made, which cause the aforementioned situations, for example, that voters cannot be found in the Voters' Register at the polling stations where they have voted for decades.

Allegations also indicate that local self-government officials are completely unaware and have no clue about the changes in the Voters' Register of their municipality, which

are made at the “centralised” level – that is, in the Ministry of State Administration and Local Self-Government. A case was cited when, by order of the police, several persons were deleted from the Voters’ Register because they had passed away, and after some time, before the elections, one of those persons “came to life” in the Voters’ Register.

#### 9.1.4. Analysis of the differences between the Voters’ Register for the 2022 and 2023 elections

**One of CRTA’s analyses was based on the frequency of names in the Voters’ Register for the 2022 and 2023 parliamentary elections, which include more than 13 million personal names.**<sup>234</sup> Publicly available data on voters in the possession of the Ministry of State Administration and Local Self-Government were used. The data contains only the first and last name, number of the polling place and municipality, without data such as parents’ names, ID number or address by which the voters could be identified. The aim of the analysis was to identify: 1) the extent of changes in the Voters’ Register between the two election cycles, 2) potential patterns of changes in the frequency of personal names in the Voters’ Registers of Belgrade and the rest of Serbia, indicating voter migration, and 3) the relationship between estimated voter migration and votes for the ruling party.

*Table 10. The number of voters in Belgrade and the rest of Serbia in the 2022 and 2023 elections*

	2022	2023
Belgrade	1.597.120	1.608.351
The rest of Serbia	4.906.761	4.904.777
<b>Total</b>	<b>6,503,881</b>	<b>6,513,128</b>

**To solve the problem of lack of unique identifiers, rare personal names were used in the analysis.** Using rare names as markers increases the probability of identifying voters who moved to Belgrade. **The analysis was conducted on a data set that included personal names in Belgrade, namely those a) that were not in the Voters’ Register in 2022, b) that appeared only once in 2023, and c) that decreased by 1 in the rest Serbia**

<sup>234</sup> Data used in this analysis: 1) The closed Voters’ register for the 2023 Elections for Members of Parliament, downloaded on December 2<sup>nd</sup>, 2023, with a total of 6,509,108 voters; 2) The final Voters’ register for the 2023 Elections for Members of Parliament downloaded on December 14<sup>th</sup>, 2023, with a total of 6,513,190 voters; 3) Completed Voters’ register for the 2023 Elections for City Councillors in the Republic of Serbia (data for the territory of the City of Belgrade), downloaded on December 5<sup>th</sup>, 2023, with a total of 1,613,190 voters; 4) The final Voters’ register for the 2023 Elections for City Councillors in the Republic of Serbia, downloaded on December 14<sup>th</sup>, 2023, with a total of 1,613,334 voters; 5) The final Voters’ register for the 2022 Elections for Members of Parliament, downloaded on December 3, 2023, with a total of 6,503,881 voters; 6) The final Voters’ register for the 2022 elections for Councillors of the City of Belgrade Assembly, downloaded on December 15<sup>th</sup>, 2023, with a total of 1,600,434 voters. Source: Ministry of State Administration and Local Self-Government, page overview of voters by polling station <https://upit.birackispisak.gov.rs/>.

– **rare names.** There were 11,858 such rare personal names in the Voters' Register at the polling stations in Belgrade. These identified rare names do not represent the extent of migration to Belgrade, but only help to identify potential patterns of organised voter migration. Out of the 1,180 polling stations in Belgrade, three were excluded due to incomplete election results, and another 10 polling stations (in Zemun) were excluded because they were new for the 2023 elections. That left 1,167 polling stations to analyse.

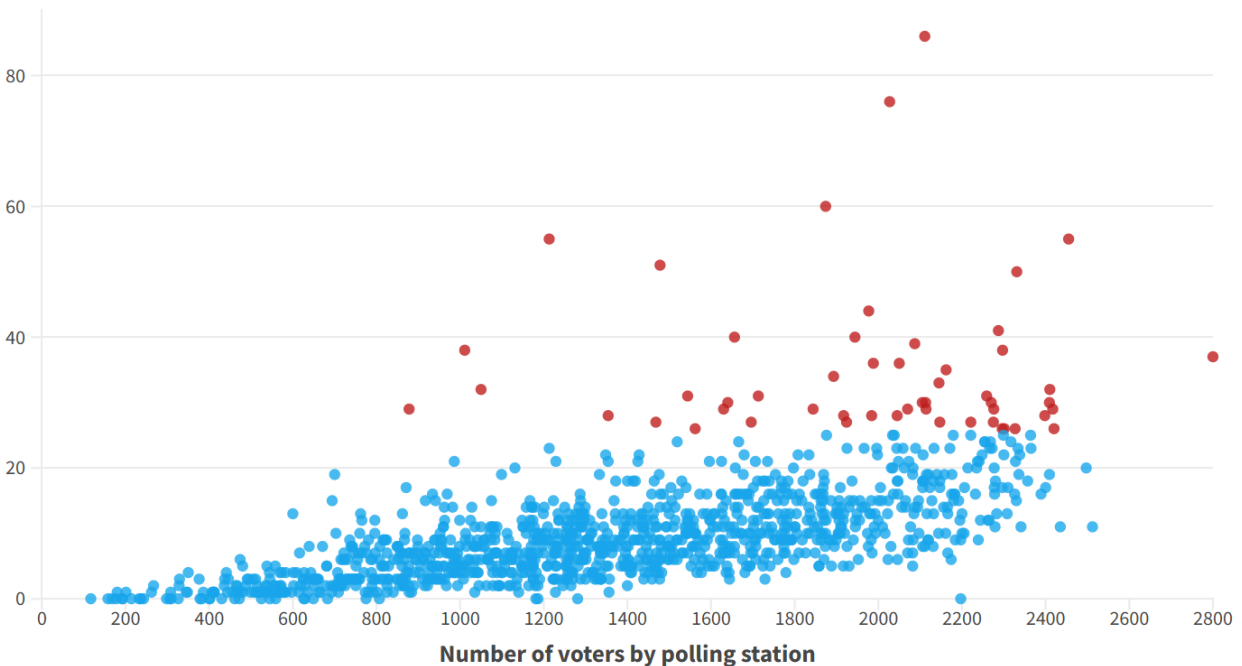
**It was possible to identify polling stations in Belgrade with a surprisingly high frequency of these markers, which indicates potentially large organised voter migrations.** In statistical terms, 95% of the data usually falls within a range defined by the average value plus or minus two times the standard deviation (a measure of variation). Here, the average number of individuals with rare names across all polling stations was 10.1, with a slightly adjusted mean (truncated mean) of 9.5. The standard deviation was 8.2. Out of the 1,167 polling stations, 53 showed a significant deviation from this average (two standard deviations from the average), with the number of rare names ranging from 26 to 86 at each polling station, which was unusual.



Chart 13: Distribution of polling stations based on the frequency of rare names (exceptions marked in red)

● More than two SD away from the average ● Closer to the average

**Incidence of rare names**



**The distribution of these 53 polling stations that deviated from the average shows a strong geographical clustering in only a few municipalities of Belgrade, which indicates a potential coordination of voter migration at the municipal level.** Significant deviations were registered at polling stations in ten of the 17 Belgrade municipalities (Zvezdara, Voždovac, Novi Beograd, Palilula, Vračar, Savski Venac, Zemun, Rakovica, Grocka and Čukarica), while they were completely absent from seven, but the largest affected municipalities of Zvezdara and Voždovac, where more than half of the affected polling stations were found.

Table 11. Distribution of suspicious polling stations by municipalities in Belgrade

Number of polling stations in targeted municipalities	+ 2 SD* from the arithmetic mean	+ 1 SD from the arithmetic mean	< +1 SD from the arithmetic mean	< -1 SD from the arithmetic mean	-1 SD from the arithmetic mean
Zvezdara	15	26	25	23	0
Voždovac	14	19	29	27	0
Novi Beograd	7	10	28	92	3
Palilula	5	15	44	38	2
Vračar	3	4	17	39	0
Savski Venac	3	1	9	21	1
Zemun	2	7	47	50	0
Rakovica	2	1	11	49	9
Grocka	1	5	12	17	5
Čukarica	1	2	34	63	7
Surčin	0	6	5	15	1
Stari Grad	0	2	14	38	2
Obrenovac	0	1	2	37	15
Mladenovac	0	1	0	30	28
Lazarevac	0	0	3	28	33
Barajevo	0	0	1	16	11
Sopot	0	0	0	14	19

\*standard deviation

### The connection between voter migration and election results

**In exploring why these polling stations may have been the target of organised voter migration, the results from previous elections seem to set the pattern fairly well, indicating an intention to improve electoral results in certain groups of polling stations.** This may be governed by a “quota” system set by higher levels of the party and enforced by local enforcers. Namely, organised voter migration occurred more in municipalities and towards polling stations where the Serbian Progressive Party had less favourable election results in 2022. Therefore, predominantly urban municipalities were more affected by organised voter migration than those that were more rural, such as Obrenovac, Mladenovac, Lazarevac, Barajevo and Sopot.

Table 12. Polling stations by frequency of rare names

Polling stations by frequency of rare names	SNS rating in the 2022 elections
+2 SD from the arithmetic mean	31.0
+1 SD from the arithmetic mean	35.3
< +1 SD from the arithmetic mean	37.3
< -1 SD from the arithmetic mean	38.5
-1 SD from the arithmetic mean	49.1

**Comparing the indications of organised voter migration with the results of the Serbian Progressive Party at the polling stations offers further evidence of the connection between means and motive.** Polling stations are categorised into groups based on their standard deviation values: 0-2 rare names, 3-10 rare names, 11-17 rare names, 18-25 rare names, and 26 or more rare names. ANOVA test, a type of statistical analysis,<sup>235</sup> found significant differences between these groups in the number of votes for the Serbian Progressive Party on December 17<sup>th</sup>. Polling stations with more voters who could migrate to Belgrade after 2022 tended to have more votes for SNS in 2023.

**In addition, focusing on the 53 polling stations with the highest probability of voter migration, the analysis indicated a significant increase in votes for the Serbian Progressive Party in 2023 compared to 2022.** Taking into account the total change in the number of voters, there were 920 more votes for SNS in these places in 2023. On the other hand, in places with little or no change in the frequency of rare names, there is a noticeable drop in votes for SNS (436 fewer votes, or 81 fewer when adjusted for changes in the number of voters).

**The analysis was further extended to compare the results of the Serbian Progressive Party in polling stations with the highest probability of voter migration with their results in similar neighbouring polling stations.** The second group of polling stations consists of polling stations from the same local community with a similar number of voters, but without a high probability of voter migration. In some cases, on Voždovac or Zvezdara, the difference was up to 10 percentage points.

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<sup>235</sup> Variance analysis

### 9.1.5. Demographic analysis of the differences between the Voters' Registers in 2022 and 2023

By crossing statistical demographic indicators and available data from Voters' Registers, it was concluded that **at least 24,000 voters were registered in the Voters' Register for voting in the local elections in Belgrade in 2023, whose presence cannot be explained by any justified demographic trend.**

In order to prove the organised migration of voters in order to influence the result of the local elections in Belgrade, only new names in the Voters' Register for 2023 were the subject of the investigation. **The assumption is that the number of new voter names on the Voters' Register must follow demographic trends. If there is an excess of names in the Voters' Register if compared to trends, it can be explained as the result of organised voter migration for the purpose of influencing local elections.**

By comparing the databases with the names of voters by polling station, downloaded from the website of the Ministry of State Administration and Local Self-Government, it was determined that **there are 103,188 new names in the Voters' Register for the local Belgrade elections in 2023 compared to the Voters' Register that was used for voting in the referendum in January 2022.**<sup>236</sup> As this change in regular circumstances should be explained by demographic indicators, it was verified using official data of the Statistical Office of Serbia and the Ministry of Internal Affairs of the Republic of Serbia.

**Data that may affect the appearance of new names in the observed period on the Voters' Register for local elections in Belgrade are:** 1) registered residences in the territory of the City of Belgrade for persons of legal age, 2) acquired voting rights of persons residing in the territory of the City of Belgrade upon reaching legal age, and 3) changes of personal name due to a change in marital status or by personal request.

According to the available data from the aforementioned official sources, the number of adults who registered their residence in the territory of the City of Belgrade in the period between the closing of the Voters' Registers in January 2022 and December 2023 is about 27,500. In the same period, the number of persons who acquired the right to vote on the basis of coming of age is about 30,500. While the maximum number of persons who changed their name or surname due to a change in marital status or according to a personal request is around 21,000. **These data provide an explanation for a maximum**

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<sup>236</sup> This data was obtained by comparing the names of voters from the Voters' register for the Belgrade elections in 2023 and the Voters' register for the 2022 referendum for Belgrade municipalities. Names that were found on both Voters' register (first at the same polling station, then at the municipality level, then at the level of the entire city, in order to include the possibility of internal migration) are separated to one side, while the names that exist on the Voters' register for 2023 and do not exist on the Voters' register from 2022, separated into a special list – the so-called "mismatch". There are 103,188 such names in the Voters' register for 2023 in the territory of Belgrade compared to the Voters' register from 2022.

of 79,000 new voter names in the observed period. As there are 103,188 new names in the Voters' Register for the local elections in Belgrade compared to the Voters' Register from January 2022, this leaves a total of 24,000 names that cannot be explained by known demographic indicators and may point to organised migration of voters.

## 9.2. Facts collected and analysed on election day

Data obtained from analyses before election day enabled CRTA to effectively direct available resources by redistributing observers on election day itself. One part of the observers was assigned the special task of visiting all the polling stations within CRTA's sample. Mobile teams visited polling stations outside the sample. This particularly applied to places where CRTA received credible information that voters whose residences had been manipulated would come and vote there. All polling stations with anomalies indicated by the comparative analysis of the Voters' Registers for 2022 and 2023 were singled out for further exploration.

### 9.2.1. Analysis of the CRTA observers' report on election day

**In Belgrade, CRTA observers reported from a sample of 71 polling stations about individual situations that indicated the organised bringing of voters, including cases of supervised voting, escorted voting, and irregularities that point to potential manipulations of the Voters' Register and voter identity.** This is a high percentage of about 14 percent of all polling stations in Belgrade: Čukarica (10), Palilula (9), Novi Beograd (9), Vračar (7), Voždovac (7) and Zemun (7).

**The organised transport of voters recorded at these polling stations included voters from other municipalities across Serbia where local elections were not held, such as Pančevo, Valjevo, Aranđelovac, Smederevo, Novi Sad, Vršac, etc.** Observers noted that people from Kosovo, Bosnia and Herzegovina and Croatia were also part of the voter migration. Buses, vans and cars transported voters in an organised manner, and CRTA observers noted several logistics centres from where those voters were sent to polling stations throughout Belgrade.

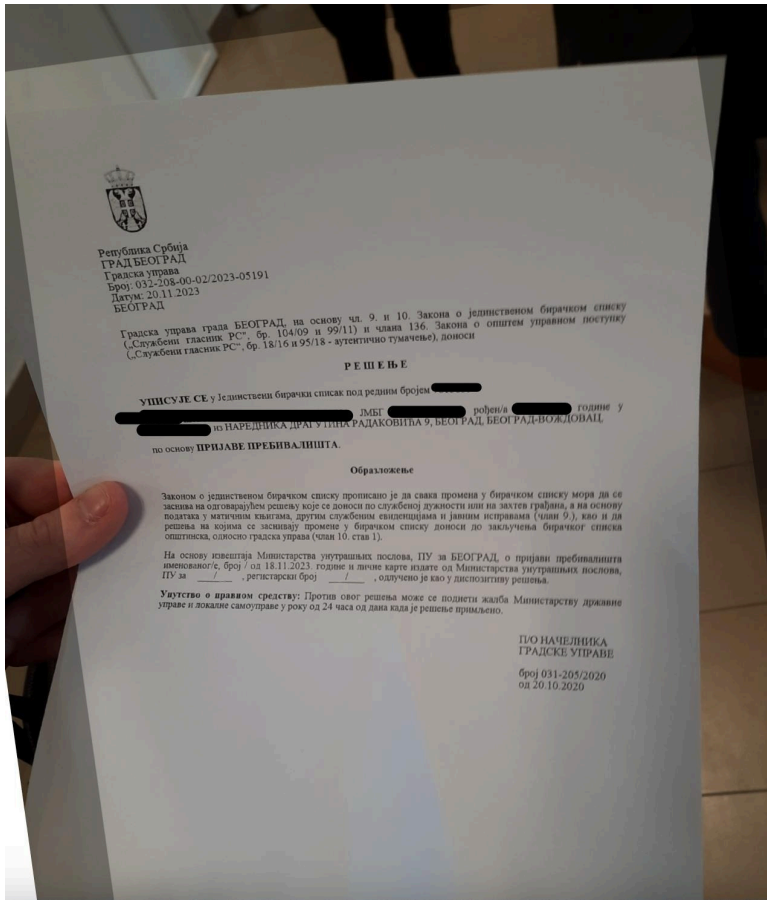
**These cases have rarely been isolated from elements that point to various forms of electoral corruption and fraud,** including vote buying, circular voting and ballot box stuffing. CRTA recorded indications that the identity of voters, and thus the Voters' Register, was potentially manipulated at many of these polling stations – including violations of rules for verifying the identity of voters, excerpts signed beforehand, people

who could not be found on the excerpt from the Voters' Register for elections in Belgrade and violation of the rules for voting outside the polling stations.

**In many recorded situations, polling committee members and third parties inside and outside the polling station were crucial in enabling the irregularities.** People from different cities in Serbia were brought to vote at one polling station, bringing a decision of change in residence, which they had previously obtained near the polling station in Voždovac. Before voting, a group of Roma citizens received papers from a person in front of the polling station that looked like notifications to vote and which were previously collected from the polling committee in Zemun. Besides coming in groups of different sizes and in different vehicles, these voters also displayed similar behaviour. In many situations, they had difficulty finding their polling stations, indicating unfamiliarity with the surroundings.

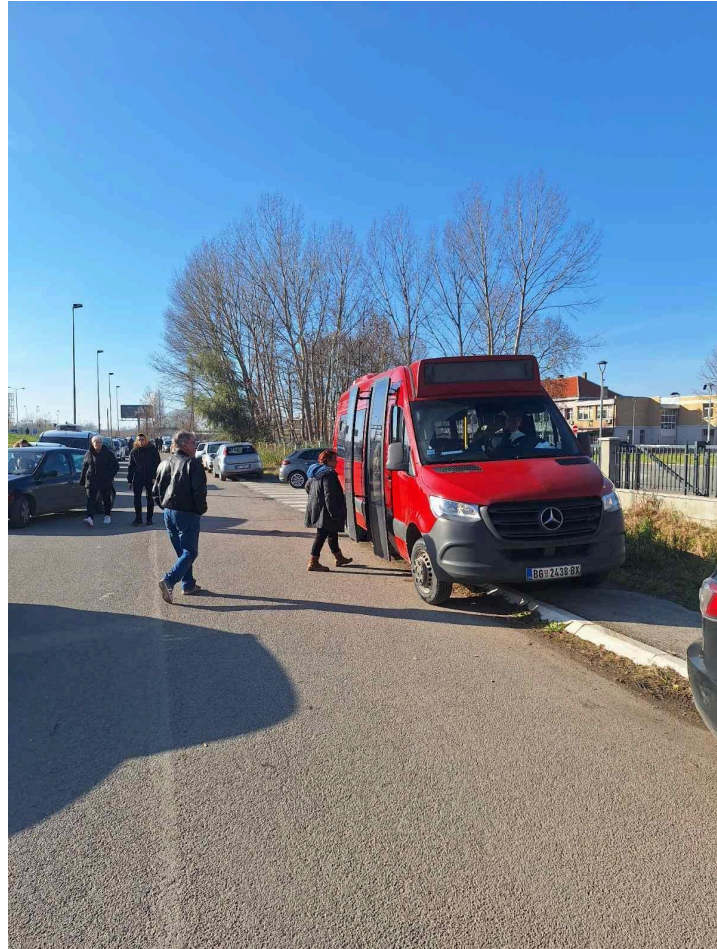
In the municipality of Voždovac, an observer saw that many people gathered around the building where the polling stations are located and that, after voting, they returned to the same place from which they started as a group. Following these groups, the observer identified a café near the polling station where these individuals gathered before and after voting. The observer also noticed that **each of them received a paper with a decision on registration in the Voters' Register based on the registration of residence** (Photo 6). The presence of organised voting and the distribution of voter registration decisions indicates a deliberate effort to influence the outcome of the election by bringing individuals who would not otherwise be able to vote at that location.

Photo 6. Decision on enrolment in the Voters' Register based on registration of residence



In another example, the organised transport of voters from Kosovo to the Krnjača settlement of the Palilula municipality was also documented. A member of the CRTA mobile team saw several vans and individuals returning from voting. The observer had a bad experience during the interview because they insulted her, tried to take her phone and threatened her. The unpleasant situation was recorded on video.

*Photo 7: Voters from Kosovo get into a van, Krnjača, Belgrade*



*Observing the arrival and voting of voters from Bosnia and Herzegovina*

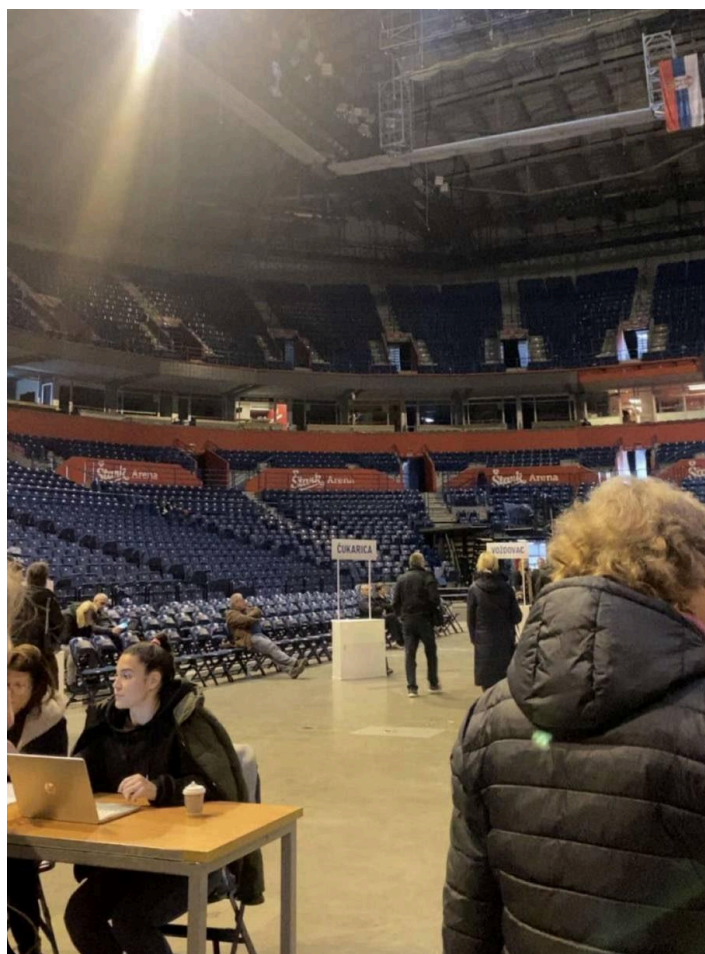
**The CRTA observers identified several locations where voters were brought in organised from Bosnia and Herzegovina (Republika Srpska entity).** The most important are Štark Arena, Kvantaš market, Zmaj shopping centre and various locations in the suburbs. Although these voters were not the only organised voters in the December 17<sup>th</sup> election, the media and the public were focused on them.

