

DEMOCRACY AND HUMAN RIGHTS

SERBIAN ELECTIONS 2023

The Fall of Democratic Facade

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Snap elections, including parliamentary, provincial, and local elections in about one half of cities and municipalities in Serbia, including the capital Belgrade, were held on 17 December 2023 after months of turmoil triggered by mass shootings on 3 and 4 May



The ruling SNS of President Aleksandar Vučić won the parliamentary election with almost 47% of the vote, but the ruling coalition won less votes altogether and the united pro-EU opposition achieved a historically best result of 23,5%



Significant electoral irregularities, especially in the capital Belgrade, brought accusations of electoral theft by opposition parties and civil society and led to unprecedented international criticism of Serbian democracy

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Introduction

Snap parliamentary, provincial, and local elections in 65 cities and municipalities in Serbia were held on 17 December 2023 after months of political turmoil. The two mass shootings on 3 and 4 May in Belgrade and its suburb of Mladenovac led to the largest anti-government protests in this century which prompted the unification of the pro-EU opposition and their request for snap parliamentary and Belgrade elections. The public was also shocked by the 24 September clash between a group of armed Serbs and the Kosovo police in the village of Banjska in North Kosovo, where one police officer and 3 Serbs lost their lives. The government finally decided to hold local elections not just in Belgrade, but also in 64 other cities and municipalities, as well as in the Autonomous Province of Vojvodina, only months before regular local and provincial elections.

The ruling Serbian Progressive Party (SNS) of President Aleksandar Vučić comfortably won the parliamentary election with almost 47% of the vote, but the entire ruling majority won less votes together than before and the united pro-EU opposition within the coalition “Serbia against Violence” won almost 24% of the vote, a historically best result of any opposition list since Vučić came to power in 2012. The SNS also won in provincial and in majority of local elections, while the controversial Belgrade election did not result in a clear majority and triggered another political crisis.

The most important aspect of the 17 December elections, however, was not their results, but a vast number of irregularities and controversies which led to unprecedented criticism of the electoral process by both domestic and international observers, including the ODiHR, Council of Europe and the European Parliament. Especially concerning were allegations of organized voter migration to Belgrade from other Serbian cities and abroad, which brought into question the legitimacy of the entire electoral process. Having in mind that this migration was not possible without the involvement of various state institutions, these allegations brought into question the very nature of the Serbian political system, representing clear evidence of a move from a defective democracy towards authoritarianism.

1 ROAD TO 2023 ELECTIONS: FAILED EXPECTATIONS OF NORMALIZATION OF POLITICAL LIFE

The April 2022 parliamentary, presidential, and local elections brought a certain level of normalization of political life, as the opposition parties decided to take part in them after the 2020 boycott. Also, the opposition once again took part in the work of the parliament after almost four years of parliamentary boycott. In the new convocation of the National Assembly, opposition parties have been allocated two deputy speaker positions, as well as chairmanship of five parliamentary committees.¹

However, political life was still far from full normalization. Despite the decisive majority obtained in the 2022 elections, the new government was formed only on 26 October, 206 days after the parliamentary elections held on 3 April. The ruling party also continued to disrupt the functioning of the National Assembly. According to the Open Parliament's report on monitoring the work of the National Assembly, the previous term was marked by intensive procedural manipulations and abuses of parliamentary rules, which further undermined the already significantly compromised integrity and role of the National Assembly in the political system of Serbia.² Sessions were scheduled arbitrarily and discussions were conducted in an atmosphere characterized by inflammatory speech, and a large number of insults, primarily by members of the ruling majority addressed to the opposition.³

“National Assembly 2022-2023 term was marked by intensive procedural manipulations and abuses of parliamentary rules, which further undermined its already significantly compromised integrity and role”

The period leading up to the May 2023 tragedies was marked by significant polarization and altercations in the parliament. The most significant issue was arguably the Belgrade-Pristina

dialogue and the European plan for Kosovo which resulted in Brussels and Ohrid Agreements in February and March.

After some improvements in media representation during the 2022 campaign, the government continued to dominate mainstream media after the elections. According to the results of media monitoring conducted by Crta, from June 2022 to May 2023, the average representation of the ruling majority on TV channels with national coverage was 95%, while the representation of the opposition significantly declined after the end of the campaign. According to this monitoring, the President of Serbia had an average of 25 direct media addresses per month.⁴

The mass shootings and the “Serbia against Violence” protests

The central event of 2023 in Serbia were arguably the two mass shootings on 3 and 4 May 2023, when 18 people were killed in less than 48 hours, including 9 children in the “Vladislav Ribnikar” elementary school in the Belgrade city center. The shootings triggered protests against violence, with some of the initial gatherings in May and June being the largest since Aleksandar Vučić and his Serbian Progressive Party (SNS) came to power in 2012. Citizens demanded action against the promotion of violence in media, calling, among other things, for the revocation of national frequencies for TV stations like Pink and Happy, along with the resignation of top officials and members of the Regulatory Authority for Electronic Media (REM).⁵ The protests were held under the slogan “Serbia against Violence” and were organized by mostly pro-EU opposition parties.

“Central event of 2023 in Serbia were the two mass shootings on 3 and 4 May, when 18 people were killed in less than 48 hours, including 9 children in the “Vladislav Ribnikar” elementary school in Belgrade”

1 “Orlić na čelu Skupštine, izabrano sedam potpredsednika, Smiljanic sekretar [Orlić head of the Assembly, seven vice-presidents elected, Smiljanic secretary], N1, posted on 2 August 2022, <https://n1info.rs/vesti/poslanici-biraju-predsednika-skupstine-srbije-i-sedam-potpredsednika/>

2 “Godišnji Izveštaj o posmatranju rada Narodne skupštine XIII saziv”, [Annual report on the observation of the work of the National Assembly XIII term], Open Parliament, posted on 15 November 2023, <https://otvoreniparlament.rs/istrazivanje/104>

3 “Book of Recommendations of the National Convention on the EU 2023”, NCEU, posted on 15 November 2023, <https://eukonvent.org/wp-content/uploads/2023/11/Recommendations-2023.pdf>

4 “Medija monitoring: Politički pluralizam Jun 2022 - maj 2023” [Media monitoring: Political pluralism June 2022 - May 2023], Crta, posted on 14 June 2023, <https://crta.rs/medija-monitoring-politicki-pluralizam-jun-2022-maj-2023/>

