

**Observation of the Presidential Election in the Republic of Serbia, Second Round (3 February 2008)**

Report<sup>1</sup>

Ad hoc Committee of the Bureau of the Assembly

Rapporteur: Mr Andreas GROSS, Switzerland, Socialist Group

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*The Parliamentary Assembly observers consider that the second round of voting in Serbia's presidential election was conducted in line with Council of Europe commitments for democratic elections.*

*However, some problems relating to the legislative framework and technicalities of the electoral process were detected. The Assembly calls upon the Serbian authorities to eliminate these at the earliest opportunity and before the next national elections.*

*The high turnout confirms the democratic maturity of the people of Serbia.*

*In political terms, the election highlighted that Serbia is at a crossroad. The citizens could choose between two distinct perspectives for the future of their country. The majority of the voters made a clear choice in favor of European integration. However, an important minority of voters cast their ballots for a different vision of the country's future.*

*In the current context, the Assembly observers call upon the new leadership of Serbia and all political stakeholders to consolidate the society, build much-needed bridges and move ahead with long-awaited reforms.*

## **I. Introduction**

1. The Parliamentary Assembly was invited by the Speaker of the National Assembly of the Republic of Serbia to observe the Presidential election in Serbia, scheduled for 20 January 2008. Unfortunately, due to the lack of available members, as a result of the Assembly's plenary session convening the day after the election, the observation of the first round was cancelled in accordance with the Assembly's Election Observation Guidelines and the Assembly's Rules of Procedure.

2. On 21 January 2008, the Bureau set-up an ad hoc committee, composed of one member from each political group in the Assembly, to observe the second round of the Presidential election, scheduled for 3 February 2008. Subsequently, on 25 January 2008, the Bureau approved the composition of the ad hoc committee and appointed Mr Gross (Switzerland, SOC) as Chairperson.

3. On the basis of the proposals by the political groups, the ad hoc committee was composed as follows:

### **Socialist Group (SOC)**

Mr Andreas GROSS      Switzerland

### **Group of the European People's Party (EPP/CD)**

Mr Lucio MALAN      Italy

### **Group of the Unified European Left (UEL)**

Mr Alexander FOMENKO      Russian Federation

### **Secretariat**

Mr Artemy KARPENKO, Co-secretary of the Monitoring Committee

One of the members of the Committee, Mr Alexander FOMENKO, cancelled his participation at the last moment. Therefore, according to the Assembly's Election Observation Guidelines, the ad hoc Committee became an Election Assessment Mission.

4. The Election Assessment Mission travelled to Serbia on 1 February 2007. The Mission met the representatives of the candidates, the representatives of the Association of Independent Journalists of Serbia (NUNS), the Chair of the Republican Election Commission, as well as the staff of the Limited Election Observation Mission (LEOM) of the Organization for Co-operation and Security in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR). The program of the meetings appears in Appendix 1.

5. The Mission closely co-operated with the LEOM which provided the delegation with a comprehensive briefing. We were informed of the deployment of election observation missions by the Parliamentary Assembly of the

Commonwealth of Independent States and the State Duma of the Russian Federation. However, no meetings were organized with these delegations.

6. On Election Day, the Mission split into 2 teams which observed the elections in and around Belgrade, Novi Sad, Niš, Prokuplje, Kuršumlija, Aleksinac and Kovin. However, no systematic observation of the voting across the country was carried out and, in total, only 18 polling stations were visited. The present report is based on the impressions of the observers from the visits to these polling stations, discussions with key stakeholders and other relevant materials available.

7. The Mission did not carry out a pre-electoral mission to Serbia. However, it used the wealth of information gathered by the OSCE/ODHIR LEOM. The LEOM was deployed in Serbia on 4 January and observed the first round of the Presidential Election. The findings of the LEOM after the first round of the election were summarized in the press statement which appears in Appendix 2.

