



**INTERNATIONAL  
ELECTION OBSERVATION MISSION**  
Republic of Serbia  
(Serbia and Montenegro)  
Presidential Election  
Second Round, 27 June 2004



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**Statement of Preliminary Findings and Conclusions**

**Belgrade, 28 June 2004** – The OSCE’s Office for Democratic Institutions and Human Rights (OSCE/ODIHR) and the Congress of Local and Regional Authorities of the Council of Europe deployed an International Election Observation Mission (IEOM) in response to invitations from the authorities of the Republic of Serbia (Serbia and Montenegro). The IEOM observed the electoral process to assess its compliance with domestic legislation, the 1990 OSCE Copenhagen Document and other universal principles for democratic elections. This statement is issued before the official announcement of results, before election day complaints and appeals have been addressed, and before a complete analysis of election day findings.

This statement should be read in conjunction with the Statement of Preliminary Findings and Conclusions issued on 14 June 2004, following the first round of the presidential election. The IEOM wishes to express its appreciation to the authorities of the Republic of Serbia and of Serbia and Montenegro for their co-operation throughout the mission.

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**PRELIMINARY CONCLUSIONS**

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The second round of the presidential election in the Republic of Serbia (Serbia and Montenegro) held on 27 June was conducted essentially in line with OSCE commitments and Council of Europe standards for democratic elections. It followed the first round held on 13 June in which none of the 15 candidates received the necessary majority of votes cast. The two candidates contesting the second round were Tomislav Nikolic of the Serbian Radical Party (SRS) and Boris Tadic of the Democratic Party (DS).

As in the first round, the electoral process was administered in a professional and efficient manner. The campaign took place in a peaceful atmosphere, although Mr. Nikolic made several provocative accusations against his opponent. Both candidates campaigned widely, holding rallies in various parts of the country.

The media continued to provide voters with broad coverage of the campaign. Reporting by state-owned RTS 1 was neutral, and candidates were provided with an equal amount of airtime. At times, some private media showed bias in favour of a particular candidate. Both candidates participated in one live television debate.

The law on financing of political parties continued to draw criticism. Parts of the law were subject to different interpretations, and there was uncertainty as to responsibility for its implementation. Eleven candidates who participated in the first round began legal proceedings against the Finance Ministry for not providing the expected amount of funds to cover campaign costs.

As in the first round, election day procedures were conducted in a professional manner, and no significant complaints or irregularities were reported by observers. Preliminary results indicate a turnout of around 48 per cent, similar to the first round, with 53.5 per cent of votes cast for Mr. Tadic.

The OSCE/ODIHR and the Council of Europe are ready to assist the authorities and civil society of Serbia in addressing the remaining challenges in the electoral framework and electoral process identified in this statement and in the document released on 14 June.

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## **PRELIMINARY FINDINGS**

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### **Background**

On 14 June, the IEOM issued a Statement of Preliminary Findings and Conclusions on the first-round of voting held on 13 June. This statement is available on the OSCE/ODIHR website at [www.osce.org/odihr](http://www.osce.org/odihr); its findings and conclusions are not repeated herein.

### **Election Administration**

On 15 June, the Republican Election Commission (REC) certified the results of the first round. The processing of the results was efficient and transparent. According to the REC, voter turnout was 47.75 per cent, with Mr. Nikolic receiving the highest percentage of votes cast (30.60 per cent), followed by Mr. Tadic (27.37 per cent). Thus, these two candidates won the right to contest the second round and retained their representatives on the REC and other election administration bodies. The REC functioned more efficiently in the second round than in the first, although delays were reported in making payments to members of municipal electoral commissions (MECs) and polling boards.

The high cost of out-of-country voting at diplomatic missions of Serbia and Montenegro was criticized. In the first round, provisions allowing all 15 candidates to send representatives to all polling stations abroad resulted in significant costs for travel and accommodation that were covered by the REC budget. The IEOM noted suggestions that a postal ballot might be a more economical option.

The new provision allowing for voting from home was not widely used. Several interlocutors pointed to voters' lack of knowledge of this opportunity, as no effective public information campaign was carried out by state institutions.

In an effort to facilitate voting among young people, the authorities offered students the possibility of free train travel to their place of residence to vote.

### **Campaign Financing**

The law on financing political parties and its implementation continued to be a subject of contention. Campaign funds provided for by the law were not disbursed according to the legal deadline, causing discontent among political parties and candidates.