5 “Tens of thousands of protesters decry Serbian Government’s response to mass shootings”, RFE, posted on 12 May 2023, <https://www.rferl.org/a/serbia-protesters-rally-government-response-violence-mass-shootings/32409460.html>

President of Serbia Aleksandar Vučić and other high-ranking officials have condemned the protests from the beginning, accusing the opposition of exploiting a “national tragedy” for their political interests. Harsh statement by the government appeared to help protest mobilization, especially after Prime Minister Ana Brnabić mocked the number of protesters. In response to the protests, President Aleksandar Vučić has decided to hold a rally of his supporters on 26 May. Vučić announced that it would be “the biggest rally in the history of Serbia”⁶ and was accompanied by numerous reports of pressure on employees in state-owned enterprises to attend the event.⁷ At the extraordinary assembly of the SNS held on 27 May, the President of Serbia resigned from the position of party president, continuing to be a member of the party.⁸

Parallel to the protests, opposition parties demanded the formation of an investigative committee within the Serbian National Assembly to tackle the circumstances that led to the mass shootings. The establishment of the committee was supported by 193 members of the National Assembly, including members from the SNS. However, three days after its formation, the ruling party started denying the quorum to the investigative committee, allegedly at the request of the parents of the murdered children to postpone the investigation.⁹ Following this decision, the opposition which organized the protests disrupted the work of the National Assembly and, on 5 September, called for snap parliamentary and Belgrade elections.¹⁰

Three days after the Banjska clashes on 24 September, when one Kosovo police officer and 3 Serbs were killed in yet unclarified circumstances, President Vučić announced the possibility of holding snap parliamentary and Belgrade elections. After this announcement, SNS mayors of 65 cities and municipalities across Serbia resigned en masse, including the Mayor of Belgrade, Aleksandar Šapić, triggering early elections despite stable majorities in all local parliaments.¹¹

Snap parliamentary, provincial, and local elections in the city of Belgrade and 64 other cities and municipalities, were officially called on 1 November and scheduled for 17 December. This decision was controversial due to the fact that regular local elections in these cities and municipalities, except Belgrade, were scheduled for the mid-2024 and due to a perplexing decision by the government to hold local elections only in around one-half of municipalities. While some early local elections were occasionally called in the past, calling so many of them without an apparent reason was unprecedented. After the elections in December, the decision started to be interpreted in the public as a part of the strategy of organized voter migrations from the municipalities in which elections are not held to the ones in which they are.

Figure 1
Map of Serbia showing which municipalities held early elections in 2023, in green (Source: Crta)¹²



6 “Vučić za 26. maj najvio “najveći skup ikada u Srbiji” [Vucic announced “the largest rally ever in Serbia” for May 26th], 021.rs, posted on 9 May 2023, <https://www.021.rs/story/Info/Srbija/340224/Vucic-za-26-maj-najvio-najveci-skup-ikada-u-Srbiji.html>

7 “Na Vučićev miting u Beograd preko granice autobusima i pešice” [To Vucic’s rally in Belgrade, people are coming by buses and on foot from across the border], RFE, posted on 24 May 2023, <https://www.slobodnaevropa.org/a/vucic-miting-srbi-kosovo-autobusi/32426001.html>

8 “Vučić stvarno podneo ostavku na mesto predsednika SNS-a” [Vucic really resigned from the position of SNS President], Vreme, posted on 27 May 2023, <https://vreme.com/vesti/aleksandar-vucic-stvarno-podneo-ostavku-na-mesto-predsednika-sns-a/>

9 “Ko je ukinuo anketni odbor” [Who abolished the investigative committee], Peščanik, posted on 25 July 2023, <https://pescanik.net/ko-je-ukinuo-anketni-odbor/>

10 “Zbog neispunjenih zahteva opozicija traži izbore u Srbiji” [Due to unmet demands, the opposition is calling for elections in Serbia], RFE, posted on 5 September 2023, <https://www.slobodnaevropa.org/a/srbija-parlament-opozicija-izbori-zahtevi/32579603.html>

11 “Srbija: Gradonačelnik Beograda i više od 20 čelnika opština i gradova podneli ostavke” [Serbia: The Mayor of Belgrade and more than 20 municipal leaders have submitted resignation], BBC Serbia, posted on 29 September 2023, <https://www.bbc.com/serbian/lat/srbija-66961322>

12 CRTA: „Izbori 2023 – Završni izveštaj“, February 2024, https://crta.rs/wp-content/uploads/2024/02/CRTA_Završni-izborni-izvestaj-2023.pdf

2 THE ELECTION CAMPAIGN: KEY ACTORS AND CONTROVERSIES

The ruling Serbian Progressive Party (SNS) was the first to submit the list “Aleksandar Vučić – Serbia Must Not Stop”, which consisted of the SNS and its minor coalition partners. Despite not running for any position and resigning from the helm of the party in May 2023, President Aleksandar Vučić has emerged as the central figure in the SNS campaign, the same as in all previous elections. Junior partner of the SNS, the Socialist Party of Serbia (SPS) of Foreign Minister Ivica Dačić, led a separate list “Ivica Dačić – Prime Minister of Serbia”.

The main opposition electoral list „Serbia against Violence”, which was named after the protests, consisted of almost all relevant pro-EU opposition parties. It included the Freedom of Justice Party (SSP), the Democratic Party (DS), the People’s Movement of Serbia (NPS), the Green-Left Front (ZLF), the Ecological Uprising, Serbia Center (SRCE), “Zajedno”, the Movement of Free Citizens (PSG). It was the widest opposition coalition since 2012, but also more ideologically coherent than the previous large opposition coalitions, ranging from green-left to centre-right, with centre-left being the most represented.

There was no consolidation on the right-wing side of the political spectrum leaving Dveri and Zavetnici united in the „National Rally” coalition, while the New Democratic Party of Serbia (New DSS) and Movement for the Renewal of the Kingdom of Serbia (POKS) formed the NADA coalition. Allegedly, the main point of separation was the readiness for negotiations with the ruling SNS party – representatives of „Dveri” and „Zavetnici” showing readiness to negotiate with SNS upon its rejection of the Franco-German plan for Kosovo, while DSS insisted that the coalition would not cooperate with the SNS.¹³ Other lists included the coalition led by Saša Radulović’s Enough is Enough (DJB) party and Boris Tadić’s Social Democratic Party (SDS), as well as People’s Party (NS) led by the former Foreign Minister of Serbia Vuk Jeremić.