**The spacious sports facility, the Belgrade Arena, has been turned into the main gathering place for organised voters, coming mostly from Republika Srpska.** Observers reported on private security in front of the Arena, many buses and vehicles from Bosnia and Herzegovina and groups coordinating the transport of voters to and from polling

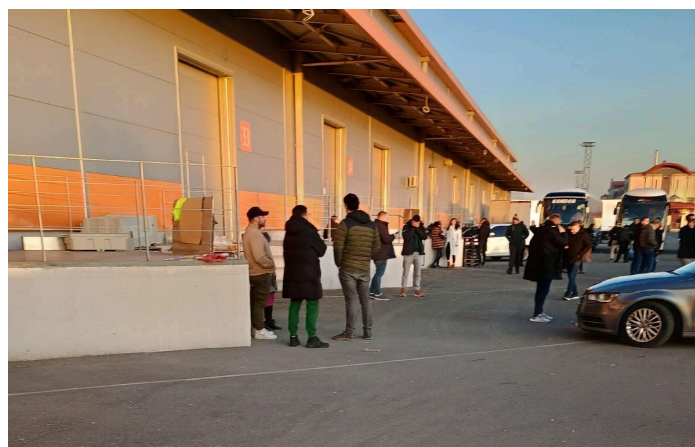


stations. The scheme included welcoming voters, facilitating their registration inside the Arena, assigning voters to polling stations, organising free transportation by buses, vans and taxis, and private cars. The process inside the Arena was equally well organised. Party activists sat with Voters' Registers on stands marked with the names of municipalities in Belgrade placed in the central part of the Arena. Following the instructions of the activists, groups of approximately 60 people came to the booths in order to receive a schedule of polling stations where they should go.

*Photo 8: Logistics centre for the referral of voters inside the Belgrade Arena*



*Photo 9: After the unveiling of the Arena, the buses were moved to Kvantaš Market*



**After the visit of representatives of the Republic Electoral Commission (REC) to the Arena to verify the claims that were spread in the media during the day, the voters from Republika Srpska were redirected to another location, “Kvantaš” market, in the same municipality. The witness who spoke to CRTA, providing photographic evidence, after**

which CRTA observers confirmed the presence of numerous buses and other vehicles at the Kvantaš location.

**The CRTA observers discovered another location, near the Zmaj Shopping centre in Zemun, where buses with voters from Republika Srpska were directed.** About 15 minibuses from Republika Srpska were spotted there, and this event was video-documented.

**The CRTA observers also monitored the movement of voters to their destination polling stations.** Between 11 a.m. and 2 p.m., more than a dozen vehicles from Bosnia and Herzegovina were spotted at the Mali Zvornik border crossing. A CRTA observer learned from talking to voters in front of the polling stations in Mali Zvornik that a significant number of those present were from Bosnia and Herzegovina. The people who arrived in those vehicles also appeared disoriented.

#### 9.2.2. Mechanisms for controlling the way voters vote on election day

**Organised voting by people from other cities of Serbia and neighbouring countries is linked to claims and evidence of vote buying and other forms of influence on voters.** Corruption and clientelism culminated on election day when previously presumed processes became less subtle and thus more visible.

**On election day, the mechanism of electoral corruption involved people who managed the lists of voters who arrived at the polling stations, who were positioned in vehicles or areas around the polling stations.** “Rewards” were often given to voters in vehicles immediately after voting. The physical presence of local coordinators around the polling stations was also evident. CRTA collected observers’ claims of people in cars with some kind of list, cars that voters get into after casting their ballots.

**CRTA further noted common patterns of behaviour among people with lists around polling stations.** People with lists would not return to the polling stations as long as CRTA’s mobile teams were near the polling stations. However, these party coordinators would ignore the stationed observers and return to the polling station as soon as the mobile teams left. This caused CRTA’s mobile teams to come multiple times to the same polling station, each time with the same result.

**Another element of control is the direct monitoring of polling stations, which took place in different ways.** In addition to that approach, as revealed in the case with the SNS call centre<sup>237</sup>, some voters were required to provide proof of loyalty by

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<sup>237</sup> CINS, “CINS in the SNS call centre: Agency for hostesses, buying votes and millions in cash”, <https://link.crtars.org>, November 29<sup>th</sup>, 2023.

photographing the ballot (usually with ID next to the ballot). The CRTA observers managed to catch the phenomenon when voters forgot to turn off the flash on their phones and once when it happened right in front of the observers.

### 9.3. Election forensics after election day

Under the assumption that election manipulations potentially leave traces, which can be detected by statistical methods, CRTA conducted two independent statistical analyses based on the official results of voting in the Belgrade elections. Furthermore, an additional analysis of the names of voters registered to vote in the local elections in Belgrade was conducted.

- *Supplementary analysis of the names of voters in the local elections in Belgrade;*
- *Analysis of vote distribution according to turnout;*
- *Analysis of voting patterns by place of residence;*

#### 9.3.1. Supplementary analysis of the names of voters in the local elections in Belgrade

After the election day, Istinomer came into possession of a database containing the number and names of voters registered in the Voters' Register according to their residential addresses in Belgrade.<sup>238</sup> In partnership with the editorial office of Istinomer, CRTA deepened the findings obtained by analysing the differences between the Voters' Register for the 2022 and 2023 elections. Based on the new data, it was possible to verify the findings of the previously conducted analysis of Voters' Registers and identify specific addresses where a disproportionately large number of voters were registered, considering the square footage and condition of residential buildings. These data also enabled a much more precise analysis of voters by name, considering that the list includes the name of the parents in addition to first name and surname.

*Identification of addresses where a suspiciously large number of voters have been registered*

**By cross-checking the new data with the findings of a previously conducted analysis of the differences between the Voters' Register for the 2022 and 2023 elections, CRTA was able not only to confirm the findings of the preliminary report on organised voter migration, but also discovered a greater number of specific residential properties within polling stations where a significant number of voters with rare names had**

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<sup>238</sup> Istinomer, "List of individual addresses with the number of voters by municipality in Belgrade", <https://link.crtars.rs/lh>, December 28<sup>th</sup>, 2023. Istinomer obtained data on the names and addresses of voters in Belgrade from a confidential source. In order to protect personal data and prevent misuse, Istinomer published only the number of voters by address in Belgrade.

previously been identified. These properties were found to have a registered number of residents that exceeded their capacity, often in unfinished or uninhabitable buildings.

The fact that different residential buildings were discovered where a significant number of mutually unrelated voters (voters from different families) who obtained their residence in the last 20 months, i.e. in the period between two election cycles (their previous residence was in different municipalities across Serbia or in neighbouring countries) speaks of the complexity and systematicity of the action of organised voter migration to Belgrade.

As for one polling station in Voždovac, CRTA received information about the relocation of voters from surrounding municipalities where there were no local elections, and during the election day, a large number of reports were received from CRTA observers about irregularities, including the bringing of voters in groups – this polling station was used for a deeper analysis of voters’ names and addresses where they live. **By analysing this polling station, it was revealed that there were at least five addresses where an extremely high number of voters was noticeable in relation to the square footage of the residential unit.** The lack of available data (number of voters per address, not per household) limited the analysis to checking only those addresses where houses are located, not buildings. First of all, we are talking about obvious examples, such as residential houses where more than 20 voters are registered. Nevertheless, it is very indicative that the checking of only one polling station with very limited available data indicated the grouping of voters from different families and from other municipalities in certain residential buildings.

Through the search of the received list and a detailed check of the data on the map and in the electronic version of the cadastre, five cases were formed with a suspicious number of voters within only one polling station:

- **Case 1:** as many as 40 voters were registered in a house of 58 square meters.
- **Case 2:** in a house of 52 square meters, 36 voters were registered for the Belgrade elections.
- **Case 3:** in a house of 130 square meters, residence is registered for 30 citizens with voting rights. Next to that house, there are **the premises of the local board of the Serbian Progressive Party.**
- **Case 4:** in a house of 36 square meters, 29 voters were registered.
- **Case 5:** at the address of the house of 210 square meters, there are 24 voters with the right to vote in the local elections in Belgrade.<sup>239</sup>

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<sup>239</sup> Istinomer, “40 voters in 58 square metres”, <https://link.crt.rs/li>, December 28<sup>th</sup>, 2023.

### *Identification of organised voter migration from Bosnia and Herzegovina*

By searching the websites of local self-governments from Republika Srpska, CRTA determined that there are publicly available lists of voters for the 2022 general elections of Bosnia and Herzegovina, while it also gained access to the 2018 Bosnia and Herzegovina Voters' Register. These documents, similar to the document that Istinomer received, contain first names, surnames and parents' names. Based on access to comparable data and collected facts that on election day, voters were brought in from Republika Srpska in an organised manner, CRTA made a comparative analysis of the Voters' Registers of Bosnia and Herzegovina for the general elections in 2022 and 2018 and the Belgrade elections in 2023.

The basic idea of the analysis was to extract unique names from the list of voters for the general elections in Bosnia and Herzegovina (2022 and 2018) and unique names from the list of voters for the local elections in Belgrade (2023). This analysis enabled the inclusion of a significantly larger number of names compared to the existing analysis of differences in the Unified Voters' List between the 2022 and 2023 elections.

Out of a total of 1,613,369 voters who were registered to vote in the local elections in Belgrade on December 17, 2023, 1,415,125 unique names were included in the analysis (more precisely, combinations of three data: personal name, parent's name, last name). In order to avoid false positive matching, 198,244 names of voters from Belgrade were excluded from the analysis, because the combination of personal name, parent's name, surname for those voters in Belgrade appeared at least two or more times.

When it comes to data for voters from Republika Srpska, data for the 2022 general elections were publicly available for about 40% of the total population. Data was found for the following municipalities: Bratunac, Derventa, Doboj, Foča, Gacko, Han Pijesak, Istočna Ilidža, Istočni Drvar, Istočni Stari Grad, Jezero, Kalinovik, Kneževo, Kostajnica, Ljubinje, Lopare, Nevesinje, Novo Goražde, Pelagićevo, Petrovo, Prijedor, Šamac, Šekovići, Tenants, Teslić, Trnovo, Ugljevik, Višegrad, Vlasenica, Zvornik. Data from 2018 was used for the remaining municipalities from Republika Srpska.

As in the case of voters from Belgrade, all voters whose names are not unique were excluded from the analysis. Out of a total of 1,141,201 names, 1,110,706 unique names were included in the analysis, while 30,495 names that appeared at least two or more times were excluded.

Considering the fact that all voters who do not have unique names were excluded from the analysis, as well as the fact that data for the four youngest generations are missing

for some municipalities from Republika Srpska, the findings of the comparative analysis should be taken as very conservative estimates, with the true proportion of the number of voters from Republika Srpska who had the right to vote in the local elections in Belgrade may be significantly higher.

Based on the comparison of the two Voters' Registers, 66,807 voters with the same names (same first name, parents' name and surname) were found in Belgrade. **Considering the available data on voters from the Belgrade elections by address, it was possible to identify a significant number of addresses in Belgrade with a surprisingly high frequency of paired voters, which indicates a potentially large scale of organised voter migration.** These groupings at certain addresses in Belgrade reach as many as 110 voters from Bosnia and Herzegovina at the address Kraljevića Marka no. 9 (in a residential building owned by Vladimir Mandić).<sup>240</sup>

In this way, the following were identified in Belgrade:

- **2,463 addresses** where five or more names are matched, which makes a total of 18,414 voters from Bosnia and Herzegovina;
- **378 addresses** where 10 or more names are matched, which is a total of 5,521 voters;
- **48 addresses** with 20 or more names, that is, 1,409 voters from Bosnia and Herzegovina.

If the same procedure is used as in the case of the analysis of rare names that was carried out before the election, in this case, too, one can use the fact that in statistical terms, 95% of the data falls within the range defined by the average value plus or minus two times the standard deviation (a measure of variation). As the total number of voters in residential buildings where voters from Bosnia and Herzegovina are identified varies greatly, CRTA checked the share of identified voters in relation to the total number of voters in residential buildings in Belgrade.

At addresses in Belgrade where voters from Bosnia and Herzegovina were found, they make up an average of 6.8 percent of all voters at those addresses. The standard deviation was 10.5. Out of a total of 34,522 addresses where voters in Belgrade were matched, **1,406 addresses showed a significant deviation** from this average (two standard deviations from the average). **There are a total of 6,456 voters from Bosnia and Herzegovina at these separate addresses.** Voters were "recruited" from most municipalities in the Republika Srpska, but a large number of voters identified in Belgrade can also be found in the Voters' Registers for the general elections in Bosnia

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<sup>240</sup> Danas, "Former handball player, Valter Vučić from Sarajevo, on whom it depends whether Serbia will have electricity: Who is Vladimir Mandić, the landlord of fake Belgraders?", <https://link.crtars.rs/lj>, January 4<sup>th</sup>, 2024.

and Herzegovina **in only five municipalities: Bijeljina, Višegrad, Zvornik, Lopare and Banja Luka.**

Identified voters are dispersed among **572 polling stations in Belgrade and are identified in all 17 Belgrade municipalities**, but the central Belgrade municipalities (Zvezdara, Voždovac, Zemun, Palilula, Stari Grad, Novi Beograd, Čukarica) stand out very clearly, where there are 5,204 of a total of 6,456 voters were identified.

*Table 13. Distribution of identified voters from Bosnia and Herzegovina by municipalities in Belgrade*

<b>Municipality</b>	<b>Number of identified voters from Bosnia and Herzegovina</b>
Zvezdara	1033
Voždovac	993
Zemun	935
Palilula	694
Stari Grad	463
Novi Beograd	459
Čukarica	447
Vračar	249
Grocka	248
Surčin	245
Savski Venac	229
Obrenovac	128
Rakovica	92
Barajevo	78
Lazarevac	75
Mladenovac	62
Sopot	26
<b>Total</b>	<b>6,456</b>

The main scope of this analysis is not in the precise assessment of the total number of voters brought from Bosnia and Herzegovina in an organised manner, but in the identification of the addresses in Belgrade where these voters were illegally registered.

Examining only a few addresses where the largest number of voters from Bosnia and Herzegovina were identified can illustrate the scale and complexity of the voter transfer operation. Below are two examples:



### **The case of the address Kraljevića Marka no. 9, Savski Venac**

The analysis identified 110 voters from Bosnia and Herzegovina at this address, which makes up 71 percent of the total number of registered voters at that address. Voters were brought from a number of different municipalities in Bosnia and Herzegovina, primarily from Novo Goražde, Lopar, Višegrad and Bijeljina.

All identified voters had the opportunity to vote in local elections in Belgrade, but more than 20 identified voters were simultaneously registered to vote in parliamentary elections abroad, specifically in Bosnia and Herzegovina.

In addition to voters who were registered to vote in two different countries for the two levels of elections on the same day, an additional thirty voters were identified who were registered to vote in Bajina Bašta or Nova Varoš in the previous parliamentary elections, which potentially indicates that certain voters they move from place to place, and from election to election, depending on one's needs.

### **The case of the address Danijelova no. 9, Voždovac**

At this address, 91 voters from Bosnia and Herzegovina were identified within the analysis. As in the previous case, voters were brought from a number of different municipalities in Bosnia and Herzegovina, primarily from Bijeljina, Lopar and Višegrad.

It is particularly interesting that there is actually an unfinished and uninhabitable building at this address. As many as 129 voters were actually registered for the Belgrade elections at Danijelova no. 9, which means that the conducted analysis demonstrates only a part of organised voter migration.

As in the case of the address of Kraljevića Marka no. 9, voters who were registered in Belgrade to vote in local elections, and in Bosnia and Herzegovina to vote in parliamentary elections held on the same day, were also identified. Over 40 such voters have been identified at the address Danijelova no. 9.

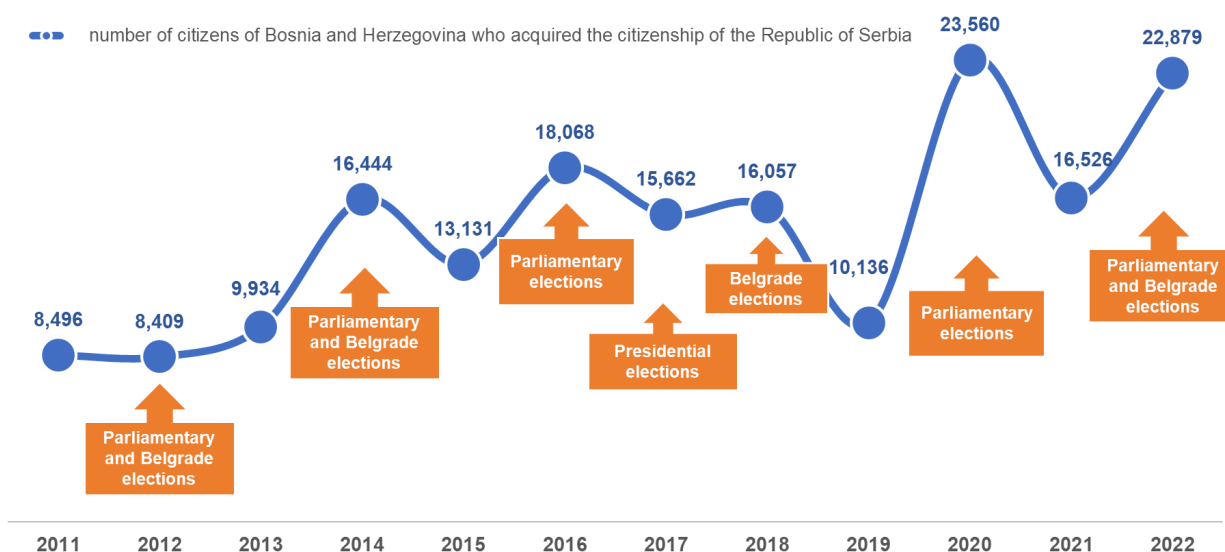
### *Suspicious increase in the granting of Serbian citizenship to Bosnia and Herzegovina citizens*

In support of the large number of citizens of Bosnia and Herzegovina, who we claim were brought to Belgrade in an organised manner to vote in the local elections in



December 2023, there are also the official data on the number of citizens of Bosnia and Herzegovina, which in the period from 2011 to 2022 acquired citizenship of the Republic of Serbia.<sup>241</sup> **The data shown in Chart 14 clearly show not only the trend of increasing the number of citizens of Bosnia and Herzegovina who received citizenship in the last ten years, but also the fact that the trend is not a straight line. The number of citizens of Bosnia and Herzegovina who received the citizenship of the Republic of Serbia increased in the years when parliamentary or Belgrade elections were announced in Serbia, while their number decreased in the years when those elections were not held in Serbia.**

Graph 14: The number of citizens of Bosnia and Herzegovina who acquired the citizenship of the Republic of Serbia in the period from 2011 to 2022



### 9.3.2. Analysis of vote distribution by turnout

Detecting traces of electoral fraud by comparing the distribution of votes and turnout is an approach that has been widely used in cases of presidential and Duma elections in Russia over the past 20 years.<sup>242</sup> Such analyses focused on the task of detecting mechanisms such as ballot box stuffing.

<sup>241</sup> It is about data published by the Commissariat for Refugees and Migration through the Migration Profile of the Republic of Serbia, citing the Ministry of Internal Affairs as the source.

<sup>242</sup> Statistical detection of systematic election irregularities - Peter Klimek, Yuri Yegorov, Rudolf Hanel, and Stefan Thurner (<https://link.certra.rs/lk>)

In the case of the elections in Belgrade, this kind of analysis could indicate a series of electoral manipulations, including the organised migration of voters for which CRTA collected evidence even before the elections. The effects of election manipulations such as ballot box stuffing, circular voting, getting voters to vote against their will, as well as organised migration of voters can be registered in the results of voting at polling stations.

For the purposes of this analysis, the distribution of party votes is graphically displayed using a histogram<sup>243</sup>. The distribution of votes can be normal (in the form of a “bell”) and distorted. Since elections are a process through which citizens freely express their electoral preferences, which resembles randomly generated values, the histogram of election results should have the form of a normal distribution, which is empirically confirmed by observing the results of a large number of election cycles in Europe and beyond.<sup>244</sup> A skewed distribution, on the other hand, would represent an artificial change in the will of the voters. More specifically, electoral manipulation mechanisms produce different characteristics of vote distribution and turnout than those observed during fair elections. **In the case of electoral manipulations, the percentage of votes of the party that manipulated the votes in the elections would deviate from the assumed normal distribution of votes according to turnout.**

CRTA investigated allegations of organised transfer of voters to the Voters’ Register of Belgrade as well as other types of manipulations such as circular voting and stuffing of ballot boxes, which must be reflected in the outcome of the election, by tilting the election results in favour of the perpetrators of such violations. Given that such violations require a significant level of organisation and involvement of numerous state institutions, CRTA believes that such violations can only be reflected in the votes of the SNS.

Using official data on the final voting results of the Belgrade elections, the local election results were divided into 100 intervals based on turnout (from the 0-1% turnout interval to the 99-100% turnout interval). These intervals were used to check whether the distribution of votes of the Serbian Progressive Party in the December elections follows a normal (Gaussian) distribution. All observed deviations between the distribution of SNS votes in relation to the normal distribution point to a certain type of electoral manipulation.

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<sup>243</sup> A histogram is a type of graph used to show a frequency distribution. It shows how many times certain values appear within a data set. The data is divided into different interval groups (also known as ‘bins’), and the height of each column in the histogram represents the number of occurrences of the data within the corresponding interval. Histograms are often used in statistics to visualise and analyse the distribution of data, especially when it comes to continuous numerical data.

<sup>244</sup> Statistical detection of systematic election irregularities - Peter Klimek, Yuri Yegorov, Rudolf Hanel, and Stefan Thurner (<https://link.crtars/lk>)

Comparing the actual distribution of the votes of the Serbian Progressive Party with the normal distribution (Graph 15), **CRTA identified a minimum of 30,000 additional votes in favour of the SNS, which corresponds to the findings of the demographic analysis of the differences between the Voters' Registers from the 2022 referendum to the 2023 local elections.** This estimate is minimal because it was determined using a normal distribution that was formed based on the mean values of the already compromised official election results.