8. The observers from the Parliamentary Assembly and the ODIHR concluded that the second round of voting in Serbia's presidential election was conducted in line with Council of Europe and OSCE commitments for democratic elections. The election was administered in a transparent and competent manner and the political parties had access to all stages of the electoral process. The voters were offered a choice between two distinct political perspectives and the media coverage of the campaign was equitable. The high turnout confirms the democratic maturity of the people of Serbia. The joint press statement issued by ODIHR and the Assembly appears in Appendix 3.

9. The Mission wishes to thank the Serbian authorities, the OSCE/ODIHR Limited Election Observation Mission as well as the staff of the Council of Europe Office in Belgrade for their co-operation and support.

## **II. Political and legal context**

10. The Presidential Election was held in accordance with the Law on the Implementation of the Constitution of Serbia which provided for the holding of pre-term elections at all levels (i.e. parliamentary, presidential, provincial and local) after the enactment of the new Constitution in October 2006. According to the law, the Presidential Election was to be called by the Speaker of the Parliament before 31 December 2007 and within 60 days of enactment of the laws on the President, the Election of the President, the Defense and the Army of Serbia, Foreign Affairs, and Security Services. The President of Serbia is elected for a 5-year term.

11. The calling of the election was preceded by long discussions between the key members of the governing coalition, the Democratic Party (DS) led by President Boris Tadić and the Democratic Party of Serbia (DSS) led by Prime Minister Vojislav Koštunica. During these discussions, the DS appeared to argue in favor of the holding of the presidential election at the earliest opportunity while the DSS considered that the election should be organized after the final definition of the status of Kosovo.

12. An agreement between the main partners in the coalition was reached on 3 November 2007. According to this agreement, the presidential election was

supposed to be called after the end of the talks about the status of Kosovo mediated by the international Troika led by the European Union, the United States of America and the Russian Federation (i.e. after 10 December) unless there was an immediate threat to the territorial integrity of the country.

13. Upon the adoption of all necessary laws, the Speaker of the National Assembly, on 12 December 2007, called the election for 20 January 2008.

14. The DSS argued that the decision of the Speaker of the Parliament violated the Constitution and the coalition agreement<sup>2</sup>. However, the decision of the Speaker was not formally challenged in a court of law. Eventually, the DSS declared that it would not block the organization of the election.

15. The organization of the election was governed by the Law on the Election of the President of the Republic. The general aspects of the electoral process are governed by the Law on the Election of representatives dating from 2000. The basic legislation is complemented by the Instruction for the Enforcement of the Law on the Election of the President of the Republic and the Rules of Procedure on the work of polling boards for conducting the elections of the President of the Republic, adopted by the Republican Election Commission.

16. In general, the Mission notes that the legislation governing the electoral process in Serbia still does not fully comply with the joint recommendations of the Venice Commission and OSCE/ODIHR on the laws on parliamentary, presidential and local elections, and the law on electoral administration in the Republic of Serbia<sup>3</sup>. The Mission joins the statement of the OSCE/ODIHR in that "areas of concern [in electoral legislation] include the *in camera* adjudication of election disputes at the Supreme Court, the lack of intermediate level of election administration, as well as the lack of provisions on international and domestic non-partisan election observation in the law"<sup>4</sup>.

### **III. First round of the presidential election**

17. The Mission did not observe the first round of the election held on 20 January 2008. However, we followed closely the assessment of the voting by international observers and, in particular, the OSCE/ODIHR LEOM. For details, the LEOM press statement appears in Appendix 1.

18. Nine candidates were registered for participation in the first round of the election:

1. Mr Tomislav Nikolić nominated by the Serbian Radical Party
2. Mr Jugoslav Dobričanin nominated by Reformist Party
3. Mr Boris Tadić nominated by the Democratic Party
4. Mr Velimir Ilić nominated by the New Serbia Party
5. Mr Ištvan Pastor nominated by the Hungarian Coalition

6. Mr Marijan Rističević nominated by the Coalition "National party of villagers – United party of villagers"
7. Mr Čedomir Jovanović nominated by the Liberal-Democratic Party
8. Mr Miljutin Markonjić nominated by the Socialist Party of Serbia
9. Mrs Milanka Karić nominated by the "Force of Serbia – Bogoljub Karić" Movement.