The electoral list „Serbia against Violence”, which took the name of the protests, consisted of almost all relevant pro-EU opposition parties. There was no consolidation on the right-wing side of the political spectrum”

Another important contender was the new populist movement “We, the Voice of the People” (MI) which managed to submit the list on the last day of the legal deadline. The movement was spearheaded by a controversial figure Branimir Nestorović, a renowned Serbian doctor and conspiracy theorist, who gained prominence during the COVID-19 pandemic, initially advising the government before becoming a vocal critic of anti-coronavirus measures and a regular guest on both national television channels and popular YouTube channels.¹⁴

A prominent role in the campaign was played by an unofficial organization “ProGlas”, formed by prominent public figures critical of the government. While they did not officially endorse any contestant, they focused on raising the turnout and held events with the citizens across the country.

The ruling SNS focused their campaign on economic standards, infrastructure, and social policies. Supporters of this list were portrayed as guardians of the state and nation, while opposition parties and government critics were depicted as the enemies of the national interests.¹⁵ The SPS, SNS’s junior coalition partner, has focused on national policy issues and the defence of legacy of Slobodan Milošević, particularly emphasizing protection of Kosovo and supporting Republika Srpska.¹⁶

13 „Right-wing opposition campaign summary: Protection of Kosovo, rejection of the EU and lithium mining”, Serbia Elects, posted on 14 December 2023, <https://serbiaelects.europeanwesternbalkans.com/2023/12/14/right-wing-opposition-campaign-summary-protection-of-kosovo-rejection-of-the-eu-and-lithium-mining/>

14 „New partners of SNS in Belgrade? Who are Branimir Nestorović and his movement”, Serbia Elects, posted on 20 December 2023, <https://serbiaelects.europeanwesternbalkans.com/2023/12/20/new-partners-of-sns-in-belgrade-who-are-branimir-nestorovic-and-his-movement/>

15 “Aleksandar Vučić: A central figure of the SNS campaign despite not running for any position”, Serbia Elects, posted on 8 November 2023, <https://serbiaelects.europeanwesternbalkans.com/2023/11/08/aleksandar-vucic-a-central-figure-of-the-sns-campaign-despite-not-running-for-any-position/>

16 „Weekly Campaign Overview: SNS holds first three rallies, focuses on salaries and infrastructure”, Serbia Elects, posted on 12 November 2023, <https://serbiaelects.europeanwesternbalkans.com/2023/11/12/weekly-campaign-overview-6-12-november-sns-holds-first-three-rallies-focuses-on-salaries-and-infrastructure/>

The “Serbia against Violence” (SPN) coalition emphasised the fight against corruption and crime, fight against violence, and raising the standard of living. Foreign policy issues did not have a significant place in the SPN campaign, where the coalition only confirmed its determination for Serbia’s accession to the EU. The question of Kosovo has been sidestepped by the coalition with the absence of a unified position on this issue.

The central message of the right-wing opposition has been the rejection of both the Brussels/Ohrid agreement with Kosovo and Serbia’s EU membership. The „National Rally” coalition advocated for Serbia to join BRICS instead of pursuing EU integration.¹⁷ The “Enough is Enough” coalition combined the Eurosceptic stance of DJB and the social-democratic orientation of SDS.¹⁸ People’s Party coalition, once pro-EU, now rejected EU membership due to the Brussels/Ohrid agreement and sought EEA access instead.¹⁹

Electoral conditions and controversies

The CRTA monitoring mission recorded around 40 instances of verbal or physical violence throughout the campaign. Additionally, there were reports of intimidation, pressure, bribery, and misuse of personal data, impacting citizens’ dignity, freedom of choice, and privacy.²⁰ The CRTA report found disturbing instances of vulnerable groups like cancer patients and elderly care home residents being exploited and pressured to support the party, facing threats of losing access to treatment or social assistance. In some cases, care home staff allegedly exerted explicit pressure on residents and even voted on their behalf, raising concerns about the manipulation of vulnerable individuals.²¹

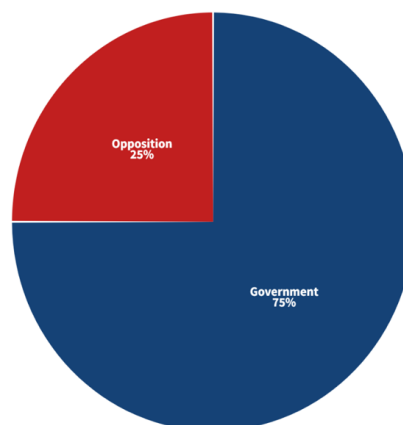
Moreover, according to CRTA, the campaign reflected a blurred line between the ruling party’s activities and state functions, with high-ranking government officials actively participating in SNS events. Approximately 800 appearances by high-ranking state officials were recorded during the campaign, indicating a close connection between the govern-

ment and the ruling party’s activities.²² President of Serbia Aleksandar Vučić was a dominant figure in the ruling party’s campaign despite not being a candidate himself; his activities were widely interpreted as the abuse of the office of the President.