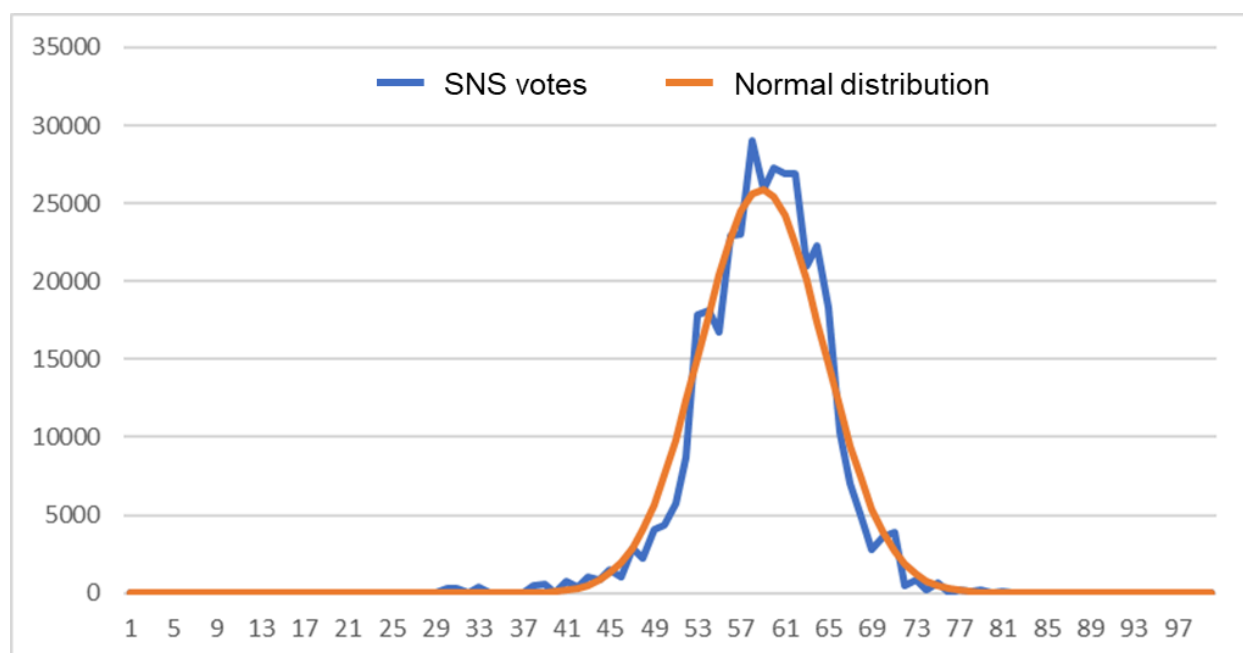
**Therefore, we are only talking about the minimum number of additional votes, and not about the total size and scope of electoral manipulations, which in the local elections in Belgrade were largely the result of organised voter migration** (internal – from other municipalities in Serbia or external – Bosnia and Herzegovina, Montenegro or some other country). It is also important to note that **the comparison of the vote distribution of the electoral list Serbia against violence and the normal distribution does not show this level of deviation, which is another indicator of electoral manipulations in favour of the ruling party.**<sup>245</sup>

**When the identified 30,000 votes are taken away, the share of votes for the SNS drops to 36.9%, while the SPN list would have 35.7% in the local elections.** This number of votes has no significant impact on the share of votes of other electoral lists.

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<sup>245</sup> The same analysis was conducted on the final voting results from the local Belgrade elections in 2022. The level of observed deviations in the distribution of SNS votes was twice as low, which indicates that electoral manipulations also existed in the previous local elections in Belgrade, but to a lesser extent, and went unnoticed.

Chart 15. The ratio of SNS vote distribution in relation to the normal distribution



### 9.3.3. Analysis of voting patterns by place of residence

While the analysis of vote distribution according to turnout provides a minimal assessment of the extent of electoral manipulation in local elections, it is not precise enough to identify specific polling stations where electoral manipulations occurred in local elections in Belgrade. For this purpose, CRTA conducted **an analysis of voting patterns by place of residence.**

**The analysis is based on the assumption of coherent geographical patterns of voting – the understanding that people living in the same area or within a geographical entity with similar socio-demographic characteristics have similar political attitudes and preferences.**

The micro-geography of everyday life (work, housing, school, free time, etc.) partly defines the localised frameworks in which patterns of social interaction and the formation of social groups are realised<sup>246</sup> – local socioeconomic, cultural, historical and demographic factors can significantly influence the political preferences of residents. People in geographically defined communities often develop a strong sense of belonging and group identity, which can shape their political attitudes. This can lead to similar political views within that community.

<sup>246</sup> Mapping politics: how context counts in electoral geography – John Agnew (<https://link.crtars.rs/II>)

Understanding these patterns is particularly important for political campaigns, as it allows political actors to target specific geographic areas and tailor their messages to specific groups of voters. Political parties use this very fact to reach their supporters during the campaign through mailings, telephone calls or door-to-door visits. Political parties identify and select neighbourhoods with large numbers of their supporters as their primary grounds for mobilisation, rather than covering a wider territory<sup>247</sup> and thereby amplify the effect of coherent geographic voting patterns.

Such regularities are extremely useful for analysing and understanding the dynamics of voting and political changes at the local level.

Guided by the assumption of coherent voting patterns according to the place of residence, the results of the local elections in Belgrade were analysed by polling stations. The lowest level of geographical division at which the analysis was possible, given the available data, is represented by **local communities**. Therefore, all polling stations in Belgrade are divided according to the local communities in whose territory they are located. Although it is clear that voting patterns will certainly differ from one local community to another, at the level of individual local communities there should not be large deviations in voting patterns among polling stations belonging to the same local community.

Aggravating circumstances for the analysis:

1. **The territories of polling stations and the territories of local communities do not always coincide** – this fact does not represent a significant problem, because with this approach, the results obtained at individual polling stations are compared with the average for polling stations that could be considered the same neighbourhood, and local communities represent only the best available territorial division of Belgrade on which the analysis was possible.
2. **Certain Belgrade municipalities**, such as Vračar, Stari Grad and Zemun, are not divided into local communities, so in the case of these municipalities, the territory is divided into six approximately equal parts, which are then treated as the territory of local communities.
3. In Belgrade, **85 polling stations (primarily in rural areas) cover the territory of the entire settlement, which is also the territory of the local community**. In those cases, it was not possible to compare the results at an individual polling station with the average for the local community, but all polling stations that territorially

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<sup>247</sup> Estimating Neighbourhood Effects on Turnout from Geocoded Voter Registration Records – Michael Barber, Kosuke Imai (<https://link.crra.rs/im>)

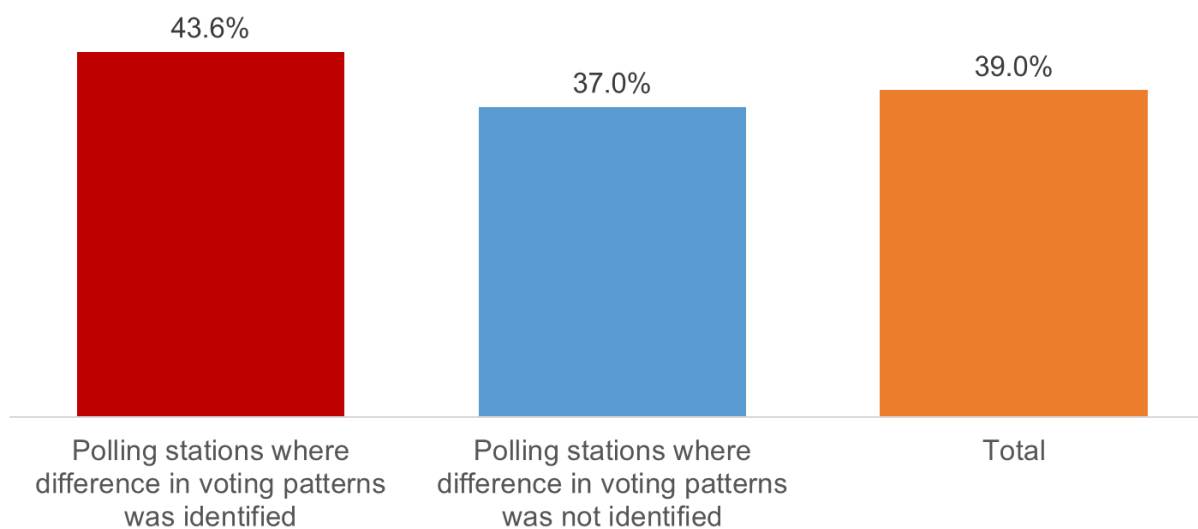
surround the given polling station were searched on the map. The results were then compared with the average for all surrounding polling stations.

By checking the official data on the election results of the City Electoral Commission of Belgrade at the polling station level, CRTA identified those polling stations that represent exceptions in voting patterns compared to the homogeneity observed at the level of the entire local community. In this way, **369 polling stations were identified where electoral manipulations have potentially occurred, which makes up almost a third (31.3%) of all polling stations in Belgrade.** More precisely, 495,001 voters were registered at these polling stations, which represents 30.7% of the total number of voters who had the right to vote in the local elections in Belgrade.

Polling stations in Belgrade are then divided into two categories: 1. Polling stations that represent an exception in voting patterns, and 2. Polling stations where there is no noticeable difference in voting patterns compared to the average for the local community. Then, based on these categories, the share of SNS votes in the Belgrade elections was calculated (Chart 16).

What is noticeable is that **the share of SNS votes at polling stations where the aforementioned deviations in the voting forms are not registered is 37%, while at the polling stations where such deviations are noticeable it is significantly higher (43.6%).** The conclusion that emerges from this is that the difference between 37% and 39% (the officially won percentage of SNS votes in the Belgrade elections) emanated from manipulations at polling stations where CRTA identified significant deviations in voting patterns.

Chart 16. Comparison of the results of the SNS by polling stations where a difference was registered/not registered compared to the average for the local community



**The largest number of polling stations (PS) where discrepancies in the results were registered are in Zemun (44 PS) and New Belgrade (44 PS), followed by Palilula (37 PS), Čukarica (30 PS), Voždovac (29). The share of polling stations where electoral manipulation has potentially occurred is high both in central and peripheral municipalities such as Lazarevac (36%) and Mladenovac (32%).**

Table 14. Number of polling stations (PS) by municipality where potential election manipulation was registered

<b>Municipality</b>	<b>Number of PS where deviations in voting patterns were identified</b>	<b>Share in relation to the total number of PS in the general</b>
Zemun	44	38.26%
Novi Beograd	44	30.99%
Palilula	37	35.58%
Čukarica	30	28.04%
Voždovac	29	31.87%
Zvezdara	28	31.46%
Rakovica	25	34.72%
Lazarevac	23	35.94%
Vračar	21	33.33%
Mladenovac	19	32.20%
Stari Grad	17	30.36%
Obrenovac	14	25.45%
Grocka	10	25.00%
Savski venac	8	22.86%
Surčin	7	25.93%
Sopot	7	21.21%
Barajevo	6	21.43%

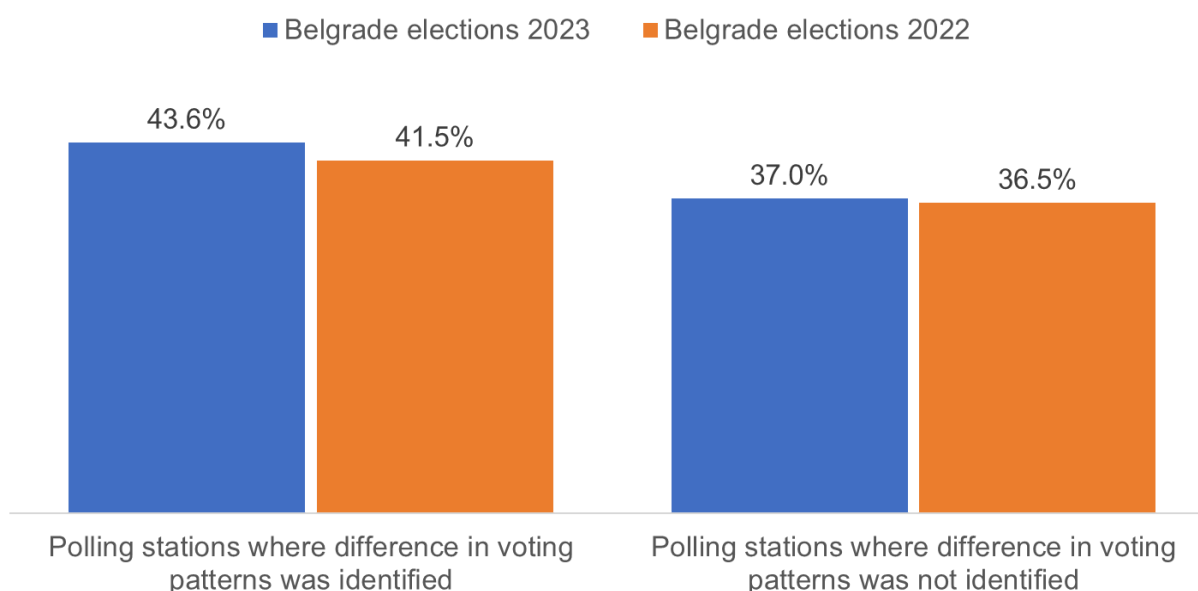
#### *Comparison with previous elections*

As an inspection of the Voters' Register for the Belgrade and parliamentary elections in 2022 and 2023, as well as the Voters' Register for the referendum in 2022, it was determined that a number of voters who were registered at "suspicious addresses" in Belgrade were also present during the previous elections. elections, CRTA conducted an additional analysis of the final voting results in the 2022 Belgrade elections.

In polling stations where no deviations from the average for the local community were observed, the results of the SNS in the local elections of April 2022 were almost identical to the results achieved in the elections of December 2023. On the contrary, in polling stations where deviations in voting patterns were identified, the results of SNS were better in the previous local elections in Belgrade, as well. Nevertheless, the observed differences in the previous Belgrade elections are significantly less intense compared to the differences registered in the December 2023 elections. Therefore, the question arises whether similar election manipulations, but on a smaller scale, existed during the previous elections.



Chart 17. Comparison of SNS results by PS, where a difference was/was not registered in relation to LC



It is important to note that **the analysis of the distribution of votes according to turnout and the analysis of voting patterns according to the place of residence indicate an almost identical result of the SNS in the Belgrade elections (36.95% and 37%, respectively – a difference of only 0.05%), when polling stations suspected of being targets of electoral manipulation are excluded.** The same result obtained by two independent analyses strongly indicates the validity of the conducted analyses.

### 9.3.4. Voting outside the polling station

The CRTA observation mission checked all the minutes on the work of the electoral committees in the city elections in Belgrade. **The check revealed that a total of 13,608 voters in the territory of Belgrade voted outside the polling station, or 1.64% of the voters who voted.** In the suburban municipalities, 3,905 voters or 2.64% voted in this way, while in the central city municipalities that number was 9,703 voters or 1.27%. **In this election cycle, even two thousand more voters voted outside the polling station than in the city elections held in April 2022,** which were held during the duration of the COVID-19 pandemic. It is also important to note that in 32 polling stations there was a discrepancy between the number of people who voted outside the polling station and the number of received certificates of voting outside the polling station, which represents a major omission and an indication of manipulation or malpractice.

Doubts about the integrity of the three-member commissions that are formed from among the members of the polling station committees to visit voters registered to vote outside the polling stations have been present for some time in election cycles, especially in polling stations where the composition of the polling committees is such that they cannot ensure the balance of political interests in mentioned commissions.

A percentage above 2.5% of those who voted outside the polling station is most often taken as an indicator that this mechanism is used to some extent for the purpose of manipulating voters' votes. **In the local elections in Belgrade in 2023, in as many as 196 polling stations (17%), more than 2.5% of the voters voted outside of it.**

*Table 15. The number of polling stations where more than 2.5% of voters voted outside of it*

	Number of PS where % of those who voted outside PS is above 2.5%	% PS in the municipality with more than 2.5% who voted outside the polling station
Mladenovac	40	67.80%
Sopot	17	51.52%
Surčin	11	40.74%
Zemun	27	23.48%
Lazarevac	25	39.06%
Barajevo	9	32.14%
Obrenovac	17	30.36%
Voždovac	17	18.68%

**In these elections, the largest number of polling stations where more than 2.5 percent of voters voted outside the polling station was recorded in the city municipality of Mladenovac.** There are as many as 40 polling stations in that city municipality, out of a total of 59 (68%), where the percentage of voters who exercised their right to vote by voting outside the polling station was over 2.5%. Illustrative examples are the polling stations where this phenomenon was particularly widespread: Zemun 26 (28%), Mladenovac 54 (20%) and Sopot 24 (13%)

Research by retired professor Marijana Pajvančić, which was conducted independently of CRTA's research, testifies that it is not a phenomenon that is unique to the Belgrade elections. As a matter of fact, by inspecting the records of the work of the polling committees **in the territory of AP Vojvodina, she determined a large number of voters who voted outside the polling station. We are talking about 27,845 voters.**

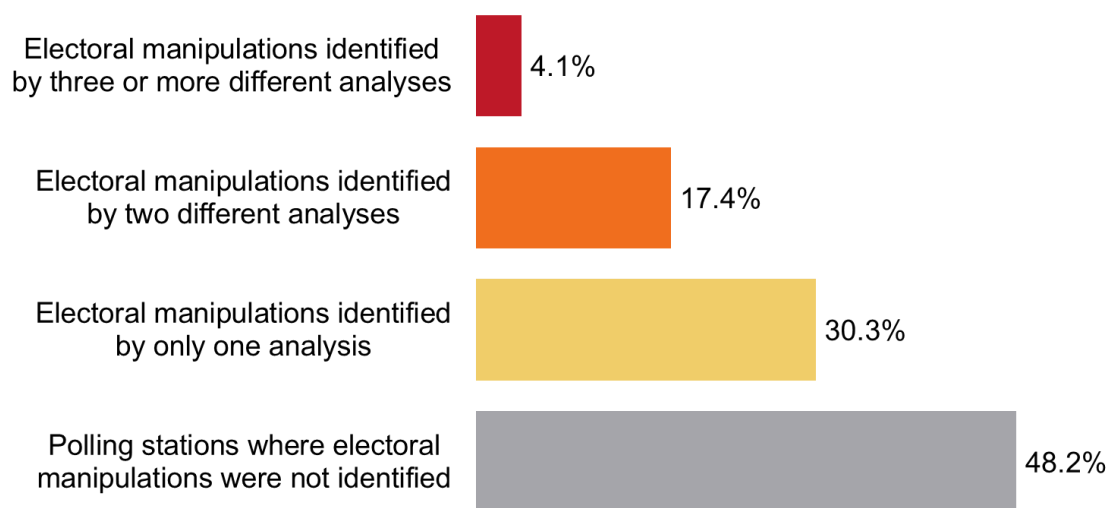
A good example of those claims is the fact that even in four municipalities, the percentage of those who voted outside the polling station was over six percent, namely in Sečanj (6.44%), Kula (6.52%), Mali Iđoš (6.56%) and Opovo (7.08%). In as many as 11 municipalities, that number is between four and six percent, while it is between three and four percent in 15 municipalities. Polling station number 9 in Nova Crnja is illustrative, where as many as 17.66 percent of voters voted outside the polling station. The percentage is also high at polling station 48 in Kikinda (16.32%). It should be noted that there is also a large number of polling stations where this figure exceeded nine percent, which is three times the amount of the threshold in the elections.

#### 9.3.5. Cross analysis

In order to further confirm the findings reached, **CRTA cross-checked the results of all conducted analyses, with the reports of its observers on election day,** as well as data on election manipulations obtained from insiders and citizens during the election campaign and data on suspicious addresses, i.e. addresses in Belgrade on which have a suspicious number of voters (for example: considering square metres of the residential space at the given addresses or considering the fact that there are no habitable residential buildings at the given addresses).

Comparing the available data points to a large number of polling stations in Belgrade where, based on various analyses and/or testimonies, it has been confirmed that the electoral will of the citizens was distorted by electoral manipulations.

Chart 18. Intersection of different types of analysis of election manipulations at polling stations



In at least one of the analyses conducted in Belgrade, CRTA identified potential election manipulations in half of the polling stations (51.8% - 611 polling stations), while manipulations were identified in one fifth of the polling stations (21.4% - 253 polling stations) with at least two analyses. In four percent of the polling stations in Belgrade (48 polling stations), manipulations were identified with at least three different analyses.

**Based on the intersection of various analyses conducted, CRTA's conclusion is that the elections in Belgrade were seriously affected by electoral manipulations in at least 21 percent of polling stations.**

#### 9.4. External validation

**Several political actors who participated in the electoral process in Serbia explicitly either confirmed or justified the practice of voter migration, providing external validation to these claims and observations.** Politicians currently or previously associated with the ruling party in Serbia have expressed suspicion or accused other parties of migrating voters between municipalities in Serbia. Furthermore, several officials from Bosnia and Herzegovina publicly announced voting in Serbia on election day. This practice was criticised by the opposition parties in Serbia, which led the

highest Serbian state officials and officials of the Serbian Progressive Party to justify the migration of voters on election day. Finally, international observers, primarily OSCE/ODIHR, noted this practice and pointed out that the long-standing recommendations to implement a complete revision of the Voters' Register were not implemented.

#### 9.4.1. Inter-municipal migration of voters

**Before and after the election, several politicians currently or formerly associated with the ruling party in Serbia anticipated organised voter migration or accused of it other parties.** Milan Stamatović, president of the municipality of Čajetina and leader of the "Healthy Serbia" party, which is in coalition with the Serbian Progressive Party, explained on October 24<sup>th</sup>:

*"SNS, considering its position, can move a significant part of voters to Čajetina and thus win. It is quite legitimate that today some of the people you have, maybe safe voters from Užice or elsewhere, can be transferred to Čajetina, and even with the solid support of your citizens, you can lose with some people who came from somewhere else."*<sup>248</sup>

Zorana Mihajlović, former minister and vice-president of the Serbian Progressive Party, warned on November 8<sup>th</sup>:

*"Tens of thousands of people transfer their residence to fictitious addresses in Belgrade."*<sup>249</sup>

Dragan Stevanović, vice-president of the Executive Committee of the Serbian Progressive Party and coordinator for the three southern districts of Jablanica, Pčinj and Toplica, accused the ruling Socialist Party of Serbia in the municipality of Surdulica of voter migration, explaining the poor results of his party in this municipality on December 18<sup>th</sup>:

*"I remind you that hundreds of people were brought to Surdulica, registered in the Voters' Register in order to improve the results of the SPS (Socialist Party of Serbia)... What happened today on the day of the election in Surdulica resembled anything but the election process..."*<sup>250</sup>

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<sup>248</sup> Stamatović on joining the Movement for the State: I am aware that by switching safe votes I can lose in Čajetina, <https://link.crtars/lx>

<sup>249</sup> Zorana Mihajlović announced that Always for Serbia will not participate in the elections on December 17<sup>th</sup>: We are getting ready to vote in the spring, <https://link.crtars/ly>

<sup>250</sup> SNS Surdulica official profile, Instagram, <https://link.crtars/lz>

#### 9.4.2. Officials from Bosnia and Herzegovina who vote in Serbia

**Several officials and politicians from Bosnia and Herzegovina voted in cities in Serbia and shared pictures on social media.** Nenad Nešić, Minister of Security of Bosnia and Herzegovina, Milovan Bjelica, mayor of the municipality of Sokolac in Bosnia and Herzegovina and Jelena Trivić, president of the People's Front, a political party in Bosnia and Herzegovina, shared photos of voting in the elections in Novi Sad, and the municipalities of Vračar and Zemun in Belgrade. All three officials and politicians from Bosnia and Herzegovina quoted the slogans "Serbia must not stop" in their messages, which is the name of the ruling party's list in the elections.<sup>251</sup>

#### 9.4.3. Justifications of Serbian officials

**After election day, the highest state officials and members of the Serbian Progressive Party turned their attention to the voting of citizens from Bosnia and Herzegovina in Serbia and began to justify this practice.** This was done by Aleksandar Vučić, President of Serbia (December 17<sup>th</sup>, 18<sup>th</sup>, 20<sup>th</sup>), Prime Minister Ana Brnabić (December 17<sup>th</sup>, 19<sup>th</sup>), Minister of Defence and President of the Serbian Progressive Party Miloš Vučević (December 19<sup>th</sup>), Speaker of the Assembly Vladimir Orlić (December 20<sup>th</sup>, 21<sup>st</sup>), Vice President of the Main Board of the Serbian Progressive Party and Member of Parliament Milenko Jovanov (December 17<sup>th</sup>) and Mayor of Belgrade and Vice President of the Main Board of the Serbian Progressive Party Aleksandar Šapić (December 21<sup>st</sup>).