19. According to the OSCE/ODIHR LEOM, the registration of all candidates was conducted in an "inclusive process"<sup>5</sup>.

20. The SRS candidate Tomislav Nikolić and the DS candidate Boris Tadić gained most votes in the first round of the election, scoring together more than 75 % of the votes cast (39,99 % for Tomislav Nikolić and 35,39 % for Boris Tadić). The other candidates obtained the following results: Velimir Ilić (NS) – 7,43 %, Miljutin Mrkonjić (SPS) – 5,97 %, Čedomir Jovanović (LDP) – 5,34 %, Ištvan Pastor (Hungarian Coalition) – 2,26 %, Milanka Karić ("Force of Serbia – Bogoljub Karić" Movement) – 0,98 %, Marijan Rističević (Coalition "National party of villagers – United party of villagers") – 0,45 %, Jugoslav Dobričanin (Reformist Party) – 0,29 %. As none of the candidates received more than 50 % of the votes cast, a second round was called for 3 February 2008, between the two candidates receiving most of the votes.

21. The turnout in the first round was particularly high: according to the Republican Election Commission, more than 61 % of voters cast their ballots on 20 January 2008.

#### **IV. Election Administration**

22. The presidential election in Serbia is administered by a two-tiered election administration, consisting of the Republican Election Commission (REC) and 8,531 Polling Boards (PBs). The REC is composed of a chairperson and 16 permanent members. All members of REC are appointed by the National Assembly upon proposals by parliamentary groups. The extended composition of the REC includes the permanent members as well as the members appointed by the submitters of candidates or lists of candidates (for parliamentary elections).

23. The PBs are composed in a similar manner to the REC. The permanent composition of a PB consists of a chairperson and 2 members, each with a deputy. The allocation of mandates of members of PBs in a given municipality must be proportionate to the allocation of seats to parliamentary groups in the National Assembly as on the day of the calling of the election. The same rule applies to the distribution of seats of chairs and deputy chairs of PBs in a given municipality.

24. At local level, the REC establishes Municipal Working Groups (WGs). WGs are not an electoral authority and perform a purely logistical role. Each WG has 5 members. The members are appointed by REC upon proposals from political parties. The allocation of mandates of members of WGs in a given district must

be proportionate to the allocation of seats to parliamentary groups in the National Assembly as on the day of the calling of the election.

25. To compensate the lack of intermediate level of election administration, the REC appointed 30 of its members or deputies as Regional coordinators, assisted by a small group of staff. The role of the coordinator is to deliver election material to the WGs before the election, as well as to collect the official copies of the results protocols, ballots, copies of the voters' lists, used certificates for home voting and control sheets.

26. The REC established 277 polling stations on the territory of Kosovo for Serbian citizens residing in Kosovo. Internally displaced persons living outside Kosovo voted in the polling stations of the municipalities where they reside.

27. The electoral legislation provides for out-of-country voting for the Serbian Diaspora. In total, 65 polling stations were opened in diplomatic representations of Serbia in 33 countries, where approximately 37,000 voters were eligible to vote.

28. The electoral process was administered in a competent, open and transparent fashion. However, a problem occurred with the granting of accreditations to foreign observers: initially, before the first round of the election, the majority of the members of the REC voted against the granting of accreditations to observers from diplomatic missions of the United Kingdom and the United States of America because of the support of these countries for Kosovo's independence. As pointed out by OSCE/ODIHR LEOM, this decision went against OSCE commitments to democratic elections<sup>6</sup>. Eventually, after two rulings of the Supreme Court, the accreditations were granted shortly after the opening of the polling stations. The Mission regrets this incident and calls upon the REC to grant accreditations to all international observers who meet the requirements of the law.

## **V. Voter Registration**

29. As already pointed out in previous election observation reports, Serbia has no centralized voters' register. The register is maintained by municipal authorities together with the Ministry of the Interior.

