

INTERNATIONAL ELECTION OBSERVER MISSION

Republic of Serbia – Parliamentary Elections, 21 January 2007

STATEMENT

Belgrade, 22 January 2007 – *The 21 January parliamentary elections in Serbia were free and fair. They provided a genuine opportunity for the citizens of Serbia to freely choose from a range of political platforms. The 20 lists of political parties and coalitions vigorously competed in an open campaign environment. The election campaign was calm, and checks and balances ensured that the election reflects the will of the people, and in line with the OSCE's Commitments as well as with the Council of Europe standards.*

Voting on Election Day was conducted in a peaceful and orderly fashion. International observers were greeted warmly, and well-informed officials willingly briefed the observers at the many polling stations around the country. The officials performed their tasks in a well-organized and professional manner, which contributed to the high level of confidence among voters. The counting went smoothly and efficiently.

The twenty lists of political parties and coalitions were registered in an inclusive process, providing voters with broad choices in a competitive electoral environment. Six lists represented minorities. For the first time in recent years Albanian minority parties contested national elections. Official documentation was also widely available in minority languages.

The campaign was vigorous and carried out in an unrestricted atmosphere. A diverse range of media provided voters with extensive information about the competitors and their campaign activities. Public broadcasters generally provided balanced coverage of the campaigns of major parties. Campaign-related coverage was predominantly positive in tone.

The Republic Election Commission (REC) conducted its work in an open and transparent manner. Each party, coalition or group of citizens submitting a candidate list had the right to delegate one member and one deputy member to the “extended” composition of the REC and Polling Boards. This promoted adherence to the legal requirements and contributed to the general confidence of electoral contestants in the administrative conduct of the elections, although some complaints were filed with regard to the inconsistent manner in which Polling Board members were chosen.

The legal framework provides important safeguards that promote democratic election practices, ensure transparency and protect the secrecy of the vote. One of the 2004 amendments to the Law on the Election of Representatives (LER), which waived the five per cent threshold for parties and coalitions of minorities, resulted in increased participation of such parties.

The LER allows a party to choose, after the elections, which candidates from its list become members of parliament, disregarding the order of the list. This is uncommon, and concerns have been raised that this might give too much power to the party leaderships. This also

might reduce the compelling effect of the gender quota for the lists that the law has established.

The law does not provide for intermediary election commissions between the REC and the Polling Boards. The REC has partially addressed this issue by creating municipal Working Groups (WGs). However, numerous complaints resulted from inconsistent selection practices because of the absence of uniform rules.

The Republic Election Commission adopted provisions that lowered the election law's signature requirements in support of electoral lists of minority parties and coalitions from 10.000 to 3.000. Four of the six minority parties and coalitions registered for these elections with less than 10.000 signatures. Several formal complaints about this were all rejected by the Supreme Court.

The National Assembly did not form the Supervisory Board charged with monitoring and supervising the pre-election activities of the parties and the media as foreseen in the law. A number of complaints have instead been submitted to the Republican Broadcasting Agency. Concerns have been raised whether it has the required degree of neutrality and transparency.

The International Election Observation Mission (IEOM) for the 21 January 2007 parliamentary elections in Serbia is a joint undertaking of the OSCE, comprising the OSCE Parliamentary Assembly (OSCE PA) and the Office for Democratic Institutions and Human Rights (OSCE/ODIHR), the Parliamentary Assembly of the Council of Europe (PACE) and the NATO Parliamentary Assembly (NATO PA).

The IEOM assessed the 21 January parliamentary elections in Serbia on the basis of the organizations' respective standards and commitments for democratic elections, as well as compliance with domestic legislation. This statement is based on the observations made by the parliamentarians, the briefings they have received, the Preliminary Findings of the ODIHR and its observers, and the Pre-Election Missions that PACE and the OSCE PA have undertaken in December 2006. The observation mission has followed the preparations and conduct of elections in Kosovo, but will not comment on any other issue related to Kosovo outside the scope of its mandate.

This preliminary statement is delivered prior to the announcement of final results, and the expiry of legal deadlines for hearing possible complaints and appeals. A conclusive assessment of the entire election will depend, in part, on the conduct of these remaining phases of the process.