**The highest officials explicitly justified the practice of voters traveling to Serbia to vote and the organisational element of voter migration:**

*"Well, it's not a crime to drive someone or not. Today we had, I don't know how many cars available for anyone who needed it, any mother, grandmother, aunt... We helped everyone get to the election. That is the job of a political party participating in the elections."* (Aleksandar Vučić, December 17<sup>th</sup>)<sup>252</sup>

*"What is irregular/illegal here – our citizens, registered in the Voters' Register (without deviation from previous elections), come organised and vote in places where the opposition has 80% of controllers + 5,600 international observers."* (Ana Brnabić, December 17<sup>th</sup>)<sup>253</sup>

*"They have the right to vote, I'm talking about the citizens of Kosovo and Metohija without a doubt, and those who have dual citizenship from Republika Srpska have*

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<sup>251</sup> Nenad Nešić, official profile on social networks X (<https://link.crta.rs/m0>) and Facebook (<https://link.crta.rs/m1>)

<sup>252</sup> Statement by Aleksandar Vučić on election night, December 17<sup>th</sup>, 2023, <https://link.crta.rs/m2>

<sup>253</sup> Ana Brnabić, official profile on social networks X and Facebook, <https://link.crta.rs/m3>

*the right to vote, and this is allowed by the law passed by those who are now criticising it.” (Miloš Vučević, December 19<sup>th</sup>)<sup>254</sup>*

*“Serbs from Republika Srpska and from Kosovo and Metohija, who came to vote in THEIR COUNTRY IN ACCORDANCE WITH THE LAW.” (Milenko Jovanov, December 17<sup>th</sup>)<sup>255</sup>*

#### 9.4.4. Reactions of international observers

**International election observers, primarily OSCE/ODIHR, noted the organised migration of voters both in the evaluation of the campaign and on election day.** In the run-up to the elections, the ODIHR mission noted “claims that numerous deceased persons, including those living abroad, remain on the Voters’ Register, together with claims of voter migration related to local elections, which undermines confidence in its accuracy.” After election day, ODIHR noted “frequent claims of organising and busing voters to support the ruling party in local elections.” At the same time, ODIHR observers noted “instances of serious irregularities, including vote buying and ballot boxes stuffing”. They also noted that the long-standing recommendation of the ODIHR and the Venice Commission to conduct a complete revision of the Voters’ Register has not been implemented.

## 10. ELECTION ADMINISTRATION AFTER ELECTION DAY

The observation mission of CRTA assesses that the election administration acted in accordance with the law in almost all cases after the election day. Two cases of deviation from the law were recorded in the Belgrade elections – one of which, concerning the backdating of the publication of the Official Gazette of Belgrade with the final voting results, **threatened legal certainty and the right to a legal remedy in procedures for the protection of electoral law.** Another problematic case relates to the actions of the City Electoral Commission is about **missing the deadline for the allocation of mandates**, which violated Article 63 of the Law on Local Elections.

Citizens’ distrust in the integrity of the election results in Belgrade and the opposition’s demand to fight again at all levels culminated in protests in front of the building where the Republic Electoral Commission convenes. **The REC’s avoidance of being determined by these issues has opened up space for further deepening of the public’s mistrust in the elections and the work of the election administration.** Bearing in mind that the violation of the integrity of the Voters’ Register was the main reason for citizens’

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<sup>254</sup>Vučević apologised to the citizens of Republika Srpska for the insults of autochavuinists: You’re always welcome!, <https://link.crtars/m4>

<sup>255</sup>Milenko Jovanov, official profile on social network X, <https://link.crtars/m5>

concern about the integrity of the election results, **the obligation of the Republic Electoral Commission was to convene and declare on this important issue, because its basic duty is to take care of the legality of the electoral process, even though maintaining and updating the Voters' Register is not within its competence.**

A total of 357 requests were submitted to local Electoral Commissions for annulment of voting at the polling station, while REC decided on 143 objections after election day. CEC decided on eight objections after election day.

Elections for MPs were repeated at 43 polling stations in two terms, on December 30<sup>th</sup> and January 2<sup>nd</sup>. Elections for councillors of the City of Belgrade Assembly were repeated on December 30<sup>th</sup>, 2023 at three polling stations.

## **10.1. Republic Electoral Commission (REC)**

After the election day, the Republic Electoral Commission acted in accordance with its legal powers and in accordance with the prescribed deadlines. The elections were repeated at a total of 43 polling stations. The work of the REC after the election day was marked by the decision on objections and the adoption of the overall report on the election results, and 15 sessions were held during that period.

### 10.1.2. Protection of electoral rights after election day

The Republic Electoral Commission held 15 sessions after the election day. After the adoption of the overall report on the results of the election, the extended composition of the REC ceased to exist in accordance with the law. The overall report on the election results was adopted on January 12 at the 51<sup>st</sup> session. After that, the REC convened in its permanent composition and, at the 51<sup>st</sup> session, made a decision on the allocation of mandates to MPs.

After election day, local Electoral Commissions decided on 357 requests to cancel voting at the polling station. The largest number of requests were rejected, 184 of them, while 167 were dismissed. Five requests for annulment of voting at the polling station were approved, of which two in Kula, submitted by the Serbia Against Violence coalition, two in Niš and one in Subotica, submitted by the National Gathering coalition.

After the election day, REC decided on 142 objections. It rejected the largest number of objections, a total of 90, and dismissed 35. On the other hand, in three cases it declared itself incompetent, and in nine it accepted objections. **As many as 101 objections were submitted to the Republic Electoral Commission against the decisions of local Electoral Commissions that rejected or dismissed the requests for annulment of voting**



**at the polling station, while nine of them were adopted.** A total of **16 objections were filed due to irregularities during the conduct of voting and all were dismissed.** Also, nine objections were submitted due to failure to make a decision, i.e. failure to take action.

A total of **125 complaints were rejected or dismissed by the REC.** In 45 cases, the applicants submitted an appeal to the Administrative Court. No appeal was accepted: 26 were rejected, while 18 were dismissed (at the time of writing the report on the website of the REC, there is no information about the decision of the Administrative Court for one appeal).

**The largest number of appeals to the Administrative Court were filed against the decisions of the REC on objections against the decisions of the Local Electoral Commissions, which rejected or dismissed the requests to cancel voting at the polling station, as many as 28 out of 46.** On the other hand, 14 appeals were filed due to REC's decisions to reject complaints due to irregularities during the conduct of voting.

In order to decide on the objection to the overall report on the election results submitted by the Serbia Against Violence Coalition, the 52<sup>nd</sup> session of the Republic Electoral Commission was scheduled. **The complainants pointed out that the REC did not act properly, that is, it did not wait for the expiration of the deadlines for submitting legal remedies that have a suspensive effect in the election procedure, and only then adopted the overall report on the election results. REC did not accept that complaint.** The Serbia Against Violence Coalition filed an appeal with the Administrative Court, which was rejected.

#### *Conflict of jurisdiction between the Republic and City Electoral Commissions*

The Serbia Against Violence Coalition submitted a complaint to the City Electoral Commission of the City of Belgrade demanding a repeat vote at all polling stations. However, the content of the complaint, according to the CEC, indicated that the request was submitted in relation to the elections for deputies, and the CEC declared itself not competent and forwarded the complaint to the Republic Electoral Commission. **Some parts of the objection did contain data related to the elections for members of parliament, but the objection itself was clearly addressed to CEC and the applicant was the electoral list of the Serbia Against Violence Coalition, whose holders were Dobrica Veselinović and Vladimir Obradović, which clearly indicated that the objection refers to city elections. The Republic Electoral Commission decided on this complaint and rejected it as submitted by an unauthorised person, which additionally speaks in support of the aforementioned conclusion. The Serbia**

**Against Violence Coalition has initiated proceedings to resolve the conflict of jurisdiction before the Constitutional Court. The members of the REC pointed out that the election procedure cannot be completed until the Constitutional Court resolves the conflict of jurisdiction. The President of the Republic Electoral Commission pointed out that there is no conflict of jurisdiction in the given situation, since the REC accepted the jurisdiction and rejected the objection in question.**

### 10.1.3. Repeating elections and allocation of mandates in parliamentary elections

In the republican elections, voting was repeated on December 30 at 35 polling stations, while on January 2 it was repeated at another eight polling stations.

**On January 18, 2024, the Serbia Against Violence Coalition, in accordance with the law, submitted a request to the Constitutional Court to contest the election procedure in Belgrade, and announced the same for the republic elections, which it can do within 15 days from the date of publication of the overall report on the results of the elections for MPs.**

**At the 53<sup>rd</sup> session held on January 22<sup>nd</sup>, 2024, the Republic Electoral Commission made a decision on the allocation of mandates to members of parliament.**

## 10.2. City Commission of the City of Belgrade (CEC)

After the election day, the City Electoral Commission of the City of Belgrade (CEC) acted formally and legally within the limits of its powers, but not in accordance with all prescribed deadlines and legal provisions. CEC violated the deadline prescribed by Article 63 of the Law on Local Elections and failed to allocate mandates within seven days from the date of publication of the overall report on the election results. **Moreover, despite the serious irregularities during the election day, which were observed by domestic and foreign observers as well as individual members of the Electoral Commission, the CEC did not engage in the analysis of such cases, nor did it initiate proceedings before the competent state authorities in order to prevent certain illegal actions. This is particularly worrisome considering that serious irregularities with elements of criminal offences were repeated during the election day, as was the case during the announcement of electoral lists, where it was observed that signatures of voter support for certain electoral lists were forged, which has reoccurred in every electoral process.**

### 10.2.1. CEC after election day

After the election day, eight sessions of the CEC were held, during which, in accordance with the law, **on December 18<sup>th</sup>, a Decision was made on determining the preliminary results of the elections for councillors of the Belgrade City Assembly.** The decision included results from 92.46 percent of polling stations where voting results could be determined, with only four electoral lists passing the threshold, out of the 14 announced. **At 89 polling stations, it was necessary to correct simple and complex logical and computational errors, and the minutes from these polling stations were the subject of processing and decision of CEC on their corrections. At three polling stations it was not possible to determine the voting results,** after which a decision was made to repeat the voting at those polling stations, which was carried out on December 30<sup>th</sup>, 2023. After the repeated voting, **on January 3<sup>rd</sup>, 2024, CEC adopted the General Report on the results of the elections for councillors of the Assembly of the City of Belgrade.**

In this period, a total of **eight objections were decided on, all of which were rejected.** One objection was rejected because the CEC declared itself incompetent to act, five objections were rejected as irregular and two objections were rejected because they were submitted by unauthorised persons. On the occasion of the first objection by which the CEC declared itself incompetent, an appeal was filed to the High Court in Belgrade, which confirmed the decision of the CEC.

The discussion of CEC members was mainly conducted regarding the content of the Voters' Register, the so-called appearance of "phantom" voters, the observed organised bringing of voters to Belgrade from other parts of Serbia, as well as from neighbouring countries, and the insufficient action of other state authorities to preserve and ensure the integrity of the electoral process.

### 10.2.2. Antedating the election procedure in Belgrade

**Backdating the publication of the overall report on the results of the election potentially threatens the right to a legal remedy, the right to an effective legal remedy, that is, it violates legal certainty and as a result may prevent legal protection before the Constitutional Court.** Additionally, **backdating had a negative effect on the legality of the actions of the City Electoral Commission, which undoubtedly violated the Law on Local Elections.**

On the basis of Article 59 of the Law on Local Elections, the City Electoral Commission of the City of Belgrade (CEC) at the 29<sup>th</sup> session held on January 3<sup>rd</sup>, 2024, adopted the

overall report on the results of the elections for councillors of the City of Belgrade Assembly. CEC published the overall report on the results of the elections on the web presentation and thereby fulfilled its obligation prescribed by Article 60 paragraph 1 of the Law on Local Elections, which stipulates that the Electoral Commission is obliged to publish the overall report on the results of local elections and voting results for each polling station on the web presentation.

However, Article 60 paragraph 2 of the Law on Local Elections stipulates that the overall report on the election results is published in the same way as the regulations of the local self-government unit are published. Article 2 of the Decision on publication of acts in the “Official Gazette of the City of Belgrade” stipulates that acts on the results of the elections for city councillors are published in that newspaper. Additionally, Article 30 of the Rules of Procedure of the CEC stipulates that the commission’s decisions are published, among other things, in the “Official Gazette of the City of Belgrade”. Finally, in the overall report on the election results in item 2, it is stated that the report will be published in the “Official Gazette of the City of Belgrade”. Bearing in mind the mentioned legal sources, it remains unclear why the overall report on the election results was published only on January 18<sup>th</sup>, 2024 in the issue no. 1 of the “Official Gazette” with a fictitious date of January 3<sup>rd</sup>, 2024.

If we consider the failure to publish the complete election results report by January 18<sup>th</sup>, along with its retroactive dating, in the context of the initiation of the electoral dispute resolution process as announced by the Serbia Against Violence Coalition, it appears that we find an explanation for why the overall report was published in the “Official Gazette of the City of Belgrade” on that specific date.

**The Serbia Against Violence Coalition announced the initiation of the decision-making process on election disputes before the Constitutional Court, in accordance with Article 75 of the Law on the Constitutional Court.** That article stipulates that a request for a decision on an election dispute can be submitted when the jurisdiction of the courts is not determined by law, and that it can be submitted by any voter, candidate for the President of the Republic, that is, MP or councillor, as well as the applicant of the candidate’s proposal. Furthermore, in the same article, it is prescribed that the request must contain the reasons and evidence for which a decision on the election dispute is requested, as well as that the request can be submitted no later than 15 days after the end of the disputed election procedure.

Therefore, the deadline for submitting a request for a decision on an election dispute begins to run from the day of the end of the disputed election procedure. Since the overall report on the results of the election was published in issue 1 of the “Official

Gazette” with a fictitious publication date of January 3<sup>rd</sup>, **the deadline for initiating the decision-making process on the election dispute expires on January 18<sup>th</sup>, 2024 – the day the “Official Gazette” with the report was actually published.** Therefore, the deadline expired on the same day that the overall report was published. Such behaviour put **the Serbia Against Violence Coalition, but also other citizens in an unfavourable situation, leaving little time to write a legally valid and well-argued request for a decision on the election dispute. However, on January 18<sup>th</sup>, immediately after the publication of the Official Gazette, the Serbia Against Violence Coalition submitted a request to the Constitutional Court for a decision on the electoral dispute in the case of the Belgrade elections.**

**The backdating of the overall report jeopardised legal certainty and seems to have been intended to prevent or at least make it difficult to use *the ultima ratio* legal remedy in the electoral process.** The legislator envisaged the procedure for deciding election disputes before the Constitutional Court, which is the guardian of the Constitution and the rights and freedoms of citizens, as the last instance by which the electoral right of all citizens of the Republic of Serbia can be protected. The publication of the overall report in this way threatened the realisation of the right to legal protection for all citizens, which is guaranteed by Article 36 paragraph 2 of the Constitution of the Republic of Serbia. In that article, it is stated that everyone has the right to appeal or other legal remedy against the decision which decides on one’s right, obligation or interest based on law. Moreover, in this way, the realisation of the right to an effective legal remedy prescribed by Article 13 of the European Convention on Human Rights is threatened, which stipulates that anyone whose rights and freedoms are violated under the Convention has the right to an effective legal remedy before the national authorities.

Finally, antedating had a negative impact on the legality of the actions of the City Electoral Commission of the City of Belgrade. Namely, in Article 63 of the Law on Local Elections, it is stated that within seven days from the date of publication of the overall report on the results of the local elections, the Electoral Commission shall award mandates to candidates for councillors by decision. The overall report was published on January 18<sup>th</sup>, 2024 in issue no. 1 of the “Official Gazette of the City of Belgrade”, but January 3<sup>rd</sup>, 2024 was set as the fictitious date of publication of that issue. Taking into account the fact that the deadline for the assignment of the mandate runs from the publication of the overall report, it is clear that the deadline for the assignment of the mandate expired on January 10<sup>th</sup>, 2024. Therefore, the City Electoral Commission of the City of Belgrade violated the Law on Local Elections by failing to assign mandates until January 10<sup>th</sup>, 2024, i.e. within the deadline prescribed by law. CEC awarded mandates on January 22<sup>nd</sup>, 2024, 12 days after the expiration of the legal deadline.

## 11. OVERSIGHT INSTITUTIONS AND BODIES

### 11.1. Prosecution

In this election process, the complete absence of an urgent and effective reaction of the prosecution is noticeable, that is, not a single case of urgent action was recorded based on publicly available information and evidence of criminal acts related to the elections. On the contrary, **at the end of the election day, the Higher Public Prosecutor's Office announced that "there is no evidence that any criminal offence was committed during the elections".**<sup>256</sup> All information that is publicly available refers to the actions of individual prosecutors' offices following certain reports from citizens and actors, where prosecutors' offices publicly provided information on the number of reports and cases formed, but not on the activities that were undertaken further (except for the information that the collection of information is in progress).<sup>257</sup>

**The Higher Public Prosecutor's Office in Belgrade announced on Saturday, December 23<sup>rd</sup>, that it had formed several cases based on reports regarding allegations of irregularities during the parliamentary and Belgrade elections held on December 17<sup>th</sup>, 2023, although at the end of the election day, it announced "that there is no evidence that any criminal offence was committed on election day".**<sup>258</sup> The reports relate to buying votes, falsifying ballots and signatures.

On the occasion of **two reports of the Republic Electoral Commission on the falsification of documents, which were submitted to the Higher Public Prosecutor's Office on December 11<sup>th</sup>, cases were formed** and forwarded to the First Basic Public Prosecutor's Office in Belgrade. reports refer to allegations of forged signatures of two electoral lists, "Enough! The European Way" and the Russian Minority Alliance, where the REC established in the process of announcing the election lists that there were manipulations with signatures, i.e. their certification.

**During the election day, the Third Basic Public Prosecutor's Office in Belgrade was informed about five events related to the elections that took place in the territory of that prosecutor's office. The events related to the crimes of vote buying, attacks on observers and ballot falsification.** A particularly interesting report to this prosecutor's

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<sup>256</sup> Danas, the Higher Prosecutor's Office in Belgrade: There is no evidence that any crime was committed during the elections, December 17<sup>th</sup>, 2023, <https://link.crta.rs/m6>

<sup>257</sup> Thus, the Higher Public Prosecutor's Office in Belgrade issued a statement dated December 23<sup>rd</sup>, 2023, in which it is stated that the Higher Public Prosecutor's Office and six primary prosecutor's offices in Belgrade received 7 reports related to events during election day, i.e. 4 more reports related to events before election day. Information on the work of other basic public prosecutor's offices throughout Serbia is limited and refers to the number of applications during election day in some places. <https://link.crta.rs/mh>

<sup>258</sup> Danas, the Higher Prosecutor's Office in Belgrade: There is no evidence that any crime was committed during the elections, December 17<sup>th</sup>, 2023, <https://link.crta.rs/m6>

office referred to the report of a member of the Republic Electoral Commission that parallel voting was taking place in the “Štark Arena” and that that person and his colleagues were prevented from entering the Arena. **On the order of the prosecutor on duty, the police interviewed the applicants, after which they instructed them to report all irregularities to the Republic Electoral Commission.**

The Second Basic Public Prosecutor’s office **formed a case and sent a request to collect the necessary information to the Republic Electoral Commission regarding the report of a member of the electoral committee that eight forged ballots were allegedly found in the ballot box.**

**The First Basic Public Prosecutor’s office did not file a single case related to the events during or after the election day.** However, **before election day, this body formed three cases related to allegations of falsification of declarations** of support for electoral lists. On the occasion of the criminal complaint filed against an unknown person employed in the Main Board Savski Venac for verifying false data in two forms, where it is stated that the voter JZ supports the electoral list for the elections for councillors in the Belgrade City Assembly “Group of Citizens Dad, this is for you – Petar Đurić” and for list “Serbia in the West – Zoran Vuletić – Nemanja Milošević – Experts should have a say – Vladimir Kovačević”, First Basic Public Prosecutor’s office formed a case and submitted a request to collect the necessary information to the CEC.

According to information published by Insider<sup>259</sup>, **the First Basic Public Prosecutor’s Office in Belgrade, after the criminal complaint filed by the members of the City Electoral Commission against MG and several unknown persons, sent a request to collect the necessary information to the Ministry of Internal Affairs of the Republic of Serbia, the Police Directorate, the Police Department for the City of Belgrade, the Criminal Police Directorate, the First Department, in order to conduct verifications and gather all data regarding alleged forged signatures in Belgrade.** The Prosecution also sent an urgent request to the Directorate of the Criminal Police, First Department, in order to deliver the requested information as soon as possible.

In the case of the attack on the CRTA observers in the yard of the Police Station Odžaci, the Basic Public Prosecutor’s Office opened a case and qualified this attack as a criminal act of Violent behaviour. In this particular case, based on the available information, **it is shown that the police officers did not react adequately to prevent the attack on the observers, did not ensure their safety, even though they were informed in a timely manner that there was a serious and immediate threat to the safety of the**

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<sup>259</sup> Insider, Prosecutor’s Office for Insider on the criminal complaint of GIK members for forging signatures: Information is being collected, an emergency sent to the criminal police, January 22<sup>nd</sup>, 2024, <https://link.crtars.rs/m7>

**observers.** Also, there are indications that after the attack, they did not take all necessary measures to find the attackers, nor to discover and secure evidence.