30. The register was finalized on 4 January 2008. After this date, changes to the register could only be made by decision of a Municipal Court and by 17 January 2008 at the latest.

31. After the first round, changes to the register could be introduced on the basis of Municipal Court decisions until 48 hours before the Election Day.

32. For the second round, 6,723,762 voters were registered.

## **VI. Pre-election period and Media**

33. The Mission joins the OSCE/ODIR LEOM in that "the campaign was competitive, pluralistic and calm"<sup>7</sup>. The media coverage also appeared to be equitable and balanced. Detailed information on the monitoring of the media

coverage of the campaign is available in OSCE/ODHIR LEOM press statement appearing in Appendix 1.

34. With respect to the second round, the Mission had the impression that the election was held in an atmosphere of referendum on the future of the country. The most burning issues of current Serbia's politics, i.e. European integration and the definition of the status of Kosovo were used by both contestants in their campaigns. The SRS candidate used the Kosovo issue to strengthen his "patriotic" rhetoric based on the ideas of national pride and protection of Serbia's sovereignty and territorial integrity. While the DS candidate strongly affirmed his commitment to preserve Kosovo as well, he developed a more future-oriented campaign praising the benefits of European integration and promising to "conquer Europe together"<sup>8</sup>. The Political Agreement with the European Union which Serbia was offered to sign on 28 January 2008 focusing, inter alia, on the introduction of a visa-free regime for Serbian nationals in the Schengen area strengthened candidate Tadić's position.

## **VII. Election day – Vote count and results**

35. Although we did not conduct a systematic observation of the voting, we gained the impression, from our visits to 18 randomly chosen urban and rural polling stations, that the vote took place in a calm and orderly fashion. We commend the professional, efficient and transparent manner in which the visited PBs conducted the voting process.

36. We regret however that the problem of inadequacy of voting screens has yet to be resolved. Nevertheless, this was a minor shortcoming in the electoral process which did not prevent the citizens from freely exercising their voting rights.

37. A minor incident took place during the counting of the votes at one of the polling stations. PACE observers, together with domestic observers from the Centre for Free and Democratic Elections (CESID) arrived at 7:58 pm at polling station n°02 located at elementary school "Kralj Petar I" in Belgrade to observe the counting. However, they were prevented from entering the polling station by a member of the PB who stated that observers were not allowed to observe the count. Our members referred to the relevant provision of the REC Instruction which stated that the PB shall have the obligation to ensure unhindered monitoring of each electoral activity by the observers. Eventually, some twenty minutes later and after consultations with REC, the PB let the observers in and the counting started in the presence of observers.

38. We consider this an isolated incident as we were not informed of other similar cases. However, it highlights the necessity of having clear legal provisions regarding the role of non-partisan domestic and international observers.

39. The turnout was over 67 % which proves the high interest of voters in this election.

40. According to the provisional results published by REC the day after the election, the acting President of Serbia Boris Tadić won the election with 50,57 % of votes cast against the SRS candidate Tomislav Nikolić who won 47,71 % of votes cast (calculations on the basis of 98,80 % of ballots processed). The SRS

candidate conceded defeat when the preliminary results were officially announced by the REC and congratulated his rival Boris Tadić. The latter also congratulated Tomislav Nikolić for a good electoral performance and on a “difficult and fair fight”<sup>9</sup>.

41. The Mission would like to commend both candidates for conducting constructive campaigns in the second round as well as for their adherence to democratic principles.

42. Nine complaints were lodged with the REC, mostly concerning minor technical irregularities in the voting process. The REC considered all the complaints. Out of 9 complaints, 8 were dismissed and 1 was upheld and a re-vote was ordered in a polling station of the municipality of Boljevac where a citizen voted with an expired ID. The re-vote took place on 12 February<sup>10</sup>. According to the final results, Boris Tadić won 2,304,467 votes or 50.31 %, whereas Tomislav Nikolić won 2,197,155 votes or 47.97 %.