The media landscape during the campaign period showed a significant imbalance, with the ruling majority dominating coverage. According to CRTA’s report, the ruling party occupied 75% of prime time on TV channels with national coverage, while the opposition received only 25%. This imbalance was even more prominent in regular news programs, where the ruling party accounted for over 90% of coverage.²³ Negative propaganda against the opposition was prominent, with a higher percentage of negative tones compared to previous elections. President Aleksandar Vučić played a crucial role in the media, dominating national television with almost one-third of airtime during prime time and 61% in regular news programmes.²⁴

Figure 2
Time allocated to political actors on TV channel with national coverage - PRIME TIME

Timeframe: 1 November – 6 December 2023



Source: CRTA2022 © SERBIA ELECTS / European Western Balkans

17 „Right-wing opposition campaign summary: Protection of Kosovo, rejection of the EU and lithium mining”, Serbia Elects, posted on 14 December 2023, <https://serbiaelects.europeanwesternbalkans.com/2023/12/14/right-wing-opposition-campaign-summary-protection-of-kosovo-rejection-of-the-eu-and-lithium-mining/>

18 “The complete list: Who are the candidates in the 2023 Serbian parliamentary election?”, Serbia Elects, posted on 7 December 2023, <https://serbiaelects.europeanwesternbalkans.com/2023/12/07/the-complete-list-who-are-the-candidates-for-the-2023-serbian-parliamentary-election/>

19 “The list of the People’s Party, led by former Foreign Minister Vuk Jeremić, has been proclaimed”, Serbia Elects, posted on 20 November 2023, <https://serbiaelects.europeanwesternbalkans.com/2023/11/20/the-list-of-the-peoples-party-led-by-former-foreign-minister-vuk-jeremic-has-been-proclaimed/>

20 CRTA, „Izbori 2023: Drugi presek dugoročnog posmatranja 21. novembar – 10. decembar”, posted on 11 December 2023, https://cрта.rs/wp-content/uploads/2023/12/Izbori-2023_CRTA_Drugi-periodicni-izvestaj-dugorocnih-posmatraca-1.pdf

21 CRTA, „Izbori 2023: Drugi presek dugoročnog posmatranja 21. novembar – 10. decembar”, posted on 11 December 2023, https://cрта.rs/wp-content/uploads/2023/12/Izbori-2023_CRTA_Drugi-periodicni-izvestaj-dugorocnih-posmatraca-1.pdf

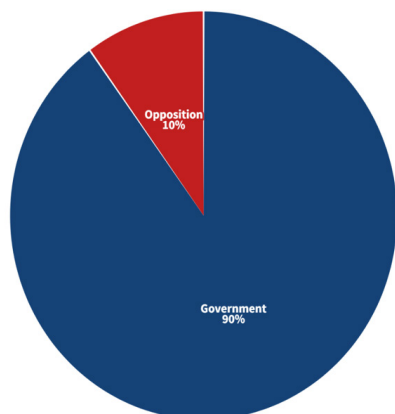
22 CRTA, „Izbori 2023: Drugi presek dugoročnog posmatranja 21. novembar – 10. decembar”, posted on 11 December 2023, https://cрта.rs/wp-content/uploads/2023/12/Izbori-2023_CRTA_Drugi-periodicni-izvestaj-dugorocnih-posmatraca-1.pdf

23 CRTA, „Izbori 2023: Drugi presek dugoročnog posmatranja 21. novembar – 10. decembar”, posted on 11 December 2023, https://cрта.rs/wp-content/uploads/2023/12/Izbori-2023_CRTA_Drugi-periodicni-izvestaj-dugorocnih-posmatraca-1.pdf

24 CRTA, „Izbori 2023: Drugi presek dugoročnog posmatranja 21. novembar – 10. decembar”, posted on 11 December 2023, https://cрта.rs/wp-content/uploads/2023/12/Izbori-2023_CRTA_Drugi-periodicni-izvestaj-dugorocnih-posmatraca-1.pdf

Figure 3
Time allocated to political actors on TV channel with national coverage - REGULAR NEWS SEGMENT

Timeframe: 1 November – 6 December 2023



Source: CRTA2022 © SERBIA ELECTS / European Western Balkans

During the campaign, the opposition was often portrayed negatively by the pro-government media, with a narrative of international ties and foreign influence on Serbian politics. The expulsion of the first secretary of the Croatian embassy on the 20th of November over allegations of espionage sparked the narrative in the pro-government media which aims to prove that Croatia is trying to overthrow the regime of President Aleksandar Vučić and help the opposition come to power in the upcoming elections.²⁵

Politician Đorđe Miketić from the “Serbia against Violence” coalition had his private intimate video leaked online and broadcasted on the morning show of the pro-government TV Pink.²⁶ He was previously anonymously threatened with the leak of the video, and even the President of Serbia Aleksandar Vučić dubbed Miketić as a “human disgrace” in a television appearance and said, “he (Miketić) knows what I know”.²⁷ Miketić confirmed the authenticity of the leaked private videos and claimed that they were on a computer that was stolen from his home, accusing that the “state, institutions, the BIA (Security Intelligence Agency)” were behind the leak. The scandal led to Miketić’s withdrawal from the campaign.

Moreover, The Center for Investigative Journalism of Serbia (CINS) published a story about a vote-purchasing scheme involving the ruling SNS, alleging the unauthorized data collection and other violations. According to CINS, the SNS call center offered to triple employees’ pay if they provided proof of their vote for the party.²⁸ Despite concerns, the Higher Prosecutor’s Office returned the filed complaint due to a lack of evidence, raising questions about institutional responsibility.

Additionally, representatives of the “Serbia against Violence” coalition filed objections to the Belgrade City Election Commission (GİK) regarding the declaration of seven electoral lists, citing alleged signature falsification. Opposition representatives suspected that seven lists for local elections in Belgrade falsified support signatures, including names of public figures who denied endorsing them. Despite nine objections to GİK, all were dismissed, with three appeals resolved in the Higher Court, which emphasized that “this is not relevant to the electoral process”.²⁹ The candidacy of lists with forged signatures potentially allowed the ruling parties to control more seats in the GİK, as well as dissipation of opposition’s votes.