When it comes to the case of the SNS call centre, which was discovered by a CINS investigative journalist<sup>260</sup>, a criminal complaint was filed to the First Basic Public Prosecutor's Office, which forwarded the case to the Higher Public Prosecutor's Office, bearing in mind that this prosecutor's office is competent for the criminal offence of giving and receiving bribes in connection with voting. The Higher Public Prosecutor's Office returned the report to the First Basic Public Prosecutor's Office with the statement that adequate evidence was not provided to initiate the proceedings. Despite the fact that it is up to the prosecution to collect evidence, and it is up to the applicant to point out the allegations, **the Higher Public Prosecutor's Office took the position that adequate evidence had not been submitted, even though a video of vote buying had been filed with the application, which was publicly available.**

## **11.2. Agency for Prevention of Corruption**

**In this election cycle, the Agency for Prevention of Corruption (Agency) improved its transparency and proactivity in the field of financing political activities. Nevertheless, the interpretation of the legal provisions prohibiting the abuse of public resources by political parties and public officials in some borderline cases, especially when it comes to the highest-ranking public officials such as the president, prime minister and ministers, remains disputed.**

The Agency acted on the reports made by natural and legal persons within the short deadlines prescribed by law. However, as in previous campaigns, the impression remains **that the Agency does not have the professional integrity to express its independence in full capacity** and sanction the violation of the law by the President of the Republic of Serbia, even in situations where it is more than obvious, as is the case with his public address at the pre-election rally of the Serbian Progressive Party. On that occasion, the president used his public function, i.e. the public rally in which he participated, to promote the Serbian Progressive Party, of which he is a member. President Vučić openly promoted the election list "Aleksandar Vučić – Serbia must not stop", and invited voters to vote for that political option. Also, **on that occasion, the President of the Republic did not unequivocally present to the public whether he was presenting the position of the body in which he performs his public function or the position of the said political party, which is undoubtedly a violation of the imperative legal norm from the Law on Prevention of Corruption.**

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<sup>260</sup> CINS, "CINS in the SNS call centre: Agency for hostesses, buying votes and millions in cash", <https://link.crt.a.rs/lg>, November 29<sup>th</sup>, 2023.



On November 19<sup>th</sup>, 2023, the Director of the Agency gave an interview to the daily "Politika"<sup>261</sup> in which, among other things, he commented on the complaint against the President of the Republic. When asked by a journalist whether the President of the Republic was obliged to say at a public rally that he was speaking in the capacity of a member of the party, **the Director of the Agency stated that the President did not say anything, did not use a single word that could cast a shadow on that, that is, that he did not make any mistake. At this point, it should be recalled that the ODIHR observation mission in its report from 2020 indicated that the constant engagement of President Vučić both as the president of the state and then as the leader of the Serbian Progressive Party (SNS) gave him the opportunity to appear in public at a way that the others could not follow, while his roles were not clearly separated.** Furthermore, ODIHR states that the absence of a clear division between what constitutes an SNS campaign and what constitutes media coverage of the President and the Government called into question paragraph 5.4 of the 1990 OSCE Copenhagen Document<sup>262</sup>.

**Apart from the unwillingness to prosecute the highest representatives of the government, the Agency also demonstrated a certain degree of bias towards the Serbian Progressive Party in this election campaign.** As a matter of fact, acting on CRTA's reports, the Agency in most cases **only issued a warning measure** to the Serbian Progressive Party, although it also had the option of submitting a request to initiate misdemeanour proceedings to the competent misdemeanour court. **For the first time in its practice so far, the Agency had implemented unified proceedings for multiple CRTA reports, thereby favouring the Serbian Progressive Party, although there is no legal basis for such a procedure.**

**By mildly punishing a political party and a responsible person in a political party by imposing a warning measure, the purpose of punishment was neither achieved nor did it achieve a deterrent effect in relation to SNS, so there is a noticeable trend of increasing the number of violations of the law by that political party in the upcoming election campaign.**

#### 11.2.1. Activities of the Agency in observing the election campaign

In order to improve proactive actions, a special section called "Elections 2023" was opened on the Agency's website with all relevant data on the Agency's actions in the election campaign, which includes information related to the Agency's most significant

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<sup>261</sup> Politika, There are more than 30,000 public officials in Serbia, <https://link.crtars/m8>, November 19<sup>th</sup>, 2023.

<sup>262</sup> REC, PARLIAMENTARY ELECTIONS JUNE 21<sup>st</sup>, 2020, ODIHR Special Mission for Election Evaluation, <https://link.crtars/m9>, October 7<sup>th</sup>, 2020.

activities after calling the elections, as well as relevant provisions of the Law on the Financing of Political Activities, which regulate the conduct of political entities (political parties, groups of citizens and coalitions of political parties) in the election campaign. So far, six announcements and four statements have been published. First and foremost, they indicate the legal obligations of political subjects in the election campaign (obligation to mark advertising and other materials; submission of preliminary reports on election campaign expenses; opening and use of special accounts for the election campaign), illegal activities (financing of humanitarian activities is prohibited) and the prohibition of misuse of public resources in the election campaign. Moreover, the Agency informed the public that election campaign observers (field observers and coordinators), hired by the Agency, have started working in the field. Furthermore, the following news published on the Agency's website refers to the invitation to political subjects to participate in the training in Belgrade entitled "Implementation of the Law on the Financing of Political Activities", with the aim of acquainting the participants with the obligations and procedures in accordance with this law and by-laws which regulate this area, with a special emphasis on the rules of behaviour of political subjects in the election campaign. After the training, the Agency announced the news about the training. Before the deadline for submitting preliminary reports on election campaign expenses, the Agency reminded political subjects on its website of the obligation to submit them. The latest news published on the Agency's website refers to the invitation to political subjects to submit preliminary and final reports with an electronic signature. Finally, the Agency published an overview of the deadlines for submitting the final reports on the expenses of the election campaign for the elections scheduled for December 17<sup>th</sup>, 2023.

Regarding the observation of the election campaign, **the Agency published on its website a public invitation and decision on the election of observers, as well as a ranking list of previously elected candidates** according to the decision from 2022. 135 election campaign observers were selected, of which 33 are coordinators and 102 are field observers. They collected data on the potential costs of political subjects in the field (number of billboards, meetings, stands and distribution of materials on them).

The Agency also published the Control Plan for the 2023 Election Campaign Expense Report from November 6<sup>th</sup>, 2023 (the Plan) which determines the criteria for control of reports and the activities that the Agency will undertake in the procedure of control of reports. The plan envisages that the report on the expenses of the election campaign of all political entities that had declared electoral lists for the election of deputies to the National Assembly, as well as for the election of councillors of the assemblies of the cities of Belgrade and Kragujevac, will be controlled. It is foreseen that the control of

political entities that participated in the remaining local elections in Serbia will be carried out depending on the realised income and expenses during the election campaign and by the method of random selection.

**When it comes to the Agency's decisions on applications by natural and legal persons, i.e. decisions in procedures initiated ex officio, as of December 19<sup>th</sup>, 2023, the Agency has published a total of 18 decisions on the website related to applications by natural and legal persons due to violation of the Law on Financing of Political Activities.** It should be noted that the Agency does not have the obligation to publicly announce decisions regarding the violation of the Law on the Financing of Political Activities, when it initiates proceedings ex officio. Also, when it comes to deciding on the violation of the provisions of the Law on Prevention of Corruption, the Agency has no obligation to publish decisions that establish that there has been no violation of the law. In the case where a violation of the above-mentioned law is established, only decisions imposing to the public official **the measure of public publication of the recommendation for his dismissal from public office and the measure of public publication of the decision on the violation of this law are published** (they are published on the Agency's website and in the "Official Gazette of the Republic of Serbia" ), while the decisions imposing a warning measure (in the case of a minor violation of the law) are not publicly announced.

### **11.3. Regulatory body of electronic media**

**REM's work throughout the campaign remained marked by a lack of transparency and accentuated passivity.** Only after the election day, REM published part of the data from the campaign monitoring, and only the data it collected during the monitoring of public media services and cable televisions, while the publication of the findings related to commercial televisions with national coverage was delayed. **By hiding part of the data, REM contributed to the creation of a distorted image of political pluralism in the media campaign. The first applications were also considered only after the election day, and in the rare cases in which the REM informed the applicants about the outcome of its decision, it did so after the deadline prescribed by law.**

The only procedure initiated by REM in relation to the contents shown in the election programme was not completed by the date of the conclusion of this report. This procedure concerns the publication of a private video of the opposition candidate's pornographic content in the TV Pink morning programme and represents an escalation of the extremely negative campaign that was conducted against the opposition representatives on all televisions with national coverage.

**By not using the mechanisms under its competence in a timely manner to ensure the legality of the actions of media service providers, by selectively publishing data and not respecting legal deadlines for decision-making, REM, by its inaction, essentially contributed to the creation of space for biased reporting by commercial television stations with national coverage during the election campaign.**

### 11.3.1 REM methodology and activities

Despite the fact that in the Methodology for monitoring the election campaign in 2023 it was foreseen that the REM would report on the campaign every fifteen days, the first report, i.e. the document entitled “Main excerpts from part of the media campaign monitoring material for the republic, provincial and local elections” was published only after the end of the campaign, on December 26<sup>th</sup>, 2023.<sup>263</sup> For the purposes of that document, only data obtained in the oversight of public media services (RTS 1 and RTS 2, RTV 1 and RTV 2) and cable television (N1, Nova S, Al Jazeera and TV K1) were analysed. Until the date of the conclusion of this report, **REM has not published the findings of the monitoring of commercial television stations with national coverage.**<sup>264</sup>

Internal political pluralism on televisions with national coverage during this election campaign was completely absent, which is clearly demonstrated by the findings of CRTA's media monitoring. The findings of REM's monitoring remained hidden from the public until the date of the conclusion of this report. **By selectively publishing the collected data, REM presented a distorted picture of political pluralism in the media during the election campaign.** The responsibility for this behaviour of REM also rests with the legislator who, despite the recommendations of international and domestic organisations, failed to include in the text of the new Law on Electronic Media a provision that would clearly define the method of selecting a sample for monitoring during the campaign, the reporting periods and the content of the report on monitoring of the media campaign.

**The only procedure for the imposition of protection measures related to the election campaign, which REM initiated while the campaign was in progress, related to the showing of a private video of pornographic content of the MP and candidate for councillor in the Belgrade City Assembly, Đorđe Miketić, in the election block of the**

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<sup>263</sup> REM, Adopted report on monitoring the program during the election campaign, December 26<sup>th</sup>, 2023 <https://link.crtars/kz>

<sup>264</sup> At the same time, three of the four cable televisions (N1, Nova S, Al Jazeera) that were monitored and for which REM determined in the report that during the campaign they predominantly reported negatively on the widest range of social and political topics are not within the competence of the Republic of Serbia or REM, and the procedure for determining possible violations of the regulatory framework that applies to them can only be conducted by the regulator in the country of their registration. In addition, the cable televisions for which REM has published data have a coverage area and viewership that cannot in any case be compared to televisions with national coverage.

**morning programme of Pink Television.** Despite the fact that REM announced that it would be completed in the first half of December, **this procedure is still ongoing.** By postponing decision-making in the case of a brutal violation of personal rights in the election programme, with the interpretation of the provisions of the law in a way that favours the interest of commercial television to the detriment of the protection of public interest in the field of electronic media<sup>265</sup>, **the current composition of the REM Council confirmed again that it does not represent the guarantor of the values for the protection of which it was founded.**

**CRTA tried to draw attention to the fact that an extremely aggressive campaign against opposition candidates was conducted on television with national coverage.** It was most intense on Pink TV, which openly acted as a participant in the campaign, producing its own content that served to promote the election list “Aleksandar Vučić – Serbia must not stop” but also showing films, videos and other forms of promotion produced by unnamed sources. **The presented content included the placement of articles in which representatives of the opposition were subjected to intense criticism, disparagement, dehumanisation and hate speech.** Opposition leaders were marked as persons who draw a target on the head of the President of the Republic, and entire shows were devoted to speculation about the connection of opposition representatives with criminal circles. **In the election programme, the same television showed an almost half-hour speech by the Prime Minister, who, leading the campaign from the position of a public official, accused the opposition of preparing chaos and destabilising the state if it loses the elections.**

**Pink Television did not hesitate to relativise the genocide in Srebrenica for the purposes of the election campaign.** In no case was the rule of “the other side” respected, that is, the representatives of the opposition were not allowed to comment on the allegations made. **In addition, the applications pointed to the violation of the principle of representation without discrimination in the election programme and enabling public office holders to campaign in the capacity of officials.** REM, however, chose not to question the atmosphere of impunity it had nurtured for years during the campaign. **The REM did not decide on CRTA’s applications during the campaign period.** Consideration of the report of the Supervision and Analysis Service in connection with certain cases reported by CRTA was on the agenda of the Council only on December 22<sup>nd</sup> and 29<sup>th</sup>, 2023.

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<sup>265</sup> By treating this case outside the context of the election campaign, REM missed the opportunity and obligation to make a decision on the possible imposition of a measure on Pink Television in a timely manner – while the campaign is still ongoing and even if such a measure can have a positive effect on changing the behaviour of the media service provider during the election campaigns. CRTA reported more about this in the Second section of long-term observation, p. 42 <https://link.crt.rs/kw>

**This behaviour of REM is particularly worrisome if one takes into account the fact that the new legal framework obliges REM to react within extremely short periods upon learning of violations of the law.** By the date of the conclusion of this report, five responses from REM were submitted to CRTA. In all five cases, REM informed CRTA that there was no place to start the procedure. Also, in all cases, REM provided the response to the applicants after the deadline stipulated by law.<sup>266</sup> In its terse notification, REM did not explain the reasons for its refusal to act on CRTA's applications. On that occasion, CRTA submitted a request for access to information of public importance in order to find out the content of the report of the Service, on the basis of which the Council decided not to initiate proceedings. Contrary to the principles of the Copenhagen Document, CRTA has no right of appeal in this procedure.

#### **11.4. Supervisory Committee for the Election Campaign**

The supervisory committee for the election campaign of the National Assembly was formed in a timely manner in this election cycle.<sup>267</sup> The work of the Committee so far has been characterised **by limited proactivity**, which is reflected in the regular convening of sessions to review applications but rarely, given the intensity of the election campaign, issuing press releases. **Also, the most problematic fact is that in all five cases of CRTA's reports, the Supervisory Committee declared either that the report was unfounded or that it was considered incompetent to consider them, and on that occasion directed CRTA to submit the reports to another state body, even though it has the authority to do so. This means that in no case, according to CRTA's application, did it take any action within its competence, which is at its disposal.**

In this election cycle, the Supervisory Committee held eight sessions, and issued a total of three announcements in which it appeals to all participants in the election process to present the pluralism of political ideas that they stand for in a civilised, decent and dignified manner.<sup>268</sup>, then expressed its concern in relation to the media content and the discrediting of election candidates<sup>269</sup>, and called on everyone with public powers, who decide on the use of public premises, to ensure equal access to all election participants

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<sup>266</sup> All incoming notifications were made by REM on January 15<sup>th</sup>, 2024. The applications to which the answers in question refer were submitted to the REM office on November 16<sup>th</sup>, December 7<sup>th</sup> and 12<sup>th</sup>, 2023. The Law on Electronic Media stipulates that, if acting on the application, REM determines that there are no conditions for initiating an ex officio investigation, it will inform the applicant of this without delay, and no later than within 30 days from the date of receipt of the application.

<sup>267</sup> On October 26<sup>th</sup>, 2023, the National Assembly passed a decision on the appointment of members of the Supervisory Committee for the election campaign. In accordance with the Law on the Election of Members of Parliament, half of the members were elected on the proposal of the Government, and half on the proposal of parliamentary groups in the National Assembly. The members of the Committee are: Svetislav Gončić, Aleksandar Milosavljević, Dragan Vučinić, Jovanka Matić, Slobodan Prvanović, Branko Rakić, Miodrag Savović, Bojan Tubić, Vojin Vučićević and Aleksandar Stamatović.

<sup>268</sup> National Assembly of the Republic of Serbia, Press Release, The Supervisory Committee for the Election Campaign was constituted on November 10<sup>th</sup>, 2023, <https://link.crtars.ma>

<sup>269</sup> National Assembly of the Republic of Serbia, Statement of the Supervisory Committee from the Third Session, <https://link.crtars/mb>, November 14<sup>th</sup>, 2023.

under equal conditions<sup>270</sup>. The Supervisory Committee also turned to the public media service in order to obtain information about the conclusion of the agreement for the representation of the applicants of the declared lists.

During this election cycle, the Committee considered applications from citizens and other interested parties in five sessions, as well as information related to the conduct of participants in the election process submitted by members of the Supervisory Committee. Among the proposals that were discussed were Dr. Jovanka Matić's proposal that the Supervisory Committee initiate an initiative to dismiss REM members, Dr. Slobodan Prvanović's proposal that the Supervisory Committee adopt the position that the elections held on December 17<sup>th</sup>, 2023 were irregular in terms of the election campaign, as well as the proposal of the Serbian Progressive Party on the violation of election silence by media owned by United Media Group.

The Supervisory Committee held a meeting with representatives of the Regulatory Body of Electronic Media and RTS, as well as with representatives of the OSCE and the CRTA observation mission.

## 12. SUBMITTED COMPLAINTS AND RESULTS

**CRTA submitted seven reports to the police regarding allegations by observers who, during the election day, saw events that point to vote buying.** These seven cases refer to events in Titel, Mali Iđoš, Vršac, Odžaci and the Belgrade municipalities of Čukarica and Novi Beograd. In all cases, the police officers went to the field and spoke with the CRTA observers, while the further outcomes of the police actions are currently unknown. Also, during the election day, three events were recorded in which observers were attacked and intimidated (physical attack in Odžaci, as well as verbal attacks and threats in Doljevac and Žabalj). All these cases have been reported to the police.

Based on the reports of citizens who turned to CRTA, **CRTA prepared and submitted five criminal charges, four of which were filed against unknown persons for abuse of official position, falsification of documents and unauthorised collection of personal data, unscrupulous work in the service and compilation of inaccurate Voters' Register, against unknown persons employed in the General Consulate of Serbia in Banja Luka, Bosnia and Herzegovina, employed in the Ministry of State Administration and Local Self-Government and employed as clerks for the Voters' Register, in the city**

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<sup>270</sup> National Assembly of the Republic of Serbia, Announcement of the Supervisory Committee for the Election Campaign, <https://link.crtars.mc>, December 4<sup>th</sup>, 2023.

**administrations in Novi Sad and Belgrade. The fifth criminal complaint was filed against an unknown person for compiling inaccurate Voters' Register.**

Based on the information collected by long-term observers in this period, CRTA submitted **85 complaints** for various types of irregularities in the election process.

**51 complaints** were submitted to the Agency for the Prevention of Corruption due to cases of misuse of public resources and public functions and illegal activities of political parties.

**29 complaints** were submitted to the Regulatory Body of Electronic Media for cases of negative campaigns and official campaigns.

**Five complaints** were submitted to the Oversight Committee of the Serbian National Assembly for cases of running a negative campaign.

## **12.1. Complaints to the Agency for the Prevention of Corruption**

**Thirty-three reports were filed against the Serbian Progressive Party for violating the Law on the Financing Political Activities:**

- Use of public resources for the purpose of promoting the party – abuse of public resources (the event of November 6<sup>th</sup>, Petrovac na Mlavi, the opening of paved streets and the announcement of new infrastructure works),
- Using the website of the City of Vršac for the purpose of promoting the party and candidates on the list - abuse of public resources (text from November 4<sup>th</sup>, promotion of candidates on the website of the City of Vršac),
- Use of the mayor's social network profile for party promotion – abuse of public resources and promotion of humanitarian activities (post from November 6<sup>th</sup> on Instagram profiles of the mayor of Čačak promoting the party's humanitarian activities),
- Organising humanitarian activities, distribution of free packages and radiological examinations – illegal activities of a political party (event in Niš on November 6<sup>th</sup>),
- Organising humanitarian activities by distributing gifts to socially vulnerable citizens (event from November 13<sup>th</sup> in Bela Palanka),
- Organising humanitarian activities in the form of free health check-ups in New Belgrade (photos about it published on the Facebook profile of the Serbian Progressive Party under the name "našblok282930" on November 18<sup>th</sup>),



- Organising humanitarian activities in the form of free ophthalmological examinations (announcement on the Instagram account of the Serbian Progressive Party in Stari Grad on November 18<sup>th</sup>),
- Organising a humanitarian activity in the form of a gift of major appliances to a person suffering from multiple sclerosis in Ugrinovci (announcement on the Instagram account of the local board of the Serbian Progressive Party on November 17<sup>th</sup>),
- Organising humanitarian activities in the form of free distribution of firewood in Veliko Gradište (announcement on the official Facebook page of Veliko Gradište on November 16<sup>th</sup>),
- Use of public resources for the purpose of promoting the party – promotional video about the reconstruction of the Health Centre in Veliko Gradište (published on November 30<sup>th</sup> on the Instagram page of the Serbian Progressive Party in Veliko Gradište),
- Using the official website of the municipality of Kula for the promotion of the Serbian Progressive Party (announcement about the visit of Goran Vesić and Dejan Tomašević to Kula, November 22<sup>nd</sup>),
- Using the Instagram account of the Deputy Prime Minister and Minister of Finance Siniša Mali for the promotion of the Serbian Progressive Party (posts refer to the period from December 1<sup>st</sup> – 2<sup>nd</sup>),
- Use of public resources for the purpose of promoting the party – promotional video about the restoration of the promenade and grounds in Block 70 in New Belgrade (posted on the Instagram page of the Serbian Progressive Party local board Savski Kej New Belgrade, November 25<sup>th</sup>),
- Organising humanitarian activities in the form of distribution of packages with basic foodstuffs in Vranje (announcement on the Instagram page of the Serbian Progressive Party in Vranje, November 30<sup>th</sup>),
- Organising humanitarian activities in the form of distribution of packages to pensioners in Kučevo (announcement on the official Facebook account of the deputy mayor of the municipality, Nenad Mikić, December 5<sup>th</sup>),
- Use of public resources for the purpose of promoting the party – a promotional video with the logo of the Serbian Progressive Party about the achievements of the public authorities related to helping sick children and the elderly in Bela Palanka (posted on the Facebook page of the Serbian Progressive Party in Bela Palanka, November 30<sup>th</sup>),
- Using public resources for the purpose of promoting the party – publication of promotional videos in which the purchase of new medical devices and the reconstruction of kindergartens in the municipality of Babušnica are used for promotional purposes (posted on the Facebook page of SNS Babušnica, December 8<sup>th</sup>),
- Using public resources for the purpose of promoting the party – publication of a promotional video in which the projects of the city administration are presented for the

promotional purposes of the Serbian Progressive Party (posted on the Facebook page of the Serbian Progressive Party's city board in Bor, December 9<sup>th</sup>),

- Use of public resources for the purpose of promoting the party – publication of a promotional video in a health facility in the office of the ophthalmology department in Loznica, in which the reconstruction of the office is used to promote the Serbian Progressive Party (post on the Facebook page of the Serbian Progressive Party in Loznica, December 8<sup>th</sup>),

- Using public resources for the purpose of promoting the party – publication of a promotional video in which the construction and reconstruction of the kindergarten in Petrovac na Mlavi is used to promote the Serbian Progressive Party (post on the Facebook page “Serbian Progressive Party Petrovac”, November 30<sup>th</sup>),

- Use of public resources for the purpose of promoting the party - publication of a promotional video about the improvement of health care in Topola, which was used for the purpose of promoting the Serbian Progressive Party (post on the “Serbian Progressive Party of Topola” Facebook page, December 5<sup>th</sup>),

- Using public resources for the purpose of promoting the party – publication of a promotional video about the improvement of the paediatric department in Krepoljin in order to promote the Serbian Progressive Party (post on the Facebook page of the Serbian Progressive Party in Žagubica, December 8<sup>th</sup>),

- Use of public funds for the purpose of promoting the party – publication of a promotional video about the achievements of the local government in healthcare, in which the president of the municipality who is also a candidate on the list appears (posted on the Facebook account of the Serbian Progressive Party in Čičevac),

- Use of public funds for the purpose of promoting the party – publication of a promotional video about the modernisation of the General Hospital in Čuprija and the procurement of equipment financed from public funds, while promoting the party (posting on the Facebook account of the Serbian Progressive Party in Čuprija),

- Use of public funds for the purpose of promoting the party – publication of a promotional video in which the regular activities of the mayor Zlatko Marjanović in the performance of his duties were shown, and public institutions were also shown, with the aim of promoting the party (posted on the Facebook profile of the Serbian Progressive Party in Despotovac),

- Use of public funds for the purpose of promoting the party – publication of a promotional video about the construction of a kindergarten in Koceljeva using public funds, promoting the party (posted on the Facebook account “My Koceljeva”),

- Use of public funds for the purpose of promoting the party - publication of a promotional video in which a researcher from the Institute of Information Technologies talks about projects financed from public funds, while promoting the party (posting on the Facebook profile of the Serbian Progressive Party in Kragujevac),

- Use of public funds for the promotion of the party – publication of a promotional video about the reconstruction of the kindergarten. Reconstructions are financed from public funds and donations, and everything is presented in order to promote the party (post on the Facebook profile of the Serbian Progressive Party in Kruševac),
- Use of public funds for the promotion of the party – publication of a promotional video about infrastructure projects in Lapovo that were financed from public funds, all for the purpose of promoting the party (posted on the Facebook account of the Serbian Progressive Party in Lapovo),
- Use of public funds for the promotion of the party – publication of a promotional video in which the reconstruction of the Health Centre in Požega is used for promotional purposes (posted on the Facebook account of the Serbian Progressive Party in Požega),
- Use of public funds for the promotion of the party – publication of a promotional video about implemented infrastructure projects in the municipality of Trstenik, which was financed from public funds and in which Milena Turk, the president of the Provisional Authority of the municipality appears, and all for the purpose of promoting the party (announcement on the Facebook page Serbian Progressive Party in Trstenik),
- Use of public funds to promote the party – publication of a promotional video about a family that received a house from the budget funds of the Republic of Serbia and local self-government (posted on the Facebook page of the Serbian Progressive Party in Varvarin),
- Use of public funds for the promotion of the party – publication of a promotional video about the procurement of mammograms from public funds for the Health Centre in Vladičin Han, while promoting the party (announcement on the Facebook profile of the Serbian Progressive Party in Vladičin Han).