### **VIII. Conclusions and recommendations**

43. On 20 January and 3 February 2008, Serbia held a generally well administered Presidential Election. Despite some problematic aspects of the electoral legislation and electoral process, the second round of the presidential election was conducted in line with international standards.

44. The Mission calls upon the Serbian authorities to improve the electoral legislation in line with the joint recommendations of the Venice Commission and OSCE/ODIHR before the next national election. It is particularly important to introduce provisions about domestic and international non-partisan observers.

45. The Mission commends the Serbian people, the candidates and the authorities for their democratic maturity. It notes that Serbia is still at a political crossroad: in this election the Serbian people had to choose between two distinct political perspectives. The results of the election show that the majority of the voters made a clear choice in favor of European integration. However, an important minority of voters cast their ballots for a different vision of the country’s future.

46. We gained the impression that European integration, together with the unsettled issue of the status of Kosovo, continue to divide the Serbian society. Equally, the strong result of the candidate of the Serbian Radical Party can partially be explained by a certain disillusionment of people with current politics, a stagnation of much needed reforms and poor living standards of the population. This being said, it is clear to us that people are striving for change and it is the responsibility of the new leadership and of all political stakeholders to consolidate the society, build much-needed bridges and move ahead with long-awaited reforms.

47. We believe Serbia needs to develop a new vision for its European future, shared by the entire society. We are confident that there is enough democratic potential in the Serbian people to succeed in this difficult endeavor.

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## APPENDIX 1

### **Ad hoc Committee for the Observation of the Presidential election in Serbia**

#### **2nd Round**

#### **Programme**

##### **Friday, 1 February 2008**

Arrival of the members of the delegation

All members will be met at the airport and provided with transport to the Hotel Majestic, Belgrade

##### **Saturday, 2 February**

09h45-10h20 Meeting with the Head of the Democratic Party's Board for International Cooperation Mr Miloš Jevtić

*Venue: National Assembly of the Republic of Serbia, office no. 6, Trg Nikole Pašica 13*

10h30 Meeting with the Serbian Radical Party Campaign Director Mr Dragan Todorović,

*Venue: National Assembly of the Republic of Serbia, Kralja Milana 14*

#### **10.55 Arrival of Mr Lucio Malan**

11h45-12h45 Meeting with NUNS - Independent Association of Journalists of Serbia

*Venue: NUNS building, Resavska 28/II (tel: +381 11 33 43 255; +381 11 33 43 136)*

#### ***NUNS delegation:***

*Nadežda Gace, President*

*Djordje Vlajić, Deputy President*

*Svetozar Raković, Secretary General*

*Rade Radovanović, Member of the Executive Board*

*Miroslav Kos, Member of the Executive Board*

***Danas daily: Lidija Valtner***

***FONET News Agency: Drarko Popović***

13h00 Briefing with ODIHR

*Venue: Continental Hotel, New Belgrade*

14h30-15h30 Lunch break

17h00-18h30 Meeting with Ms Sonja Brkić, Chair of the Republic Electoral Commission

*Venue: National Assembly of the Republic of Serbia, Kralja Milana 14*

### **Sunday, 3 February**

Election Day

### **Monday, 4 February**

Departure

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## APPENDIX 2

### **Press Release**

#### **First round of Serbian presidential election mostly in line with OSCE commitments, says observation mission**

BELGRADE, 21 January 2008 – A limited election observation mission (LEOM) deployed by the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) concluded that the first round of voting in Serbia's presidential election yesterday was conducted mostly in line with OSCE commitments for democratic elections.

"Serbia has shown once again that it can hold democratic elections", said Nikolai Vulchanov, head of the observer mission. "But it is important that the authorities continue to make improvements where they are needed. For example, Serbia is still without a statewide voter register, something that is required by law."

The campaign was competitive, pluralistic, and calm. A variety of media provided candidates with mostly neutral coverage, as well as free and paid advertising. Observers noted that the election was well administered by the Republic Election Commission (REC), although they expressed concern that the Commission initially chose to ignore a Supreme Court ruling regarding the accreditation of some foreign observers.