Another major point of disagreement was the determination of the sum to be disbursed. According to the Finance Ministry's interpretation, the law does not stipulate the exact

amount of campaign funds to be released by the Ministry for a single election; instead, it sets the total amount for all elections to be held in a budget year (0.1 per cent of the annual state budget).

On 6 May, the Ministry set a total of 45 million dinars to be distributed among all candidates for this presidential election. Representatives of 11 of the 15 first-round candidates contested this decision at the REC. They interpreted the law in a different manner, claiming that the amount disbursed should be five times greater than that set by the Finance Ministry. Differences in interpretation might have been avoided had the Ministry provided unambiguous information on the functioning of the new law and if communication between the Ministry, political parties, and the REC had been better. The 11 candidates contesting the decision are taking legal action against the Finance Ministry on this issue.

Under the new law, the amount approved for campaign financing from state sources also determines the maximum amount of privately donated funds that parties or candidates can spend on campaigning. The law also sets a deadline for candidates to present a financial report on campaign expenses and penalties for candidates who spend in excess of the limit. Uncertainty about the amount of funding provided by the state made it difficult for candidates to plan and budget for the campaign.

### **Complaints and Appeals**

Ten complaints were lodged with the REC regarding the first round of the election. Only one was upheld, resulting in the cancellation of the results in one polling station. As the results were missing from another polling station, voting was invalidated there, although no formal complaint was lodged. In both cases, voting was not repeated because the results could not affect the outcome of the first round.

### **Electoral Campaign**

The second-round campaign began as soon as initial projections of the first-round results were known. The official results certified by the REC were as follows: Ljiljana Arandjelovic (United Serbia), 0.38 per cent; Vladan Batic (Christian Democrat Party of Serbia - DHSS), 0.54 per cent; Ivica Dacic (Socialist Party of Serbia - SPS), 4.04 per cent; Milovan Drecun (Serbian Revival), 0.54 per cent; Dragan Djordjevic (Party of Serbian Citizens), 0.19 per cent; Branislav Ivkovic (Serbian People's Party - SNS), 0.45 per cent; Mirko Jovic (People's Radical Party, Serbia and Diaspora, and European Bloc), 0.18 per cent; Jelisaveta Karadjordjevic (Citizens Group "For a more beautiful Serbia"), 2.01 per cent; Bogoljub Karic (Citizens Group "Ahead, Serbia"), 18.23 per cent; Dragan Marsicanin (Democratic Party of Serbia - DSS), 13.30 per cent; Zoran Milinkovic (Patriotic Party of the Diaspora), 0.17 per cent; Tomislav Nikolic (Serbian Radical Party - SRS), 30.60 per cent; Borislav Pelevic (Party of Serbian Unity - SSJ), 0.46 per cent; Marijan Ristic (Peasants' Party), 0.33 per cent; and Boris Tadic (Democratic Party - DS), 27.37 per cent.

The SRS and DS candidates continued to hold rallies and meetings in Belgrade and provincial centres, and there was more door-to-door campaigning than in the first round. Both candidates tried to increase their visibility on the streets: Mr. Nikolic was seen at local markets, and Mr. Tadic visited crowds at recreational centres on the weekend. Issues

broached included Serbia's future in Europe, economic policies, and attitudes towards the International Criminal Tribunal for the former Yugoslavia (ICTY).

In an effort to underline his pro-European platform, Mr. Tadic traveled to Brussels to meet high-ranking EU officials. There were also various calls from the EU and representatives of other international organizations for a high turnout in the second round.

The media speculated about the possible resignation of Prime Minister Vojislav Kostunica following the poor first-round results of the coalition government's candidate, Dragan Marsicanin. Talks of early parliamentary elections led to an apparent agreement between the government and Mr. Tadic – should he be elected – not to hold elections until after the adoption of a new constitution.

Although Mr. Tadic made clear that the DS would not join the government coalition for the moment, the ruling coalition endorsed Mr. Tadic's candidature in the second round. The DS candidate was also supported by political parties representing national minority interests, as well as by Mr. Karic who came third in the first round.

The tone of the second-round campaign was slightly more confrontational than that of the first round. Several instances of inflammatory language were noted, for example, allegations by the SRS candidate that his opponent had ties to criminal circles. The campaign did not, however, degenerate into reciprocal accusations, and no formal complaints were lodged about the allegations made.