**One complaint against the Party of Freedom and Justice was filed for violation of the Law on Financing Political Activities:**

- Using public resources for the purpose of promoting the party (the promotional video of the Party of Freedom and Justice was recorded in the official premises of the Belgrade City Assembly and published on the social network “X” (Twitter) on the account of Vladimir Obradović, the holder of the election list Serbia against violence – Dobrica Veselinović – Prof Dr. Vladimir Obradović” and a candidate for mayor of the City of Belgrade).

## **Two reports were filed against the Socialist Party of Serbia for violating the Law on Financing Political Activities:**

- Organising and financing activities of a humanitarian nature, possible illegal contribution to a political party by Ana Grozdanović and the possible existence of elements of a criminal offence from the Law on the Financing of Political Activities (Aleksandra Ana Grozdanović announced in the election campaign on her Instagram profile that she distributed coffee and chocolates to citizens, and she received the money from an unknown person and did all this for the purpose of promoting the political party Socialist Party of Serbia and Ivica Dačić, the candidate and holder of the “Ivica Dačić – Prime Minister of Serbia” list. The post was also reposted by the Instagram account “sps\_vlasotince”),
- Organising humanitarian activities in the form of providing free legal advice by a member of the Socialist Party of Serbia, lawyer Toma Fila, in the municipality of Savski venac (announcement on the Instagram page of the Socialist Party of Serbia from November 28<sup>th</sup>).

## **One complaint was filed against the Serbian People’s Party for violating the Law and financing political activities:**

- Organising a humanitarian activity in the form of giving away aggregators to a multi-member family in Vladičin Han (announcement on the official Facebook account of the Serbian People’s Party on November 27<sup>th</sup>).

## **Fourteen complaints were submitted for abuse of public office and abuse of public resources in the campaign, i.e. violation of the Law on Prevention of Corruption:**

- Complaint against **Aleksandar Vučić, the President of the Republic of Serbia**, because at the pre-election rally held in Pirot on November 9<sup>th</sup>, he was announced as the President of the Republic, and during his address he did not unequivocally present to the public whether he was presenting the position of the President or the position of a political party,
- Complaint against **Đorđe Radinović, President of the Municipality of Stara Pazova**, because during a party activity – visiting the green market in Nova Pazova on November 12<sup>th</sup>, 2023, he publicly called on citizens to vote for the Serbian Progressive Party, acting as a public official.

- Complaint against **Darija Kisić Tepavčević, Minister of Family Welfare and Demography**, because during a party activity – visiting the green market in Nova Pazova on November 12<sup>th</sup>, 2023, she publicly invited citizens to vote for the Serbian Progressive Party, acting as a public official.
- Complaint against **Vladimir Obradović, a member of the Provisional Authority of the City of Belgrade**, for using public resources for the purpose of promoting the party (a promotional video of the Party of Freedom and Justice was recorded in the official premises of the Belgrade City Assembly and published on the “X” (Twitter) account of Vladimir Obradović, the holder electoral lists Serbia against violence – Dobrica Veselinović – Prof. Dr. Vladimir Obradović” and candidates for mayor of the City of Belgrade).
- Complaint against **Goran Vesić, Minister of Construction, Transport and Infrastructure** and a member of the Serbian Progressive Party, because on November 16<sup>th</sup>, 2023, from his official Instagram account, the Minister of Construction, Transport and Infrastructure promoted the SNS political party and called on citizens to vote for the electoral list “Aleksandar Vučić – Serbia must not stop” in the upcoming elections.
- Complaint against **Zlatko Marjanović, president of the Provisional Authority of the Despotovac municipality** and a member of the Serbian Progressive Party, because on November 10<sup>th</sup>, 2023, the official YouTube account of the municipality of Despotovac was used to promote the SNS political party, the public presentation of the election list “Aleksandar Vučić – Serbia must not stop” and for inviting voters to vote for the same list.
- Complaint against **Aleksandar Pajić, president of the Provisional Authority of the city of Šabac** and a member of the Serbian Progressive Party, because he used the official Facebook account of the mayor of the city of Šabac, as well as rallies in which he participated as an official, for the promotion of the SNS political party and for the public presentation of the declared election list “Aleksandar Vučić – Serbia must not stop”, as well as calling for citizens to vote for that political party and electoral list.
- Complaint against **Aleksandra Ćirić, the president of the Provisional Authority of the Municipality of Ruma** and a member of the Serbian Progressive Party for using the official Facebook account of the President of the Municipality of Ruma to promote the SNS political party and the announced electoral list “Aleksandar Vučić – Serbia must not stop”.
- Complaint against **Vladan Vasić, the president of the Provisional Authority of the city of Pirot** and a member of the Serbian Progressive Party, because in the period from November 9<sup>th</sup> to 18<sup>th</sup> he used the Instagram and Facebook accounts of the city administration of the city of Pirot, as well as meetings in which he participated as an official for the promotion of the SNS political party and the announced electoral list “Aleksandar Vučić – Serbia must not stop”.

- Complaint against **Goran Miljković, president of the Provisional Authority of the municipality of Bela Palanka** and member of the political party of the Serbian Progressive Party, because he used his position as mayor of the municipality and information about the users of the “Help at home” service to which he had access as the mayor of the municipality to distribute gifts to socially vulnerable persons together with other representatives of the political party of which he is also a member.
- Complaint against **Zlatko Marjanović, president of the Provisional Authority of the Municipality of Despotovac** and a member of the political party Serbian Progressive Party because he used his public addresses and rallies in which he participated as president of the temporary authority, as well as the official Facebook profile of the municipal administration of the Municipality of Despotovac and the official Facebook account of the mayor of the municipality for the promotion of the political party of the Serbian Progressive Party and the electoral list “Aleksandar Vučić – Serbia must not stop”, as well as for inviting voters to vote for that electoral list.
- Complaint against **Siniša Mali, Deputy Prime Minister, Minister of Finance** and member of the Serbian Progressive Party, for using the official Facebook account of the Ministry of Finance and Instagram and Tik Tok accounts in which he legitimises himself as the Deputy Prime Minister and Minister of Finance, and on which he promotes the Serbian Progressive Party and electoral list “Aleksandar Vučić – Serbia must not stop” and invites voters to vote for it.
- Complaint against **Milun Todorović, the mayor of the city of Čačak** and a member of the Serbian Progressive Party, because he published a video on his Facebook account in which he, as the mayor of Čačak, receives birthday gifts in the premises of the city administration of Čačak, and then, on the same occasion, he also received gifts in the premises of the Serbian progressive party, by which he abused his position for the promotion of that political party.
- Complaint against **Damjan Miljanić, president of the municipality of Kula** and a member of the Serbian Progressive Party, for using the official website of the municipality of Kula to promote the Serbian Progressive Party and the announced electoral list “Aleksandar Vučić – Serbia must not stop”.

**The Agency for the Prevention of Corruption has so far decided on 46 out of a total of 51 Complaints submitted.** In 21 cases, i.e. in 17 cases against the Serbian Progressive Party<sup>271</sup>, in two against the Socialist Party of Serbia<sup>272</sup>, in one against the Party of Freedom and Justice<sup>273</sup> and in one case against the Serbian People's Party<sup>274</sup>. The Agency determined that the reports were founded and that there had been a violation of the Law on the Financing Political Activities, and on this occasion warning measures were issued. Also, the Agency found a violation of the Law on Prevention of Corruption and issued a warning in two cases<sup>275</sup>, according to the report against the president of the Provisional Authority of Šabac, Aleksandar Pajić, and against the member of the Provisional Authority of the City of Belgrade, Vladimir Obradović. However, in 23 cases, the Agency determined that the reports were unfounded, of which 15 related to the Law

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<sup>271</sup> The cases that were conducted against the Serbian Progressive Party, in which the Agency imposed a warning measure, are as follows: the first case refers to the report against the SNS for the misuse of public resources for the promotion of the party on the official Instagram profile of the president of the Provisional Authority in Čačak, as well as for organising humanitarian activities in the form of distribution of packages to families; the second case refers to a report against SNS for organising humanitarian activities by the Health Council of SNS in Niš, the third case refers to a report against SNS for organising humanitarian activities, i.e. distributing gifts to socially vulnerable citizens in Bela Palanka; the fourth case refers to a report against SNS for organising humanitarian activities, i.e. giving away appliances to a person suffering from multiple sclerosis in Ugrinovci, the fifth case refers to a report against SNS for organising humanitarian activities, i.e. for distributing firewood in Veliko Gradište, the 6<sup>th</sup> case refers to the report against SNS due to the abuse of public resources in the form of publishing a promotional video about the reconstruction of the health centre in Gradište, the 7<sup>th</sup> case refers to the report against SNS due to the misuse of public resources in the form of publishing a promotional video on the restoration of grounds and walkways in block 70, the 8<sup>th</sup> case refers to the complaint against SNS due to misuse of public resources in the form of publishing a promotional video in which SNS boasts of the achievements of the public authorities in providing assistance to sick children and the elderly in Bela Palanka, the 9<sup>th</sup> case refers to the complaint against SNS due to the misuse of public resources in the form of publishing a promotional video in which the projects of the city administration in Bor were used to promote SNS, the 10<sup>th</sup> case refers to the complaint against SNS due to the misuse of public resources in the form of publishing a promotional video about the reconstruction of a health care facility in Loznica, the 11<sup>th</sup> case refers to a report against SNS, it refers to the misuse of public resources in the form of publishing a promotional video about the improvement of health care in Topola for the purpose of promoting SNS, the 12<sup>th</sup> case refers to a report against SNS due to misuse of public resources in the form of publishing a promotional video about the modernization of the General Hospital in Cuprija for the purpose of promoting SNS, the 13<sup>th</sup> case refers to a report against SNS due to misuse of public resources in the form of publishing a promotional video on the reconstruction of the kindergarten from public resources in Koceljva in order to promote the SNS, the 14<sup>th</sup> case refers to the complaint against the SNS due to the misuse of public resources in the form of publishing a promotional video about the reconstruction of the kindergarten in Kruševac from public funds in order to promote the party, the 15<sup>th</sup> case refers to the complaint against SNS due to the misuse of public resources in the form of publishing a promotional video about the reconstruction of the health facility in Požega in order to promote the party, the 16<sup>th</sup> case refers to the complaint against SNS due to the misuse of public resources in the form of publishing a promotional video about implemented infrastructure projects in the municipality of Trstenik financed from public funds, in which Milena Turk, the president of the Provisional Authority of the municipality, appears, all for the purpose of promoting the SNS and the 17<sup>th</sup> case refers to the complaint against the SNS due to the abuse of public resources in the form of publishing a promotional video in which the president of the temporary body appears, who is also a candidate on the list and boasts about the achievements of the local government in the field of health, all for the purpose of promoting SNS.

<sup>272</sup> The Agency issued a warning measure to the Socialist Party of Serbia due to the complaint for organising humanitarian activities, i.e. distribution of chocolates and coffee to citizens by Ana Grozdanović and the organised provision of free legal advice by lawyer Toma Fila.

<sup>273</sup> In the next case, the Agency issued a warning measure to the Party of Freedom and Justice for applying for the use of public resources for the purpose of promoting a political party because candidate Vladimir Obradović recorded a promotional video in the premises of the Belgrade City Assembly.

<sup>274</sup> The Agency issued a warning measure to the Serbian People's Party due to the Complaint for organising humanitarian activities, i.e. giving away electricity aggregators to a multi-member family in Vladičin Han.

<sup>275</sup> In the first case, the Agency issued a reprimand to the president of the Provisional Authority of the city of Šabac for violating the Law on Prevention of Corruption because he used the official Facebook account of the mayor of the city of Šabac, as well as rallies in which he participated as an official, for the promotion of the SNS political party and for the public presentation of the declared election list "Aleksandar Vučić – Serbia must not stop", as well as calling for citizens to vote for that political party and electoral list. In another case, the Agency issued a reprimand to Vladimir Obradović, a member of the Provisional Authority of the City of Belgrade, for using public resources for the purpose of promoting the party (a promotional video of the Party of Freedom and Justice was recorded in the official premises of the Belgrade City Assembly and published on the "X" (Twitter) account of Vladimir Obradović, holder of the election list Serbia against violence.

on Financing Political Activities and 8 to the Law on Prevention of Corruption. Also, in several cases, the Agency decided on multiple complaints with one decision.

## **12.2. Complaints to the Regulatory Body of Electronic Media**

**CRTA submitted twenty-nine complaints to REM regarding violations of obligations committed during the election campaign. Out of these, 24 were filed against commercial television stations with national coverage: twelve against TV Pink, four against TV B92, four against TV Prva, four against TV Happy. The remaining five were filed against local television stations.**

### **Twelve complaints were filed against Pink TV due to:**

- Screening of a short film within the “National Daily News” in which representatives of the opposition are accused of wanting to remove Aleksandar Vučić from the election process, which is illustrated by drawing a target on the head of the President of the Republic;
- Displaying content in which the opposition was attributed responsibility for comments made by anonymous users on social networks against members of the Vučić family, which is why opposition representatives were compared to hyenas;
- The release of a propaganda video in which the president of the New DSS party Miloš Jovanović, among other things, is accused of freeing the “killer of Serbian children” in several editions of the National Daily News;
- Presentation of a report in which, due to the media’s critical coverage of Aleksandar Vučić’s rule, representatives of the opposition were discredited and accused without adequate factual basis of “timing the attack” on the president, without giving them the opportunity to state their statements;
- Relativisation of the genocide in Srebrenica in the election programme;
- Showing the almost half-hour address of the Prime Minister in the National Daily News, who, leading the campaign from the position of a public official, accused the opposition of preparing chaos and disorder if they lose the elections, while TV Pink did not take steps to not broadcast such a campaign in its programme;
- The live inclusion of President Vučić in the central news programme, in the part of the programme that is not marked as election, at the moment when he signed his support for the electoral list that bears his name. Vučić was allowed to conduct a negative campaign against the opposition and promote the electoral list of which he is the holder in a twenty-minute address, while no other electoral list was given such treatment;



- Showing in the election programme the activities of Aleksandar Šapić as the president of the Provisional Authority of the City of Belgrade for the purpose of his electoral promotion as a candidate for mayor of Belgrade on the list “Aleksandar Vučić – Belgrade must not stop”;
- Presentations of President Vučić’s guest appearance in the morning programme as President of the Republic during which Aleksandar Vučić promoted his electoral list and led a negative campaign against other electoral lists, whereby TV Pink did not take steps to prevent the creation of a privileged position for the president. During the same broadcast, a short video clip was shown in which opposition leaders were exposed to negative criticism and disparagement;
- Discrediting the opposition and promoting the list “Aleksandar Vučić – Serbia must not stop” during the entire course of the show “Hit Tweet”;
- Displaying the advertising message of the election list “Aleksandar Vučić – Serbia must not stop” during the news, outside the advertising block. In the same programme, TV Pink reported on a pseudo-event attended by an official who is also a candidate in the elections;
- During the central news programme, TV Pink broadcast the twenty-minute film “Tycoon Garlands” in which the leaders of the opposition were exposed to negative criticism and disparagement. In the same news segment, TV Pink reported on a pseudo-event attended by an official who is also a candidate in the elections.

**Four complaints were filed against Prva television, due to:**

- The covert presentation of the election in the form of an information programme and the failure to provide representation without discrimination to the participants of the election, which occurred when President Vučić was included live in the part of the Prva Television News show, which was not marked as an election programme, at the moment when he signed his support for the electoral list which bears his name. In a ten-minute address, Vučić led a negative campaign against the opposition, and TV Prva did not take steps not to broadcast such a campaign in its programme;
- The covert presentation of the election in the form of an informational programme and enabling the conduct of a negative campaign against the participants of the election. Being a guest on the central news programme “Vesti” in the capacity of the President of the Republic, the President of the Republic, at the initiative of the host, promoted his own election list and led a negative campaign against other election participants, and the media service provider did not interrupt such an address;

- Two complaints against TV Prva were filed for violation of the ban that 30 days before the election it must not be reported on events organised on the occasion of the opening of infrastructure projects if public officials who are simultaneously candidates in the elections attend these events, which was done by repeatedly reporting on events related to various reconstructions attended by Aleksandar Šapić, the president of the Provisional Authority of the City of Belgrade.

**CRTA filed four complaints against TV B92, due to:**

- The failure to ensure representation without discrimination to the participants of the election, which occurred when, reporting on the collection of signatures of support for various election lists, B92 placed the list “Aleksandar Vučić – Serbia must not stop” in a privileged position, since only its representatives were allowed to directly address the viewers;
- Covertly showing the election in the form of an informational programme, that is, enabling the President of the Republic to promote the electoral list of which he is the holder in his capacity as a public official;
- Violation of the ban that 30 days before the election it must not be reported on events organised on the occasion of the opening of infrastructure projects if public officials who are simultaneously candidates in the elections attend these events, which was done by repeatedly reporting on events related to various reconstructions attended by Aleksandar Šapić, the president of the Provisional Authority of the City of Belgrade;
- Reports on the public meeting organised on the occasion of the opening of the Bank Poštanska Štedionica branch in Banja Koviljača, which was attended by a member of the Provisional Authority of the city of Loznica, who is also a candidate on the “Aleksandar Vučić – Loznica must not stop” list.

**CRTA filed four complaints against TV Happy, due to:**

- Covertly showing the election in the form of an informational programme and enabling the conduct of a negative campaign against the election participants when, during the exclusive guest appearance of the President of the Republic, on the occasion of his official visit to Paris, the President was enabled to promote the list of which he is the holder and to discredit other election participants;
- Displaying a political ad message from the election list “Ivica Dačić – Prime Minister of Serbia” in which candidates from other election lists are attacked;
- Reports on the public gathering organised on the occasion of the opening of the Bank Poštanska Štedionica branch in Banja Koviljača, which was attended by a

member of the Provisional Authority of the city of Loznica, who is also a candidate on the “Aleksandar Vučić – Loznica must not stop” list;

- Screening of the film “Tycoon’s Garlands” in which various opposition leaders were exposed to extremely negative criticism and disparagement.

**CRTA filed one complaint each against TV Studio B, TV Trstenik and TV Pančevo.**

These three television stations showed identical programmes in which Dragan Đilas, a candidate on the “Serbia Against Violence” electoral list, and Miloš Jovanović, a candidate on the “Dr. Miloš Jovanović – Hope for Serbia” list, were subjected to extremely negative criticism and disparagement.

The complaint was also filed **against thirty local television stations** that, in whole or in part, broadcast the rallies of the “Aleksandar Vučić – Serbia must not stop” list in Leskovac, Pirot, Smederevo and Belgrade, while they did not show the rallies of the other election participants in a similar way and for a comparable duration. Later, new complaints were filed against the same television stations for broadcasting the rally of the list “Aleksandar Vučić – Serbia must not stop” held in Kruševac.

**By the date of the conclusion of this report, five responses from REM were delivered to the applicants. In all five cases, CRTA was informed that there were no grounds to initiate the procedure.**

### **12.3. Complaints to the Oversight Committee for the election campaign**

**CRTA submitted a total of five complaints to the Oversight Committee due to perceived irregularities in the conduct of election participants:**

- Complaint submitted against the Serbian Progressive Party and member of the party’s Presidency, Miloš Terzić, for running a negative campaign from the official account of the Serbian Progressive Party on social networks, against the election candidate Zdravko Ponoš, which violated the moral integrity of the election candidate;
- Complaint filed against the Serbian Progressive Party and the media service provider TV Kraljevo for broadcasting a statement by this political party in which hate speech was used and which led a negative campaign against the declared electoral list “LOCAL FRONT – Predrag Voštinić”;
- Complaint submitted against the member of the Serbian Progressive Party Mr. Vladimir Orlić and the media service provider – Television Pomoravlje, for conducting a negative campaign against other election candidates;

- Complaint filed against a member of the Serbian Progressive Party and a candidate on the “Aleksandar Vučić – Serbia must not stop” electoral list, Mr. Vladimir Đukanović, for conducting a negative campaign in the media against representatives of the opposition;
- Complaint against the Serbian Progressive Party due to the issuance of an official statement that led a negative campaign against representatives of the opposition.