“Opposition filed objections to the Belgrade City Election Commission (GİK) regarding the declaration of 7 out of 14 electoral lists, citing alleged signature falsification. All objections were dismissed”

25 “Jutarnji list analizira pisanje srpskih tabloida o proterivanju diplomata: “Osim što će dovesti na vlast srpsku opoziciju, Hrvatska tajno prelazi Dunav i pomera granicu na istok”, [Jutarnji list analyzes the writing of Serbian tabloids about the expulsion of diplomats: “In addition to bringing the Serbian opposition to power, Croatia is secretly crossing the Danube and moving the border to the east”], Danas, posted on 22 November 2023, <https://www.danas.rs/svet/region/hrvatska-jutarnji-list-tabloidi/>

26 „Opozicioni MP confirms intimate images stolen from his home computer”, N1, posted on 29 November 2023, <https://n1info.rs/english/news/oposition-mp-confirms-intimate-images-stolen-from-his-home-computer/>

27 „Opozicioni političar tvrdi da je dobio pretnje nakon Vučićeve izjave”, [The opposition politician claims that he received threats after Vučić’s statement], RFE, posted on 27 November 2023, <https://www.slobodnaevropa.org/a/djordje-miketic-pretnje-vucic/32702060.html>

28 „CINS u kol centru SNS-a: Agencija za hostese, kupovina glasova i milioni u kešu”, [CINS in the SNS call center: Agency for hostesses, buying votes and millions in cash], CINS, posted on 29 November 2023, <https://www.cins.rs/cins-u-kol-centru-sns-a-agencija-za-hostese-kupovina-glasova-i-milioni-u-kesu/>

29 “Odbijene tri žalbe zbog sumnji na falsifikovanje potpisa u Beogradu”, [Three appeals were rejected due to suspicions of forgery of signatures for the elections in Belgrade], RFE, posted on 4 December 2023, <https://www.slobodnaevropa.org/a/opozicija-beograd-izbori-potpisi-falsifikovanje/32713390.html>

3

ELECTION DAY AND RESULTS

According to the preliminary report by the International Election Observation Mission (IEOM)³⁰, the election day was generally orderly but there were isolated incidents of physical attacks. A vehicle belonging to Crta observers was damaged in Odžaci, and there were assaults on polling board members and an activist. The IEOM positively assessed the voting in 93 per cent of the 1,220 polling stations observed. Serious irregularities observed by the IEOM included cases of vote buying and box stuffing. The mission also noted instances of group voting, unauthorized persons monitoring voter turnout and voters taking photos of their ballots, all longstanding problems of the Serbian elections.³¹

The turnout in the parliamentary election was 58.68%, virtually the same percentage as in 2022 (58.60%).³² The coalition around the ruling Serbian Progressive Party (SNS) won 46.75% of the vote and the outright majority of 129 out of 250 seats in the parliament. Opposition coalition “Serbia against Violence” won 23.66% and 65 seats, which was an improvement compared to the total of 51 seats its members won in 2022. The list around the junior coalition partner, Socialist Party of Serbia (SPS), suffered significant losses, winning only 18 seats in 2023 compared to 31 seats won in 2022. Right-wing lists NADA and the new organization “We – The Voice from the People” also entered the parliament, winning 13 seats each.

In the Belgrade local election, the turnout was 58.41%, a slight increase compared to 2022 (57.85%).³³ Here, the results were much closer. The list around the ruling SNS won 39.08% of the vote, while the “Serbia Against Violence” coalition won 34.63%. Since the list around SPS won only

4.75% of the votes, the previous ruling coalition composed of SNS and SPS was left with two seats short of the majority. In the election for the Provincial Assembly of the Autonomous Province of Vojvodina, SNS retained the majority, winning 47.31% of the votes and 66 seats out of 120.³⁴

Allegations of organized voter migration

The elections were most prominently marked by allegations of large-scale organized voter migration. The ruling party has been accused of registering voters who otherwise do not live in Belgrade to increase its number of votes in the local election. The number of these so-called “phantom voters” is hard to determine without the cooperation of the state institutions. Nevertheless, the small margin of victory of the ruling party in the capital makes any irregularities of this kind additionally controversial.

These allegations were present during the 2022 Belgrade election as well.³⁵ However, the scale of allegations presented this time have raised very serious concerns about the integrity of the electoral process. On election day, video recording released by the opposition parties strongly indicated that the Belgrade Arena hall was used as a gathering point for voters who do not live in the city.³⁶ Several politicians from Bosnia and Herzegovina also posted photos on social networks showing that they had voted in local/provincial elections and not only in parliamentary election, for which they have a right as citizens of Serbia.³⁷

“Elections were most prominently marked by allegations of large-scale organized voter migration by the ruling party through registering voters who do not live in Belgrade”

30 Composed of the representatives of the Organization for Security and Co-operation in Europe (OSCE), Council of Europe and European Parliament

31 Statements of the Preliminary Findings and Conclusions, Early Parliamentary Elections in Serbia, 17 December 2023, <https://www.osce.org/odihr/elections/serbia/556500>

32 Report on the Election for the Members of Parliament, Republic Electoral Commission, <https://www.rik.parlament.gov.rs/extfile/sr/files/additionalDocuments/565/712/IZVESTAJ%20O%20SPROVEDE-NIM%20IZBORIMA.pdf>

33 Report on the Election for the Members of the City Assembly of Belgrade, City Electoral Commission, <https://www.beograd.rs/lat/gradska-vlast/1807019-izvestaj-privremenom-organu-grada-beograda-o-sprovedenim-izborima-za-odbornike-skupstine-grada-beograda/>

34 Live results, Provincial Electoral Commission, <https://pik.skupstinavojvodine.gov.rs/Rezultati>

35 “ISTRAŽUJEMO Mrtvi ponovo u biračkom spisku, stižu pozivi i fantomskim biračima”: [WE INVESTIGATE Deceded once again in voter registry, invitations received by phantom voters], Nova.rs, posted on 12 January 12 <https://nova.rs/uncategorized/istrazujemomrtvi-ponovo-u-birackom-spisku-stizu-pozivi-i-fantomskim-biracima/>

36 Videos available at “Serbia Elects” X account: https://twitter.com/serbia_elects/status/1736425732430074069

37 Jelena Trivić Instagram account: https://www.instagram.com/p/C083hjXN4_o/, Nenad Nešić X account: https://twitter.com/Nesic_Nenad_/status/1736385327491620894

Tabela 1

Parliamentary list	Percentage of the votes	Seats in Parliament (out of 250)
Aleksandar Vučić – Serbia must not stop (SNS coalition)	46,75%	129
Miroslav Miki Aleksić, Marinika Tepić – Serbia against Violence	23,66%	65
Ivica Dačić – Prime Minister of Serbia (SPS coalition)	6,55%	18
Dr. Miloš Jovanovic – Hope for Serbia	5,02%	13
Prof. Dr. Branimir Nestorović – We - The Voice of the People	4,69%	13
Vajdasági Magyar Szövetség – Elnökünkért, Közösségünkért, A Jövőért! – Alliance of Vojvodina Hungarians	1,7%	6
Usame Zukorlić – United for Justice	0,76%	2
Sulejman Ugljanin – Democratic Action of Sandžak (SDA)	0,57%	2
Shaip Kamberi – Political struggle of Albanians continues	0,35%	1
Slobodan Nikolić - Russian Party	0,3%	1