"Respect for the rule of law is fundamental in a democracy", said Vulchanov. "Court rulings are not mere suggestions; they must be respected."

The REC registered nine candidates in an inclusive process. Public attention focused mainly on incumbent President Boris Tadić of the Democratic Party and Tomislav Nikolić of the Serbian Radical Party. Four candidates – Tadić, Nikolić,

Čedomir Jovanović of the Liberal Democratic Party and Velimir Ilić of New Serbia, who was also supported by the Democratic Party of Serbia – had the most visible campaigns. All four held rallies across the country and conducted extensive advertising campaigns in the private media.

Civil and political rights were widely respected during the campaign. Campaign discourse was dominated by questions of the possible signature of a Stabilization and Association Agreement with the European Union and of the future status of Kosovo. Over 60 per cent of registered voters turned out to cast their ballots, demonstrating a high level of public interest in the democratic process.

Serbia's media landscape is characterized by a wide diversity of media outlets operating in a largely free environment. The public broadcasters provided contestants with equitable opportunities to convey their campaign messages. All candidates were given an equal amount of free airtime. Public TV station RTS1 provided relatively balanced coverage of the candidates in its news program, although it favored the incumbent president to some degree. Private broadcasters TV Pink and TV B92 dedicated their coverage mainly to candidates supported by political parties represented in Parliament.

The combined coverage on RTS1, TV B92, and TV Pink amounted to about three hours daily, more than half of which was paid advertising. Only a few debates were broadcast prior to the first round. The news coverage of the candidates tended to be neutral. The Parliament failed to establish a supervisory board to monitor the conduct of the media and candidates in the campaign, as prescribed by law. A number of candidates and media outlets expressed concern about the continued lack of such a monitoring mechanism.

While the legal framework is conducive to holding democratic elections, room for improvement remains, as indicated in the 2006 joint recommendations of the Council of Europe's Venice Commission and ODIHR. These recommendations have not been acted upon, although new legislation was adopted in December 2007. Areas of concern include the in camera adjudication of election disputes at the Supreme Court, the lack of an intermediate level of election administration, as well as the lack of provisions on international and domestic non-partisan election observation in the election law.

The REC's administration of the electoral process was open and transparent and met most domestic legal provisions. It is of concern, however, that a majority of REC members opposed the accreditation of some observers from the local diplomatic community, disregarding OSCE commitments, REC instructions, and an invitation to all OSCE participating States from the speaker of Parliament. In addition, the same majority voted to ignore a Supreme Court ruling that the REC had no discretion to grant or deny accreditation to applicants who had fulfilled the requirements. This raised questions about the Commission's adherence to the rule of law. Following a Supreme Court ruling on a second appeal, the REC finally granted the requested accreditations shortly after the opening of polling stations. While this last-minute step was a welcome development, accreditation must be provided in a timely manner in order to permit effective observation.

The REC appointed working groups at the municipal level in order to provide logistical support between the REC and the voting boards. The members of the working groups were nominated by parliamentary factions. They discharged their

duties efficiently. However, the need to establish such working groups underscores the utility of having an intermediate level of election administration for national elections.

The LEOM did not conduct systematic or comprehensive observation of polling, counting, or the tabulation of results. Observers visited a limited number of polling stations on election day. Voting and counting appeared to be conducted in a peaceful and smooth manner, but issues related to secrecy of the vote that had been noted in previous ODIHR reports remain to be addressed.

ODIHR deployed an LEOM on 4 January and will remain in Serbia until the election process has been completed. The mission consists of nine international experts based in Belgrade and 12 long-term observers deployed across the country. A final report will be issued approximately two months after the completion of the process.

ODIHR would like to thank the Foreign Ministry, the Republic Election Commission, and other state and local authorities, as well as working groups and voting boards, candidates' campaign staff, civil society and media organizations for their co-operation during the course of the mission. The support of the OSCE Mission to Serbia and embassies of OSCE participating States and international organizations accredited to Serbia is highly appreciated.