**The Oversight Committee for the election campaign considered all five complaints and in each case stated either that the complaint was unfounded or that it was incompetent and on that occasion instructed CRTA to contact another authority.**

## **12.4. Citizen Complaints**

**CRTA received 664 complaints from citizens from the day the elections were announced to the publication of the final report of the long-term observers. The third reporting period of the CRTA observation mission, from the publication of the second report to the conclusion of the final one, was marked by a significantly increased number of complaints from citizens. The legal team received over four hundred complaints, of which over three hundred were on election day itself and over a hundred in the period after.**

The largest number of complaints, a total of 97, refers to irregularities related to the organisation of the polling station, improper handling of election materials and maintenance of order at the polling station. Then, a large number of complaints, a total of 63, refer to problems related to the Voters' Register, such as deletion from the Voters' Register (28 complaints), then, to situations where citizens were found on the website – but not in the excerpt from the Voters' Register (21 reports), that citizens were prevented from voting because someone had previously signed instead of them (18 complaints), that citizens were moved to other cities just to vote (3 complaints) and that citizens were found in the Voters' Register for only one level of election – parliamentary or local (3 complaints). Also, 45 complaints were received regarding invitations to vote delivered to citizens for persons unknown to them, and 25 complaints for notifications delivered for deceased persons who remained registered in the Voters' Register.

Citizens also reported in 25 cases the keeping of parallel records on voters, in 26 cases the organised bringing of voters to vote, and in 17 cases the buying of votes. The phenomenon that the electoral committee did not show up for persons who registered to vote from home was also recorded in these elections in 29 cases. Among other

reports, there were also cases of destruction of election materials, as well as insertion of additional ballots.

### 13. RECOMMENDATIONS FOR FREE AND FAIR ELECTIONS

The CRTA's analysis of the electoral process is based on the systematic observation of general elections held in the last eight years: extraordinary parliamentary elections in 2016, presidential elections in 2017, elections for the Assembly of the City of Belgrade in 2018, regular parliamentary elections in 2020, as well as presidential, Belgrade and extraordinary parliamentary elections held in 2022. **After each of these observation missions, CRTA presented detailed recommendations for the improvement of the elections. By the 2023 elections, there was a total of ninety-one.**

After the completion of five years of observation, in 2020 the need was observed to revise these recommendations with the aim of summarising them and thus making them more accessible and transparent, i.e. more closely related to the standards for fair and free elections.<sup>276</sup> This endeavour resulted in the transformation of the previous recommendations of the National Council into individual measures, of which there were a total of 91 by the 2023 elections.<sup>277</sup> A set of appropriate measures constitutes one recommendation, that is, it creates a road map that leads to the fulfilment of the recommendations according to the CRTA ratings. The total number of recommendations is 20.<sup>278</sup> **In the final outcome, the fulfilment of the recommendations leads to the achievement of appropriate standards for fair and free elections, that is, to the improvement of the situation in five areas that CRTA considers crucial for the quality and integrity of the electoral process. Those five areas are: 1) equal media representation, 2) equality of campaign participants, 3) freedom of choice and voting rights, 4) work of the election administration and 5) protection of electoral rights.**

**The recommendations have been advocated continuously since 2016, but without success.** Only in the inter-party dialogue on election conditions, which was held under the auspices of the European Parliament in 2019 and 2021, was it possible to discuss the recommendations of the ODIHR and CRTA, but with a very limited scope because the institutions and their representatives refused to recognise the key problems in elections and chose to fulfil the technical parts of some recommendations, avoiding their essence. CRTA then participated in a public debate on the drafting of a new set of

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<sup>276</sup> CRTA Recommendations for fair and free elections, December 2020, <https://link.crtars.rs/md>

<sup>277</sup> CRTA recommendations are available on the website: <https://link.crtars.rs/me> and more about the recommendations after the 2022 elections in: CRTA, *Final report on the 2022 elections*, p. 17-27, <https://link.crtars.rs/b4>

<sup>278</sup> CRTA recommendations are available on the website: <https://link.crtars.rs/me>

election laws, which were adopted immediately before the announcement of the elections, contrary to international standards. At the end, CRTA also submitted a set of amendments to MPs at the moment when the set of election laws entered the parliamentary procedure in January 2022. However, **none of this steps addressed the priority problems in the elections that CRTA pointed to, nor were essential recommendations for better elections adopted.**

In 2021, based on its recommendations and observation findings, CRTA gave an independent assessment of the performance **of the Working Group for Cooperation with the OSCE/ODIHR of the Government of the Republic of Serbia<sup>279</sup> while this group worked in a non-transparent manner in the period between the 2022 and 2023 elections, and by the December elections, not nearly enough had been done in the direction of fulfilling the recommendations of the ODIHR.** An analysis independently conducted by CRTA on the fulfilment of ODIHR recommendations ahead of the December elections<sup>280</sup> shows that none of the recommendations from the last ODIHR report after the 2022 elections could be assessed as entirely fulfilled.<sup>281</sup> CRTA analysis shows that progress was recorded only in the area related to the administrative aspects of the electoral process, while recommendations related to key problems in the electoral process – pressure on voters, misuse of public resources and functions and media reporting – remained unfulfilled. **According to the official last evaluation of the ODIHR recommendations conducted by the ODIHR after the 2022 elections, only four priority recommendations have been fully implemented in the last 10 years.**<sup>282</sup>

Also, **none of the CRTA's 20 umbrella recommendations for free and fair elections have been fulfilled.** Out of the 91 measures that would lead to their fulfilment, only 14 were partially fulfilled, while only one was entirely fulfilled, in connection with the recommendation for increasing the transparency of the work of the election administration. The measure related to the Republic Electoral Commission and the announcement of the preliminary turnout immediately after the closing of the polling stations, as well as the first preliminary results of the election no later than four hours after the closing of the polling stations, has been fulfilled.

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<sup>279</sup> CRTA, "The state continues to ignore essential electoral problems", March 2021, <https://link.crtars.rs/5m>

<sup>280</sup> CRTA, *Analysis of the fulfilment of ODIHR recommendations from the report on the observation of the presidential and early parliamentary elections in Serbia in 2022*, October 11<sup>th</sup>, 2023, <https://link.crtars.rs/mf>

<sup>281</sup> In October 2023, it was possible to evaluate only 15 of the 26 ODIHR recommendations from the 2022 report, due to lack of information, non-transparency of the work of the Working Group of the Government of Serbia, but also the fact that the assessment of the fulfilment of some of the recommendations is only possible after the election. The ODIHR officially evaluates its recommendations on the website <https://link.crtars.rs/mg> and the official assessment of the fulfilment of the recommendations will be made after the publication of the final report of the ODIHR on the December parliamentary elections.

<sup>282</sup> ODIHR officially evaluates its recommendations on the website <https://link.crtars.rs/mg> and a new evaluation will be done after the publication of the final report of ODIHR on the December parliamentary elections.

Taking into account the prevalence and depth of electoral manipulations that influenced the course and outcomes of the electoral process in the extraordinary parliamentary and Belgrade elections in December 2023, which clearly indicate the involvement of state institutions in the illegal and illegitimate acquisition of electoral advantages by parties in power, as well as the fact that general local elections are to be held in 2024, **the CRTA Observation Mission believes that there are no conditions to approach the improvement of the legal framework and practice of conducting elections, i.e. holding the next elections in Serbia, without fulfilling the prerequisites that represent the basis of every democratic and electoral process.**

### **13.1. Prerequisites for discussions about better elections**

**The conclusion of the CRTA Observation Mission is that it is not possible to proceed with the improvement of the legal framework and the practice of conducting elections, that is, holding the next elections in Serbia, until the following preconditions are met.**

**1. Establishing timely and indiscriminate accountability for violations of the law in elections.** The fight against impunity is a basic prerequisite for the rule of law and building the trust of citizens that Serbian institutions, state bodies and public institutions serve to protect the laws and interests of the state and the public within their competences, standards of ethics and professional service, not allowing any party or private interest to be exempt from that obligation.

- *Determine the responsibility for the lack of action by the prosecution in the election process and selective action on citizens' complaints. Call to criminal and disciplinary responsibility the chiefs in the basic prosecutor's offices in Belgrade, the Higher Public Prosecutor's Office in Belgrade and the Supreme Public Prosecutor's Office, on the basis of abuse of official position and failure to use the authority to control actions and oversee the work of lower public prosecutor's offices.*
- *The prosecution must urgently and indiscriminately engage in establishing the truth and responsibility for violations of the law in the election process, including acts committed under the auspices of the institutions of the Serbian state, primarily in the Ministry of Internal Affairs and the Ministry of State Administration and Local Self-Government (including the Administrative Inspectorate), as and in the Ministry of Foreign Affairs and the General Consulate in Banja Luka.*

- *State institutions, bodies and institutions must initiate disciplinary proceedings and use all mechanisms of internal control against officials who unconscionably, unauthorisedly and illegally made changes in the Voters' Register, changed citizens' permanent and temporary places of residence and committed other abuses of position.*
- *The certifiers who participated in the falsification of the voter's support signatures for the electoral list candidacy and the persons who had unauthorised access to the voter's personal data must be urgently prosecuted.*
- *Competent public prosecutor's offices must initiate proceedings to determine the criminal liability of officers in police stations who, through negligent work in the service and abuse of official position, changed citizens' place of residence contrary to prescribed obligations and procedures.*
- *Competent public prosecutor's offices must initiate criminal proceedings against those responsible for the compilation of inaccurate Voters' Register referred to in Article 158 of the Criminal Code.*
- *The administrative inspectorate must submit a request for the initiation of misdemeanour proceedings against any responsible person in the bodies responsible for updating the Voters' Register that did not ensure its accuracy and up-to-datedness.*
- *After the constitution of the National Assembly, as soon as possible, it is necessary to initiate the procedure for the dismissal of all eight members of the Council of the Regulatory Body of Electronic Media due to improper and negligent behaviour and at the same time announce a public call for nominations for the election of new members of the Council.*
- *Upon the constitution of a new convocation of the Council of the Regulatory Body of Electronic Media, implement the procedure of determining possible violations of obligations or non-compliance with the conditions, provided for in the licence, by media service providers to whom REM issues broadcasting licences and, in the event of violations, take measures prescribed by law, including revocation of the licence.*
- *The management boards of public media services, which would be elected by the new convocation of the REM Council, should initiate procedures for the dismissal*



*of general directors and editors-in-chief and editors-in-chief of the news programme, and should conduct competitions to fill these positions and select for these positions persons who will carry out their duties in accordance with the law and principles of public media services.*

**2. An accurate and uncompromised Voters' Register is a key prerequisite for holding democratic elections, since without it, the voters' will cannot be established on election day.** As in previous election processes, the public's negative perception of the Voters' Register is based on the lack of timely and sufficient data and facts about its condition and is a source of public distrust in the election process. Two key problems related to the Voters' Register that arose in the election process are migration, that is, the "relocation" of voters and the inaccuracy of the Voters' Register. The first problem is significant in the context of local elections, especially those held in the capital, while the second problem is repeated from one election to another.

- *It is necessary that an independent commission made up of international and domestic experts audits the Voters' Register in accordance with international standards and ODIHR recommendations. After establishing the factual situation, proceed without delay to compile an accurate Voters' Register and establish mechanisms that ensure its integrity.*

**3. It is necessary to significantly improve professional standards in the work of Radio-television of Serbia and Radio-television of Vojvodina so that these stations actually, and not just nominally, function as a public media service for the citizens of Serbia.** The free formation of the voters' will, as the backbone of free elections, rests to a significant extent precisely on truthful, complete and timely information and the encouragement of pluralism of political ideas in the electronic media. The opening of public media services RTS and RTV to different political options, and significantly greater commitment of those media to the obligation of objective and timely information and education of citizens is the first step in establishing political pluralism in the media.

**Only after showing readiness and concrete results in creating the preconditions for discussing better elections, will it be possible to consider steps to improve the work of key areas in the domain of free and fair elections, which CRTA specifically underscores after the extraordinary elections in 2023:**

## 13.2. FREEDOM OF CHOICE AND VOTING RIGHTS: Voters' Register

Every citizen who is registered in the Voters' Register can exercise his voting right guaranteed by the Constitution and vote in elections, that is, participate in the formation of the electoral will of voters. **The accuracy of the Voters' Register is crucial from the aspect of reflecting the real will of voters in one electoral unit (state or local self-government).** On the contrary, if the Voters' Register is not correct, it casts doubt on whether the real will of the voters was really expressed in the elections, because it calls into question who voted in the elections.

As in previous election processes, **the public's negative perception of the state of the Voters' Register is based on the lack of timely and sufficient data and facts related to the Voters' Register, which is a serious problem that contributes to public distrust in the election process. The key problem in the election process in connection with the Voters' Register is its inaccuracy, which was additionally affected by the migration, that is, the "relocation" of voters, as well as the lack of promptness in its management.** Voter migration is significant in the context of local elections, especially those held in Belgrade, while lack of up-to-datedness is a recurring problem from one election to another. By collecting evidence and analysing data, CRTA has uncovered numerous mechanisms of abuse by state bodies aimed at influencing the outcome of local elections. Abuses were committed in different bases, the accuracy of which reflects on the accuracy of the Voters' Register, as well as in the Unified Voters' Register itself.

### 13.2.1. Problem 1: Abuse of place of residence for making changes in the Unified Voters' Register

The "relocation" of voters from local self-governments where elections were not held, as well as from Bosnia and Herzegovina, is a phenomenon that **threatened the democracy and integrity of the electoral process, primarily in Belgrade.** Such a practice is neither legal nor legitimate, it violated the equality of elections in the capital and essentially threatened the right to local self-government guaranteed by the Constitution and the law of every citizen of the city of Belgrade. **The process of voter migration involved a series of violations of legal provisions by officials of the Ministry of Internal Affairs.** According to CRTA's findings, it involves organised migration and organised and systematic registration of residency for citizens who actually do not reside at the addresses where the officials of the Ministry of Internal Affairs have been unlawfully registering them. **CRTA's findings show abuses of the procedures of the Ministry of Internal Affairs, whose officers in police stations, contrary to procedures, changed the residence of large number of citizens without their presence.** In those cases, several dozen identity cards of voters whose addresses were changed were delivered to the

officials in order to exercise their right to vote in local elections in the territory of the city of Belgrade, even though the centre of their life, professional, economic or other activities is not in the territory of that city.

### 13.2.2. Problem 2: Inaccuracy and out-of-datedness of the Unified Voters' Register

**The outdated Voters' Register is a recurring problem from one election cycle to another.** Its unresolved status has a positive effect on the susceptibility of the system to political abuses, which culminated in the Belgrade elections in December 2023, but was also observed in other parts of the country where local elections were held at the same time. **The responsibility for the accuracy and up-to-datedness of the data in the Voters' Register lies primarily with the Voters' Register clerks, that is, local self-government officials whose job description includes updating the Voters' Register, as well as the managers of the Ministry of Public Administration and Local Self-Government who manage the registry sector.** In that case, it is not possible to speak with certainty about the intention, but the problem may also be the result of the negligence of civil servants and clerks. **Nevertheless, bearing in mind that a large number of citizens received invitations to vote for their deceased relatives, and had never received such invitations before, there is a suspicion that the inaccuracy of the Voters' Register, at least in one part, was a consequence of "deliberate lack of up-to-datedness" in this election process, and that it was aimed at altering the citizens' electoral will.**

### 13.2.3. Problem indicators: Illegal and illegitimate migration of voters

Testimonies and material evidence on the basis of which CRTA unequivocally established that in certain cases the mechanisms of mass illegal registration of residence were used deepen the suspicion that identical mechanisms were applied in other cases, and that **procedures where an inexplicably large number of citizens had their residence registered at certain addresses in Belgrade must be the subject of supervision.**

Furthermore, was contacted by voters who, based on requests submitted with their forged signatures, had information entered into the Voters' Register stating that they would vote in the parliamentary elections based on their residence abroad, specifically, in Banja Luka.

**CRTA received testimony about a similar case from a voter for whom, without his knowledge, information was entered that he would vote in the elections based on his place of residence in Zrenjanin, even though he had never lived in that city.** The consequences of the described abuses were the impossibility of voters to exercise their

right to vote at the polling station according to their place of residence, even though on the day of the election they were in the place where they have registered residence.

Moreover, **CRTA was informed of cases in which changes in the Voters' Register were made directly by employees of the Ministry of State Administration and Local Self-Government, bypassing the prescribed procedures in accordance with which (except after the conclusion of the Voters' Register) all changes in this database are made by the authorities in local self-government units.** The person responsible for updating the Voters' Register shared their experience with CRTA when, while carrying out the procedure, they removed several individuals from the Voters' Register due to death. However, after some time, they found out that one of these individuals, whom they personally knew and were aware had passed away, inexplicably "came back to life" in the Voters' Register.

**Numerous citizens have also pointed out to CRTA the inaccuracy or lack of up-to-date data contained in the Unified Voters' Register.** The most drastic example is a mother whose daughter tragically lost her life when she was a minor, and who was registered in the Voters' Register and was sent a notification to vote. **Other citizens also reported to CRTA that they received invitations for their deceased family members, including those who have not been alive for decades.** Such cases can be the result of negligence, but also the intention to include in the Voters' Register persons who do not have the right to vote.

#### 13.2.4. Basic recommendations and measures for the improvement of the area

##### **Recommendation 1: Determination of liability for violation of the law**

The responsibility for the accuracy and up-to-datedness of the data in the Voters' Register rests primarily with the Voters' Register clerks, i.e. local self-government officials whose job description includes updating the Voters' Register, as well as with managers in the Ministry of State Administration and Local Self-Government who lead the registers sector. Officials employed in the Ministry of Foreign Affairs, more precisely in the diplomatic and consular representations of the Republic of Serbia abroad, also have their role and responsibility in the election process, that is, in registering to vote abroad. Since various types of incorrect data in the Voters' Register have been recorded in practice, one can speak of accountability for criminal acts of incorrect compilation of Voters' Register, unscrupulous work in the service, falsification of official documents and unauthorised collection of personal data.

At the same time, bearing in mind that in the election process a large number of cases were recorded where citizens were assigned residences outside the conditions and procedures established by law, the responsibility for such actions rests with the officers of the Ministry of Internal Affairs in the police stations, and with the Directorate for Administrative Affairs of the Ministry of Internal Affairs of Serbia when it comes to Belgrade. For such actions outside the law, one can speak of accountability for criminal acts of abuse of official position and negligent work in the service.

Taking into account all of the above, CRTA considers it **necessary to establish accountability for various cases of violation of the law:**

- *Competent public prosecutor's offices to initiate proceedings to determine the criminal liability of officers in police stations who, through negligent work in the service and abuse of official position, changed citizens' place of residence contrary to prescribed obligations and procedures.*
- *Locally competent basic public prosecutor's offices to initiate criminal proceedings against those responsible for compiling inaccurate Voters' Register referred to in Article 158 of the Criminal Code.*
- *The administrative inspectorate to file a request for the initiation of misdemeanour proceedings against each responsible person in the bodies responsible for updating the Voters' Register that did not ensure its accuracy and up-to-datedness.*

### **Recommendation 2: Ensuring the accuracy of the Unified Voters' Register**

In order to improve the accuracy of Voters' Register records, as well as to prevent the manipulation of data from the Voters' Register, it is necessary to:

- *Conduct an independent audit of the Voters' Register in accordance with international standards and ODHIR recommendations by an independent commission consisting of international and domestic experts and representatives of competent institutions.*
- *Form an independent commission in charge of managing the Voters' Register.*
- *Envisage a legal solution that would limit the possibilities of abuse of the right to vote by voters who do not live in local communities, but were moved there only to vote in specific elections.*

### **Recommendation 3: Improve the actions of the Ministry of Internal Affairs in keeping records of importance for the Unified Voters' Register**

In order for the records of the Unified Voters' Register to be reliable, it is necessary:

- *Improve the hitherto inefficient and slow action of the Ministry of Internal Affairs on the requests of real estate owners who suspect that unknown persons have been registered at their address, as well as improve the way of handling requests for the deregistration of unknown persons, primarily in terms of specifying the deadline in which the Ministry of Internal Affairs is obliged to act on request.*
- *Prevent illegal residence registrations through the consistent application of existing legal solutions by the Ministry of Internal Affairs.*
- *Regularly publish and update by the Ministry of Internal Affairs, all statistical data on registrations and deregistrations of residence and passivation of addresses for adult citizens*

### **Recommendation 4: Increase the transparency of the Unified Voters' Register**

In order to increase the confidence of citizens and the public in the accuracy of the Voters' Register, it is necessary to:

- *Simplify the hitherto insufficiently effective mechanism of inspection of the excerpt from the Voters' Register, so that voters and participants in the elections could obtain information of importance for the eventual initiation of criminal proceedings or proceedings for the protection of electoral rights.*
- *Make publicly available statistical data on the number of voters by household, by address and by year of enrolment in the Voters' Register.*

### 13.3. FREEDOM OF CHOICE AND THE RIGHT TO VOTE: Prosecution

According to the Constitution of the Republic of Serbia, elections are free and voting is secret. Nonetheless, the freedom of choice and the right to vote in the 2023 election process are further limited due to the absence of prompt action by institutions and prosecutors ex officio on numerous types of criminal acts and publicly presented evidence and testimonies, primarily in connection with the Voters' Register. The actions of the prosecutor's office are chronically absent in cases of pressure on voters, vote buying, misuse of data on citizens from public records, abuse of official position, public resources, etc. **Even in the cases in which proceedings were initiated, there is a noticeable selectivity in deciding which proceedings will be initiated and when.**

#### *13.3.1. Issue: Absence of an urgent and effective reaction of the prosecution in the 2023 elections*

In this election process, the complete absence of an urgent and effective reaction of the prosecution is noticeable, that is, not a single case of urgent action was recorded based on publicly available information and evidence of criminal acts related to the elections. On the contrary, **at the end of the election day, the Higher Public Prosecutor's Office announced that "there is no evidence that any criminal offence was committed during the elections".**<sup>283</sup> All information that is publicly available refers to the actions of individual prosecutors' offices following specific citizens' reports, where prosecutors' offices publicly provided information on the number of reports and cases formed, but not on the activities that were undertaken further (except for the information that the collection of information is in progress).<sup>284</sup>

In the case of the attack on the CRTA observers, in the courtyard of the police station in Odžaci on election day, the Basic Public Prosecutor's Office in Sombor filed a case and qualified this attack as the criminal offence of "violent behaviour". In this particular case, based on the available information, it is shown that the police officers did not react adequately to prevent the attack on the observers, nor did they ensure their safety, even though they were informed in a timely manner that there was a serious and immediate threat to their safety. Also, there are indications that **after the attack, they did not take all the necessary measures to find the attackers and to discover and**

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<sup>283</sup> Today, the Higher Prosecutor's Office in Belgrade: There is no evidence that any crime was committed during the elections, December 17<sup>th</sup>, 2023, <https://link.crtars/m6>

<sup>284</sup> Thus, the Higher Public Prosecutor's Office in Belgrade issued a statement dated December 23<sup>rd</sup>, 2023, in which it is stated that the Higher Public Prosecutor's Office and six basic prosecutor's offices in Belgrade received seven reports related to events during election day, i.e. four more reports related to events before election day. Information on the work of other basic public prosecutor's offices throughout Serbia is limited and refers to the number of complaints during election day in some places. <https://link.crtars/mh>

**secure evidence, which is another example of ineffective work of state authorities in proceedings related to criminal acts in elections.**

In the period before election day, publicly available information indicates that the First Basic Prosecutor's Office in Belgrade formed five cases based on information received from individual members of the City Electoral Commission of the City of Belgrade and the Republic Electoral Commission, as well as that it received two criminal reports from citizens, and all regarding cases of falsification of signatures of voter support on election lists. **The absence of publicly available information on the total number of reports received for various criminal offences in the elections, as well as the actions taken based on them, leads to the conclusion that there is no effective work of the prosecution in these proceedings.**

Despite publicly available claims, reports and information about cases of illegal allocation of residence to persons who do not meet the necessary conditions for obtaining residence in Belgrade, as well as organised voter migration, the Prosecutor's Office in Belgrade did not undertake a single action, nor did it state anything about these phenomena in any way. At the same time, rare procedures initiated by citizens, in connection with the migration of voters and the incorrect compilation of the Voters' Register, remained without an epilogue even almost two months after the election day, that is, without the action of the competent prosecutor's office.