Tabela 2

Belgrade election list	Percentage of the votes	Seats in the Belgrade Assembly (out of 110)
Aleksandar Vučić – Belgrade Must Not Stop (SNS coalition)	39,08%	49
Serbia against Violence – Dobrica Veselinović – Prof. Dr. Vladimir Obradović	34,63%	43
Dr. Miloš Jovanovic – Hope for Belgrade	6%	7
Aleksandar Jerković – We – The Voice of the People	5,38%	6
Ivica Dačić – Prime Minister of Serbia	4,75%	5
Slobodan Nikolić - Russian Party	0,3%	1

According to Serbian law, no person is allowed to have more than one permanent residence, which means that these registrations could be illegal. As of February 2024, the state institutions have not carried out any credible investigation into the allegations.

Two major pieces of evidence that organized voter migration indeed took place were released by Crta and its Istinomer portal. On 22 December 2023, Crta published a preliminary report³⁸ which contains three types of evidence: 1) insider testimonies of voters and employees in the public administration, who confirmed the existence of these practices; 2) organized transportation of voters to Belgrade observed by Crta mission on election day; 3) comparison of the voting registry for the 2022 and 2023 Belgrade elections, showing a suspicious pattern of increase of the new names at the polling stations where the ruling party scored a poor result in the 2022 election.

Meanwhile, on 28 December 2023 Istinomer published a leaked database³⁹ of the numbers of registered voters on all addresses in Belgrade. The fact that, in one instance, 40 voters were registered on an address where a house of 58 square meters is located, raised further suspicions. Opposi-

tion Freedom and Justice Party (SSP) subsequently visited many addresses where a large number of voters were registered, claiming that they were abandoned or non-residential buildings. Opposition Democratic Party (DS) filed a criminal charge⁴⁰ against the city administration of Belgrade, stating that it contained 120 pieces of evidence of electoral manipulation, including manipulations of the voting registries.

The authorities have dismissed the allegations. Media close to the ruling party visited some of the locations previously visited by the opposition, claiming that actual voters do live there. However, without an official investigation, it remains difficult to determine the actual situation. High levels of distrust in the voting registry continue in the context of the upcoming regular local elections.⁴¹

40 “Гавриловић (ДС) предао кривичну пријаву против Секретаријата за управу града Београда због “малверзација са бирачким списковим” [Gavrilović (DS) submits a criminal charge against the Administrative Secretariat of the City of Belgrade due to “voter registry manipulations”, Democratic Party, posted on 13 January 2024, <https://ds.org.rs/news/4233>

41 “Đilas: U biračkom spisku u Beogradu je 5.000 ljudi manje nego što je bilo na izborima” [Đilas: There are 5,000 people less in the voter registry in Belgrade than on the election day], Novi magazin, posted on 25 January 2024, <https://novimagazin.rs/vesti/314584-djilas-u-birackom-spisku-u-beogradu-je-5000-ljudi-manje-nego-sto-je-bilo-na-izborima>, “POKS: Počelo punjenje biračkog spiska u Novom Sadu fantomskim biračima”, [POKS: Filling of the voter registry in Novi Sad with phantom voters has started], 021.rs, posted on 11 January 2024, <https://www.021.rs/story/Novi-Sad/Vesti/363923/POKS-Pocelo-punjenje-birackog-spiska-u-Novom-Sadu-fantomskim-biracima.html>, “Poslanik iz Niša: Iz biračkog spiska se brišu neaktivni birači, a upisuju ljudi sa Kosova” [MP from Niš: Inactive voters are being era-

38 “The results of the Belgrade elections largely stemmed from illegal electoral engineering”, Crta, posted on 22 December 2023, <https://crta.rs/en/the-results-of-the-belgrade-elections/>

39 “40 birača u 58 kvadrata” [40 voters in 58 square meters], Nova.rs, posted on 28 December 2023, <https://www.istinomer.rs/analize/40-biraca-u-58-kvadrata/>

Findings of the observers

In its Statement of Preliminary Findings and Conclusions published on 18 December, International Election Observation Mission (IEOM) stressed the problematic frequency of early elections and the role of the President in the parliamentary campaign, which were not emphasized in the previous report. The mission assessed that the ruling party's systemic advantages created unjust electoral conditions.⁴²

On 28 February 2024, the Office for Democratic Institutions and Human Rights (ODIHR), which was the part of IEOM, published the final report on the elections.⁴³ The document repeated the overall conclusions of the Preliminary Findings and provided a total 25 recommendations.

ODIHR stated that, while the election-related legislation was significantly revised in 2022, several key issues remain unresolved, including those related to ensuring a level playing field, measures to prevent misuse of public office and state resources, separation between the official functions and campaign activities, and effective mechanisms to prevent intimidation and pressure on voters, including vote buying. All of these deficiencies were once again featured during the 2023 elections, according to the report.

Allegations on organized voter migration were also mentioned by ODIHR, which assessed that the lack of a comprehensive response from authorities significantly eroded public trust in the accuracy of the voter register. Media monitoring carried out by ODIHR during the campaign established that the coverage of the president, despite not being a candidate, dominated the prime-time news of the monitored broadcasters. The president and the ruling party combined were featured in as much as 91 per cent of the non-election related newscasts on national channels.