The second-round campaign was also characterized by an increase in allegations from both sides of physical intimidation of their respective supporters. These incidents typically involved clashes over putting up posters or distributing flyers.

The main suspect in the case of the assassination of the late Prime Minister Zoran Djindjic testified in court immediately after the first round. Although there had been speculation about the possible influence this testimony would have on the electoral campaign, this turned out to be unfounded.

## **Media**

During the second-round campaign, the broadcast and print media continued to provide voters with broad coverage. Both candidates placed paid advertisements, especially during the last week of the campaign.

RTS 1 provided candidates with free-of-charge airtime, covered candidates' activities in special election-related programmes, and increased the amount of time dedicated to the campaign in its newscasts. The station gave Mr. Nikolic and Mr. Tadic equal amounts of airtime, and both were portrayed in a neutral light. RTS 1 again provided positive coverage of the Serbian government, while other broadcast media portrayed it in rather negative terms.

On 23 June, a two-hour debate between the two candidates was broadcast on RTS 1, BK TV, and several local channels. Both candidates were given the opportunity to present their platforms and to field questions on a wide range of issues. The atmosphere of the debate was calm and lacked confrontation.

Privately owned BK TV provided both candidates with nearly equal amounts of airtime and portrayed them in a generally neutral light. In its newscasts, TV Pink dedicated 58 per cent of its election-related coverage to Mr. Tadic and 42 per cent to Mr. Nikolic. A similar distribution of time was noted in TV B92 newscasts. In the newscast, both channels portrayed the candidates in a neutral light. In the last week of the campaign, TV B92 broadcast several programmes calling on people to vote for a democratic future, which was interpreted as indirect support for Mr. Tadic.

All the newspapers monitored by the IEOM – *Vecernje Novosti*, *Politika*, *Balkan*, and *Kurir* – dedicated a greater amount of space to Mr. Tadic (approximately 60 per cent) than to Mr. Nikolic. Portrayal of the DS candidate in *Balkan* and *Politika* was positive. On the other hand, *Kurir* portrayed Mr. Nikolic in a positive light, while its coverage of Mr. Tadic was somewhat negative.

Get-out-the-vote campaigns continued on television and in some newspapers. B92 conducted a very active voter-mobilization operation that was perceived by the SRS candidate as campaigning in favour of the DS candidate – it specifically targeted youth, and the slogan used, “*Bori se*” (fight), is similar to Tadic’s name, Boris.

### **Election Day**

As in the first round, election day procedures were conducted in a professional manner. The IEOM did not receive any complaints related to polling, and neither international nor local observers reported any serious incidents or irregularities.

Preliminary results from the REC indicate a turnout of around 48 per cent, similar to the first round, with 53.5 per cent of votes cast for Mr. Tadic and 45.1 per cent for Mr. Nikolic.

The Belgrade-based Centre for Free Elections and Democracy deployed approximately 1,000 non-partisan observers across the republic. The European Union Monitoring Mission also fielded a small number of observers.

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### **MISSION INFORMATION AND ACKNOWLEDGEMENTS**

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Ambassador Stephen Nash (United Kingdom) heads the OSCE/ODIHR Election Observation Mission. Mr. Christopher Newbury (United Kingdom) leads the Congress of Local and Regional Authorities delegation. This statement is based on the findings of 18 election experts from the OSCE/ODIHR, based in Belgrade and five regional centres, who have been deployed since 18 May (one of these teams has been based in Kosovo) and the delegation of the Congress that joined the OSCE/ODIHR on 25 June.

The OSCE/ODIHR did not specifically deploy short-term observers on election day but focused on the pre-election period. The Congress deployed four observers on election day.

Final reports, with recommendations, will be issued separately by the OSCE/ODIHR and by the Congress within approximately one month after the completion of the electoral process.

The IEOM wishes to express appreciation to the authorities of the Republic of Serbia and of Serbia and Montenegro, including the Republican Election Commission and other republican and municipal authorities for their co-operation and assistance during the course of the observation. The IEOM is also grateful for the support of the OSCE Mission to Serbia and Montenegro and the embassies of OSCE participating States accredited in Belgrade.

While this statement is issued in both English and Serbian, the English version remains the only official one.

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