**The prosecution's reaction was also absent in the case of the investigative text published by CINS, which raises suspicions about the existence of a whole series of criminal acts related to the organisation and operation of the "call centre" of the Serbian Progressive Party (accepting and giving bribes in connection with voting, abuse of official position and personal data, illegal financing of political activities, etc.).** The criminal complaint submitted to the First Basic Public Prosecutor's Office was forwarded by this Prosecutor's Office to the Higher Public Prosecutor's Office, bearing in mind that this Prosecutor's Office is competent for the criminal offence of giving and receiving bribes in connection with voting. The Higher Public Prosecutor's Office returned the complaint to the First Basic Prosecutor's Office with allegations that adequate evidence was not submitted for the initiation of the proceedings, which, for the time being, left this event without any publicly known action by the Prosecutor's Office. Despite the fact that it is up to the prosecution to collect evidence, and it is up to the applicant to make the allegations in the complaint plausible, the Higher Public Prosecutor's Office took the position that adequate evidence was not submitted, even though a publicly available video of vote buying was submitted with the complaint.



### 13.3.2. Basic recommendations and measures for the improvement of the area

#### **Recommendation 1: Determination of accountability for illegalities in the work of the prosecution**

The most responsible for the lack of proactive action by the prosecution in the election process and selective action on citizens' reports are chiefs in the basic prosecution offices in Belgrade, the Higher Public Prosecutor's Office in Belgrade and the Supreme Public Prosecutor's Office. In addition to disciplinary liability for violation of work ethics, it is necessary to establish criminal liability for abuse of official position.

Based on the information on the work of the prosecution in the election process, the CRTA observation mission believes that the absence of timely, i.e., urgent action in cases related to the elections is one of the key problems, and it is necessary to:

- *Investigate without delay publicly presented information about criminal acts that are prosecuted ex officio. This should also include addressing criminal acts committed during the organisation of voter migration throughout the election process.*
- *Investigate recorded cases of pressure on voters and suspected misuse of citizens' personal data and inform the public about the procedures;*
- *Ensure an impartial division of cases by urgency, complexity and type, for the sake of more efficient and objective action by the prosecution;*
- *Enable investigative authorities to apply special evidentiary actions for acts against electoral law referred to in the Chapter XV of the Criminal Code for more efficient collection of evidence;*
- *Develop additional mechanisms that will hinder the potential influence and control of the executive power over the actions and decision-making of the prosecutor's office in election cases (example: the introduction of competition of jurisdiction in the prosecutors' actions).*

## 13.4. FAIR ELECTIONS: Equal media representation and freedom of forming opinions

Article 51 of the Constitution of the Republic of Serbia stipulates that everyone has the right to be truthfully, completely and promptly informed about matters of public importance, and that the means of public information are obliged to respect that right. In Article 52. The Constitution guarantees, among other things, equal electoral rights and free elections to Serbian citizens of legal age.

**Equality of chances for election participants can only be achieved when the same rules are applied to all of them.** It mandates the impartiality of the media, which is affirmed in the domestic legal framework by imposing an obligation on media service providers to provide election participants with representation without discrimination. The free formation of the voters' will, as the backbone of free elections, rests to a significant extent precisely on truthful, complete and timely information and the encouragement of pluralism of political ideas in the electronic media. In accordance with the current laws regulating the sphere of electronic media, media service providers are obliged to provide citizens with this kind of information.

### 13.4.1. Problem 1: Chronic absence of pluralism

The media coverage during the campaign for the elections held on December 17<sup>th</sup>, 2023 on commercial television with national coverage was marked **by the absence of pluralism**. It must not be lost sight that reporting during the campaign is just an extension of the same type of reporting that preceded the campaign. The state's obligation to establish an appropriate legislative and administrative framework that would guarantee essential and effective media pluralism does not only apply to election campaign periods. The fact that a large number of media publishers are present on the market is not in itself sufficient for the media environment to be considered pluralistic. In the context existing in Serbia, where only four television stations with national coverage have held this exclusivity for almost two decades and consistently report in a heavily biased manner in favour of the government, the citizens' ability to form their opinions based on objective information is compromised. Consequently, when choosing their representatives during elections, they are hindered from making an informed choice and freely expressing their views.

### 13.4.2. Problem 2: The Regulatory Body of Electronic media on the task of creating the appearance of pluralism

The existence of an institutional framework and established procedures is a necessary prerequisite for ensuring a pluralistic environment. In the domestic institutional framework, the Regulatory Body of Electronic Media has been assigned the role of an independent body that ensures that the participants in the elections are not placed in an unequal position and that a variety of information is available to citizens. This body is also equipped with subtle instruments (remonstrances, warnings) with which it can correct the behaviour of those media whose free editorial judgment exceeded the obligations they must adhere to. Nonetheless, REM has at its disposal very efficient mechanisms for punishing and even disqualifying those media that do not comply with the normative framework (temporary ban on publishing programme content, temporary ban on publishing advertising messages, revocation of licences). **The Regulatory Body of Electronic media chronically ignores, avoids or directly violates the provisions of the law, and demonstrates political influence in its work from one election cycle to the next.** Despite the new media laws, adopted just before the start of the campaign, which strengthened REM's obligations, **this body was completely passive in the December elections, in spite of a significant deterioration in the conditions for campaigning in the media and media reporting.**

### 13.4.3. Problem indicators: Normalisation of the promotion of only one political option

The CRTA's media monitoring showed that **there was a semblance of some kind of pluralism in the election programme, but that in the news programme their reporting was extremely biased and that it was dominated by representatives of the government who could rely on an extremely positive representation when appearing in the capacity of public officials.** This particularly refers to **the presentation of President Vučić. Although he was not a candidate in the elections, the electoral list of the ruling majority was named after him. According to the CRTA's findings, he was allocated the same amount of time as the entire opposition together.** This bias also existed on **the First Channel of RTS, whose news programme was almost exclusively dedicated to the ruling majority (99 percent).** Consequently, this public media service failed to fulfil its legally prescribed obligation to encourage the pluralism of political ideas through its programme content and to enable the public to be familiar with those ideas. However, **the bias recorded by CRTA does not stem solely from the privileged position given to the government, but also from the fact that the opposition is often marginalised and presented in a strongly negative light.** The campaign to discredit the opposition

included daily insults, hate speech and brutal violations of the privacy of their representatives.

During the campaign for the elections held on December 17<sup>th</sup>, 2023, **REM turned a blind eye to numerous cases of discriminatory treatment of election participants on national television.** Such treatment of the opposition electoral lists could not remain unknown to REM, not only because **it conducted monitoring ex officio, but also because it received thirty complaints that it did not even consider during the campaign.** Finally, **after the end of the campaign, REM published part of the data from the monitoring of the campaign, and only the data it collected in the monitoring of public media services and cable television, while the data related to commercial television with national coverage was hidden from the public, thus contributing to the creation of a distorted image of political pluralism in the media campaign.**

By failing to use the mechanisms within its competence during the election campaign to ensure the legality of the actions of media service providers, by selectively publishing data, by not respecting the legal deadlines for decision-making, **the Council, as a REM's decision-making body, actually played an active role in creating space for biased reporting of commercial televisions with national coverage during the election campaign and crucially contributed to the unequal conditions for the election participants.** In this way, REM only continued a long-standing practice of negligent, improper and, ultimately, illegal behaviour. By acting in this way, the current REM Council **normalised the practice of promoting only one political option both during election campaigns and in the periods between elections.**

Using its powers contrary to the requirements of the public interest, the Council has shown not only incompetence and lack of integrity, but also persistence in acting contrary to the goals for which the independent regulator was established.

#### 13.4.4. Basic recommendations and measures for the improvement of the area

##### **Recommendation 1: Determine liability for negligent acts and violations of the law**

As a key prerequisite to approach the improvement of the situation in the field of equality in the media and freedom of information, CRTA believes that it is **necessary** to do the following:

- *Initiate the procedure for the dismissal of all eight members of the REM Council due to improper and unscrupulous behaviour and at the same time announce a public call for nominations of candidates for the election of new members of the Council immediately after the constitution of the National Assembly.*
- *Upon the constitution of a new convocation of the Council, conduct the procedure of determining the existence of possible violations of obligations or non-compliance with the conditions provided for in the licence by the media service providers to whom REM issues broadcasting licences and, in the event of violations, take measures prescribed by law, including revocation of the licence.*
- *The Management Boards of public media services, which would be elected by the new convocation of the REM Council, should initiate procedures for the dismissal of general directors and editors-in-chief and editors-in-chief of the news programmes, and conduct competitions to fill these positions and elect persons to those positions who will fulfil their obligations in accordance with the law and principles of public media services.*

**Recommendation 2: Take decisive steps to encourage pluralism and suppress the privileged position of government representatives in the media**

In order to improve the conditions for conducting free and fair elections, it is necessary **to consider the possibility** of fulfilling the following recommendations:

- *Strengthen the principled obligation to encourage political pluralism in the programmes of media service providers outside the election campaign by enabling different political actors to express their views on topics of public interest;*
- *Ensure that public media services fundamentally promote the pluralism of political ideas, in accordance with their role and obligations prescribed by law, including through the improvement of self-regulation, the launch of new broadcasts, as well as the strengthening of external supervision over the fulfilment of obligations.*

- *The Law on Electronic Media introduced provisions that would establish clear criteria for determining the privileged position of public office holders during the (entire) election campaign, which would be applied both to officials who are candidates at the same time and to those who are prominent representatives of candidates on electoral lists, i.e. candidate proposer.*
- *Foresee unilateral attacks on candidates in elections, conducting long-term or repeated campaigns in relation to candidates without a relevant factual basis as a particularly serious violation of the Law on Electronic Media.*
- *Improve the mechanism of programme monitoring, reporting on monitoring findings and procedures for handling complaints during the election process.*

### **13.5. PROCESS INTEGRITY: Election administration**

This election process revealed all the shortcomings of the existing model of election administration functioning. In the first place, it was proven once again that the members of the Electoral Commissions, when making decisions, vote in accordance with party interests, and not in accordance with the public interest. Furthermore, **a large number of abuses that occurred during the election process are clearly related to the acquisition of membership in the expanded composition**, that is, to the formation of the majority in the commissions. **The abuse of the right to candidacy, signature forgery, and the exploitation of privileged positions within electoral lists of national minorities** constitute the issue at hand. It has been shown that the Electoral Commissions, and in the first place the REC, **do not have the capacity to deal with key problems in the election process. What hinders their work are also their narrow competences, or rather the absence of competences in key areas crucial to the electoral process where these problems arise.** First of all, we are talking about the Voters' Register, but also about the role of the media in the election campaign, that is, the equal representation of actors in the media during the election campaign, as well as the sphere of financing the election campaign, in which there are also clear inequalities and abuses. Finally, **although the expert service of the REC, which was "borrowed" from the National Assembly, again did a good job to technically conduct the elections, it is clear that its capacities are also limited.** Additionally, through the function of the secretary of the REC, who is also the secretary of the National Assembly of the Republic of Serbia, the political influence on officials was formalised even though they are supposed to be neutral and impartial in the performance of their duties.

The very integrity of the election process was also affected by the breach of legal certainty during the publication of the antedated number 1 of the "Official Gazette of the City of Belgrade".

### 13.5.1. Problem 1: Politicisation of the election administration

In accordance with the provisions of Article 8 of the Law on the Election of members of Parliament and Article 10 of the Law on Local Elections, Electoral Commissions **should be independent in their work**. This implies that the members must be guided by the public interest when making decisions, and not by the interest of the parliamentary/committee groups that proposed them to those bodies. In practice, it turned out that this is not the case. As a matter of fact, the CRTA observers noticed, in the vast majority of cases when disputed legal issues appeared before the commissions, the so-called outvoting during decision-making. Such outvotes occurred at the very beginning of the election campaign, when essentially the commissions functioned in a permanent composition, as well as later in other controversial issues that arose and when all members of the expanded composition were involved in the work of the commissions.

In this election process, the representative model of appointing members of Electoral Commissions in permanent composition, in which the balance of power in the parliament is mirrored in the balance of power in the commission, has again shown its downsides. **Observers noticed that the members were not guided by the public interest when making decisions, but rather by the particular interest of the political parties that nominated them.** The claim that the members of the commissions were not guided by the public interest in their work is supported by the fact that the majority of the members of the observed commissions in their discussions at the sessions openly advocated the viewpoints of certain political options, that is, there was a clear division of the body into "government" and "opposition". Finally, such **a division could be observed, not only during the outvoting, but also in the fact that the proposals of the "opposition" representatives in the REC were not adopted in the vast majority of cases, while none of such proposals was adopted in the CEC.** When members from the permanent composition were joined by members from the expanded composition appointed by electoral lists, **the politicisation of the commissions became even more obvious.** The behaviour of the members from the extended composition can be justified to a certain extent, if we bear in mind that the legislator's intention was that they, among other things, protect the interests of the electoral lists that proposed them to those bodies. However, it is not possible to find such justification for the members who were appointed to the permanent composition of Electoral Commissions.

### 13.5.2. Problem 2: Manipulations related to the expanded composition of Electoral Commissions

When it comes to the expanded composition, **manipulations were carried out including the abuse of the right to run for office, i.e, the falsification of voters' support statements, and of the privileged position of the electoral lists of national minorities, all of which were aimed at forming a majority "position" in the Electoral Commissions.** By the nature of things, there should be more opposition election lists in the elections than those making part of the ruling coalition. In commissions that vote according to the party key, such as ours, this would have to lead to the majority of "opposition" members in the body. However, this was not the case in this election process. In this very context, **there has been an abuse of the right to candidacy, which, given the falsification of voters' support statements, has resulted in decisions being made in favour of the ruling majority within the Electoral Commissions, as noted by the CRTA observers.** This was particularly noted in the work of the CEC of the City of Belgrade. The majority of the Commission members, who were appointed on the proposal of election lists where falsifications were found, voted in almost all cases in the same way as the members proposed by the ruling majority. In addition, **in order to ensure a majority 'presence' within the Commissions, the privileged status of electoral lists representing national minorities, which are mandated to collect only half the number of statements of support from voters, has been abused.** In this way the process of abuse was quantitatively facilitated.

It is important to note that **Electoral Commissions do not have sufficient capacity to check whether the statements of voters are credible. What applies is the legal presumption of their credibility. The accountability for falsification of voter declarations rests with the certifiers.** We are specifically talking about certifiers from city/municipal administrations, since none of the falsified declarations of voter support were notarised by public notaries. By certifying such documents, certifiers from city/municipal administrations committed the criminal offence of falsification of an official document (Article 357 of the CC), which is punishable by a prison sentence of three months to five years.

### 13.5.3. Problem 3: Insufficient capacities of the Republic Electoral Commission

At the very end, it is important to point out that **the REC has no authority in relation to the Voters' Register.** However, the REC **had to be more proactive and do everything in its power to protect the integrity and legality of the electoral process.** It is obvious that the existing model does not provide enough capacities for REC to deal with this important issue, as well as other key problems of the electoral process. In other words,



the REC has neither the capacity nor the mandated authority to deal with the equal representation of political actors in the election campaign, as well as the issue of financing the election campaign, in which abuses also occur. **The capacity of the REC is closely connected with the expert service, which is borrowed from the National Assembly of the Republic of Serbia, and thus the REC is crippled and left without an apparatus that will serve it, especially outside the electoral process.** In addition, through the secretary of the REC, who is also the secretary of the National Assembly, political influence on officials was formalised, and thus their neutrality and impartiality was called into question.

#### 13.5.4. Problem 4: Legal uncertainty as a consequence of antedating the “Official Gazette of the City of Belgrade”

Article 60 of the Law on Local Elections stipulates that the overall report on the election results is published on the website, but also in the manner in which the regulations of the local self-government unit are published. Article 2 of the Decision on publication of acts in the “Official Gazette of the City of Belgrade” stipulates that acts on the results of the elections for city councillors are published in that newspaper. Additionally, Article 30 of the Rules of Procedure of the CEC stipulates that the Commission’s decisions are published, among other things, in the “Official Gazette of the City of Belgrade”. Finally, in the overall report on the election results in point 2, it is stated that the report will be published in the “Official Gazette of the City of Belgrade”. Bearing in mind the mentioned legal sources, **it remains unclear why the overall report on the election results was published only on January 18<sup>th</sup>, 2024 in issue 1 of the “Official Gazette” with a fictitious date of January 3<sup>rd</sup>, 2024.** In this way, the overall report on the results of the elections in Belgrade was antedated.

**Such backdating is not in accordance with the principle of good faith, it threatened legal certainty and it seems that it was aimed at preventing or at least making it difficult to use the *ultima ratio* legal remedy in the electoral process.** The legislator envisaged the procedure for deciding election disputes before the Constitutional Court, which is the guardian of the Constitution and the rights and freedoms of citizens, as the last instance by which the electoral right of all citizens of the Republic of Serbia can be protected. **The publication of the overall report in this way threatened the realisation of the right to a legal remedy for all citizens, which is guaranteed by Article 36 paragraph 2 of the Constitution of the Republic of Serbia, which states that everyone has the right to appeal or to other legal remedy against the decision that decides on one’s right, obligation or on the law based on interest.** Additionally, in this way, the realisation of the right to an effective legal remedy is threatened, which is prescribed by Article 13 of

**the European Convention on Human Rights, which stipulates that anyone whose rights and freedoms are violated under the Convention has the right to an effective legal remedy before the national authorities.**

The City Electoral Commission of the City of Belgrade is not responsible for such actions, but **the responsibility rests with the editor-in-chief**, who, according to Article 8 of the Decision on the publication of acts in the “Official Gazette of the City of Belgrade”, takes care of the orderly and timely publication of the “Official Gazette”.

#### 13.5.5. Basic recommendations and measures for the improvement of the area

##### **Recommendation 1: Reform of the electoral administration**

The CRTA observation mission believes that in the reform of the electoral administration it is necessary to do the following:

- *Professionalise election administration;*
- *Establish an independent expert service of the Republic Electoral Commission;*
- *Expand the competencies of the electoral administration in the electoral process;*
- *Change the model of election of members, both in the permanent and in the extended composition.*

##### **Recommendation 2: Determination of liability for illegal actions**

It is necessary to initiate proceedings against specific persons who committed illegal actions, in this sense it is necessary to do the following:

- *Prosecute certifiers who authenticated falsified declarations of voters' support;*
- *Process persons who have unauthorised access to personal data of citizens;*
- *Determine the responsibility of the editor-in-chief of the “Official Gazette of the City of Belgrade” and the possible responsibility of other subjects who could influence his actions.*

### **Recommendation 3: Prescribing mechanisms that will prevent future abuses related to voters' support statements**

In order to prevent the danger of future abuses in this field or at least reduce it to a minimum, it is necessary to do the following:

- *Prescribe that voters' support statements can only be certified by notaries. Exceptionally, in municipalities where there are no appointed notaries, enable certification in basic courts, that is, in municipal administrations.*
- *Introduce an obligation for the electoral commission to request the opinion of the competent national council of the national minority, on whether a certain electoral list can have the position of an electoral list of a national minority, which would not be binding, but would enable equal treatment of all electoral lists and prevent circumvention of the law.*
- *Enable voters to quickly and efficiently check whether and which electoral list they have signed a supporting statement for.*
- *Provide that the order of electoral lists on the ballot is determined by lot in accordance with the decision prescribed by the Law on the Election of the President of the Republic.*

### **Recommendation 4: Enabling more effective protection of electoral rights**

In order for the voters and the participants in the election race to be able to protect their electoral rights in a more effective way, it is necessary to do the following:

- *Include in the educational programme for voters materials related to the most common forms of violation of the right to vote at the polling station, as well as ways to protect the right to vote.*
- *Prescribe a special form for objections to the work of the polling station committee, which would be such that it can really be considered an integral part of the Minutes of the work of the polling station committee.*

- *Provide insight into the electoral material after the end of the voting until the adoption of the overall report on the election results, in order to ensure the effectiveness of the protection of electoral rights.*
- *Allow accredited observers to see the electoral material after the end of the voting under the same conditions as the representatives of the applicants of the electoral lists and candidates, which would make the process even more transparent.*

### **Recommendation 5: Harmonisation of the composition of Electoral Commissions with the Law on Gender Equality**

The CRTA observation mission believes that it is important that Electoral Commissions act in accordance with all laws related to their work, actions, and composition, and in this sense it is necessary to do the following:

- *Ensure gender equality in Electoral Commissions in accordance with the Constitution and the Law on Gender Equality.*

### **Recommendation 6: Improvement of the existing legal framework**

In order to improve the electoral process, the following should be considered:

- *Allowing the submitter of the electoral list to eliminate deficiencies within 24 hours, if there are rectifiable deficiencies for the proclamation of the electoral list that are the basis for rejecting or refusing the electoral list (certain reasons referred to in Articles 76 and 77 of the Law on the Election of Members of Parliament), in order to promote the participation of citizens in elections at the local level.*
- *Binding the deadline for the mandate assignment to the finality of the overall report on the results of the election, i.e. the finality of the court's decision on the legal remedy that can be lodged against the decision of the Electoral Commission regarding an objection to the overall report.*
- *Changes of members of the polling station committee in the expanded composition within the same period as provided by the Law for members of the polling station committee in the permanent composition, which was the previous practice prescribed by the Instruction of the REC.*