Two weeks earlier, on 14 February 2024, domestic observer Crta released its final report on the elections, stating explicitly that they were not free and fair. The report concluded that the responsible institutions were 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”, which further reinforced the principles of impunity and legal uncertainty.⁴⁴

“Domestic observer Crta stated explicitly that the elections were not free and fair, with institutions ignoring mass violations of democratic principles and series of criminal acts in the election process”

sed from the voting registry, and citizens from Kosovo are being registered], N1, posted on 1 February 2024, <https://n1info.rs/vesti/djordje-stankovic-malverzacije-s-birackim-spiskom-nis/>

42 Statements of the Preliminary Findings and Conclusions, Early Parliamentary Elections in Serbia, 17 December 2023, <https://www.osce.org/odihr/elections/serbia/556500>

43 ODIHR Election Observation Mission Final Report, Republic of Serbia – Early Parliamentary Elections 17 December 2023, https://www.osce.org/files/f/documents/1/3/563505_0.pdf

44 Final Election Observation Report – Summary, Crta, posted on 14 February 2024, <https://crta.rs/en/final-election-observation-report-summary-2023/>

4 POST-ELECTION CRISIS: PROTESTS, CALLS FOR ANNULMENT AND INTERNATIONAL INVESTIGATION

During the election night, co-leaders of the “Serbia against Violence” list Miroslav Aleksić and Marinika Tepić announced that the coalition will ask for the annulment of the elections, which they claimed were “stolen”. They emphasized the allegations of organized voter migration as the most serious issue and invited the citizens for a protest in front of the Republic Electoral Commission a day after election, on 18 December.⁴⁵ That night, Tepić announced that she was entering a hunger strike, demanding the annulment of the election. She persisted in the strike for 12 days and was joined for a period of time by several members of her party.

These events triggered a series of daily protests until the end of the month, culminating in a large gathering titled “We do not accept” on 30 December in downtown Belgrade, co-organized by the opposition, civil society and the ProGlas movement, at which about 17,000 citizens participated.⁴⁶ The protest held a week earlier, on 24 December 2023, escalated when several citizens tried to violently enter the City Assembly of Belgrade. They were prevented from doing so by the police, and 38 people were prosecuted in the following days.⁴⁷ There were assessments that both the police and the judiciary were disproportionately harsh in their treatment of some protesters, especially students, some of whom were charged with the attack on the constitutional order.⁴⁸ The Republic Electoral Commission annulled the vote for the

parliamentary election at the total of 43 polling stations and ordered a repeat for 30 December 2023 and 2 January 2024.⁴⁹ On 17 January, the Commission rejected the complaint of the “Serbia against Violence” coalition against the General Report on the election.⁵⁰ The coalition subsequently submitted a complaint to the Constitutional Court of the Republic of Serbia, asking for the annulment of the election. The request for the annulment of Belgrade local election was also submitted. As of the conclusion of this report, the Constitutional Court has not decided on the complaints; there is no deadline for the rulings.

The negative international reaction to the elections in Serbia has been one of the strongest in recent decades. The Ministry of Foreign Affairs of Germany posted on X a day after the elections that ODIHR reported the misuse of public resources, voter intimidation and cases of vote buying, which is “unacceptable for a country with EU candidate status”.⁵¹ The European External Action Service and the State Department of the United States expressed their concerns and called for the investigation of irregularities.⁵² Following the publication of the final ODIHR report, EU Spokesman Peter Stano stated that it confirmed the concerns of the EU and the electoral process requires tangible improvement and further reforms, with no time to lose ahead of the next election.⁵³

The European Parliament was particularly active following the elections in Serbia, organizing a plenary debate on the issue in January and adopting a resolution on 8 February 2024. The resolution stated that the European Parliament was “alarmed by reports of the widespread and systematic scale of fraud that compromised the integrity of the elections

45 “Koalicija „Srbija protiv nasilja” pozvala građane na protest ispred Skupštine Grada Beograda (VIDEO)” [Coalition “Serbia Against Violence” invited citizens for a protest in front of the City Assembly of Belgrade (VIDEO)], Danas, posted on 18 December 2023, <https://www.danas.rs/vesti/politika/srbija-protiv-nasilja-izbori-protest/>

46 “Arhiv javnih skupova: 17.000 ljudi bilo na skupu ProGlasa” [Archive of public gatherings: 17.000 people on the ProGlas gathering], N1, posted on 30 December 2023, <https://n1info.rs/vesti/arhiv-javnih-skupova-17-000-ljudi-bilo-na-skupu-proglasa/>

47 “Procesuirano 38 ljudi sa protesta u Beogradu” [38 people from the protests in Belgrade prosecuted], posted on 25 December 2023, <https://www.slobodnaevropa.org/a/mup-srbija-beograd-demonstranti-protesti-opozicija/32746362.html>

48 “Saopštenje-Nesrazmerna upotreba sile prema građanima na protestu ispred Skupštine grada Beograda” [Statement – Disproportionate use of force against citizens at the protest in front of the City Assembly of Belgrade], <https://www.yucom.org.rs/saopstenje-nesrazmerna-upotreba-sile-prema-gradanima-na-protestu-ispred-skupstine-grada-beograda/>, “Advokat Ninić o uhapšenima na protestu: Za sada dva sporazuma o priznanju” [Lawyer Ninić on the persons arrested at the protests: Two pleas of guilty for now], posted on 26 December 2023, <https://n1info.rs/vesti/advokat-ninic-o-uhapsenima-na-protestu-za-sada-dva-sporazuma-o-priznanju/>

49 Statement for the Public, RIK, <https://www.rik.parlament.gov.rs/vest/560570/saopstenje-za-javnost.php>; posted on 28 December 2023, 47th session of RIK, posted on 30 December 2023, <https://www.rik.parlament.gov.rs/vest/561188/47-sednica-republicke-izborne-komisije.php>

50 52th session of RIK, posted on 17 January 2024, <https://www.rik.parlament.gov.rs/vest/564851/52-sednica-republicke-izborne-komisije.php>

51 “Growing concerns of international community over regularity of Serbian elections”, EWG, posted on 19 December 2023, <https://europeanwesternbalkans.com/2023/12/19/growing-concerns-of-international-community-over-regularity-of-serbian-elections/>

52 Ibid.

53 Post by Peter Stano on X, 29 February 2024, <https://twitter.com/ExtSpoxEU/status/1763093704078688692>

in Serbia". It called for an independent international investigation into the irregularities and urged the Commission to send an expert mission to Serbia to assess the situation.⁵⁴ The elections were also discussed in the Committee on Foreign Affairs of the European Parliament⁵⁵ and the Committee of the European Affairs of the German Bundestag⁵⁶, while the members of the Serbian opposition held multiple meetings with the representatives of the EU institutions and national governments in the months following the elections.

"Negative international reaction to the elections in Serbia has been one of the strongest in recent decades, with European Parliament requesting an international investigation by respected international legal experts and institutions"

On 21 December 2023, representatives of the "Serbia against Violence" coalition sent a letter to the institutions of the European Union, requesting international investigation into the electoral irregularities and a verification committee which will monitor and verify the implementation of the recommendations.⁵⁷ Similar request was repeated in January by a group of 24 European MPs, mostly chairs of their parliaments' committees on foreign or European affairs⁵⁸. Request for an "international investigation by respected international legal experts and institutions" was included in the European Parliament resolution, adopted on 8 February 2024.

First sessions of the new parliaments

Unlike the previous election cycles, constitutive sessions of parliaments were called relatively early. Members of the "Serbia Against Violence" publicly deliberated whether to resign from their seats in the national parliament and Belgrade assembly due to the lack of legitimacy of the elections. They ultimately decided to not to resign, though, on the day of the first session of the National Assembly, "Serbia against Violence" and NADA coalitions staged a protest in the plenary hall and then left to take the oath of office separately from the ruling parties' MPs. A similar protest was staged during the first session of the Belgrade City Assembly.

The first session of the new National Assembly of Serbia on 6 February only verified the mandates of the members of parliament, before adjourning until an unspecified date. The election of the speaker and other parliamentary offices are still pending as of the conclusion of this report.

In Belgrade, the first session was held on 19 February but it was postponed until 1 March, due to the fact that the councilors of the previous ruling majority (SNS and SPS) did not show up. As of the conclusion of this report it is not clear whether the SNS and SPS will manage to form a majority with councilors from the "We – The Voice from the People" movement, or will new election in Belgrade indeed take place.⁵⁹

54 European Parliament resolution of 8 February 2024 on the situation in Serbia following the elections (2024/2521(RSP)), https://www.europarl.europa.eu/doceo/document/TA-9-2024-0075_EN.pdf

55 "AFET discusses Serbian elections, investigation of irregularities and implementation of ODIHR recommendations in focus", EWB, posted on 23 January 2024, <https://europeanwesternbalkans.com/2024/01/23/afet-discusses-serbian-elections-investigation-of-irregularities-and-implementation-of-odihr-recommendations-in-focus/>

56 "Wahlmanipulationen in Serbien müssen Konsequenzen haben" [Electoral Manipulations in Serbia Must Have Consequences], posted on 17 January 2024, <https://www.spdfraktion.de/presse/pressemitteilungen/wahlmanipulationen-serbien-muessen-konsequenzen-haben>

57 "Serbia Against Violence requests international investigation into electoral irregularities from the EU", Serbia Elects, posted on 21 December 2023, <https://serbiaelects.europeanwesternbalkans.com/2023/12/21/serbia-against-violence-requests-international-investigation-into-electoral-irregularities-from-the-eu/>

58 "European politicians called on the EU to probe Serbian elections", EWB, posted on 18 January 2024, <https://europeanwesternbalkans.com/2024/01/18/european-politicians-called-on-the-eu-to-probe-serbian-elections/>

59 "First session of the Belgrade assembly postponed to 1 March, SNS claims it has a majority but wants 'more legitimacy'", Serbia Elects, posted on 19 February 2024, <https://serbiaelects.europeanwesternbalkans.com/2024/02/19/first-session-of-the-belgrade-assembly-postponed-to-1-march-sns-claims-it-has-a-majority-but-wants-more-legitimacy/>

CONCLUSION

The 2023 elections represented one further step away from democracy in Serbia. While electoral irregularities which were present in previous elections, such as media bias and pressure on voters hardly surprised anyone, the accusation of organized voter migration and the fact that one half of lists in Belgrade used forged signatures for their candidacy cast a large shadow over the legitimacy over the entire electoral process. The strong possibility that these irregularities directly affected the electoral outcome and took away the first opposition victory in 12 years provide an argument that the ruling party will not accept any defeats and would do whatever it takes to prevent that. This may have serious long-term effects on democracy in Serbia.

These developments will most certainly have an effect on Serbia's EU accession process as well. The European Parliament resolution on 8 February 2024 and some statements by EU member states clearly demonstrate that the issue of democratic institutions in Serbia is on the EU's radar, and that there are concerns about the state of Serbian democracy across the European political spectrum. This issue even appeared to overshadow the topics of Kosovo and the EU Common Foreign and Security Policy when it comes to Serbia's EU accession.

“Accusation of organized voter migration and one half of lists in Belgrade using forged signatures casts a large shadow over the legitimacy over the entire electoral process”

However, it remains to be seen what the EU will do to help resolve the political crisis in Serbia. The EP resolution called for an international investigation and the deployment of an expert mission by the European Commission similar to the one that produced the “Priebe Report” in North Macedonia in 2015. However, previous EP-mediated dialogues between government and opposition did not bring any substantial changes due to a lack of clear political pressure from the EU on the Serbian government to make genuine improvements to democratic standards. Any initiative by the EU should learn from past mistakes and clearly link the issue of democratic institutions with Serbia's progress on the EU path.

“Any initiative by the EU should learn from past mistakes and clearly link the issue of democratic institutions with Serbia's progress on the EU path”

Finally, there is an important question whether the 2023 elections finally gave birth to a strong and credible pro-EU opposition in Serbia. The good results of the “Serbia against Violence” coalition were a historical success for any opposition list under Vučić, but also one of the best results of any pro-EU coalition (not counting the SNS) in Serbian history. However, this occurred not so much due to a surge in voter support, but due to a decision of opposition political parties to finally unite in such a wide coalition. This seems to have dramatically changed the image of the Serbian opposition in the eyes of European actors. The question remains whether this will have an effect on the EU's treatment of the Serbian government and whether the Serbian opposition itself will manage to hold such a wide coalition united in the future.

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SERBIAN ELECTIONS 2023

The Fall of Democratic Facade



Snap elections, including parliamentary, provincial, and local elections in about one half of cities and municipalities in Serbia, including the capital Belgrade, were held on 17 December 2023 after months of turmoil triggered by mass shootings on 3 and 4 May



The ruling SNS of President Aleksandar Vučić won the parliamentary election with almost 47% of the vote, but the ruling coalition won less votes altogether and the united pro-EU opposition achieved a historically best result of 23,5%



Significant electoral irregularities, especially in the capital Belgrade, brought accusations of electoral theft by opposition parties and civil society and led to unprecedented international criticism of Serbian democracy

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