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## APPENDIX 3

### **ODIHR, Council of Europe observers say second round of Serbian presidential election in line with international standards**

#### **Election observation mission**

#### **Serbia 2008 presidential election**

#### Press release

BELGRADE, 4 February 2008 – International observers from ODIHR and from the Parliamentary Assembly of the Council of Europe (PACE) concluded that the second round of voting in Serbia's presidential election yesterday was conducted in line with OSCE and Council of Europe commitments for democratic elections.

"Political parties' access to all stages of the process and the transparency of the election administration further enhanced confidence in the election," said Nikolai Vulchanov, head of the ODIHR observer mission. "The high turnout once again confirms that Serbia has built a strong foundation for democracy."

"I was impressed by the maturity shown by the people of Serbia, and I also congratulate both candidates for their commitment to democratic principles," said Andreas Gross, head of the delegation from the Parliamentary Assembly of the Council of Europe. "I hope that the President is able to build the much-needed bridges in society to strengthen the process of European integration."

Incumbent President Boris Tadić of the Democratic Party and Tomislav Nikolić of the Serbian Radical Party campaigned actively ahead of the second round, offering voters a choice between two distinct political perspectives. The campaign environment was competitive and calm, the media provided equitable access to both candidates, and the process was efficiently administered.

The main campaign topics were related to ties with the European Union and the status of Kosovo. Several prominent political actors abstained from supporting either candidate. Prime Minister Koštunica's possible endorsement of one of the candidates was an important topic of the media's campaign coverage.

Broadcast and print media provided equitable opportunities for both candidates. Paid political advertising was widely used, with each candidate often portraying his opponent in negative terms.

Overall, public broadcaster RTS 1 offered largely balanced and neutral coverage of both candidates. In its regular news broadcasts – representing about one-quarter of the total programming on RTS1 that was monitored by the observer mission – President Tadić received almost twice as much coverage as Nikolić. This was mostly due to the coverage of his institutional activities. In a welcome step, the two candidates presented their platforms and exchanged views on eight previously agreed topics in a 90-minute televised debate.

The turnout was over 67 per cent, confirming a high level of public interest in the election. Get-out-the-vote campaigns were conducted by a variety of civil society groups. In addition, there was speculation that some voters might have been led to believe that they had to vote in order to be eligible to receive shares in privatized companies, as the law on privatization links the distribution of shares with voter registration.

The run-off was administered by the Republic Election Commission (REC) in an open and transparent manner, in line with domestic legislation. All 18 complaints alleging irregularities during the first round were dismissed by the REC either on procedural grounds or for having no legal basis. None of the REC decisions on these complaints were appealed to the Supreme Court.

International observers did not conduct systematic or comprehensive observation of polling, counting, or the tabulation of results. Observers visited a limited number of polling stations on election day. Voting and counting were conducted in an orderly manner. However, issues related to secrecy of the vote noted during the first round and in previous observation reports remain to be addressed.

ODIHR deployed a limited election observation mission on 4 January, and will remain in Serbia until the election process is completed. The mission consists of nine international experts based in Belgrade and 12 long-term observers deployed across the country. This press statement should be read in conjunction

with the previous statement of 21 January that was issued after the first round of voting. A final report will be issued approximately two months after the completion of the process.

ODIHR and the Assembly delegation would like to thank the Foreign Ministry, the Republic Election Commission, and other state and local authorities, as well as working groups and voting boards, candidates' campaign staff, civil society, and media organizations for their co-operation during the course of the mission. The support of the OSCE Mission to Serbia and embassies of OSCE participating states and international organizations accredited to Serbia was highly appreciated.

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<sup>1</sup> Approved by the Bureau at its meeting on 13 March 2008.

<sup>2</sup> It is true that from a purely legal viewpoint, the election was supposed to be called within 60 days of the date when all necessary laws become effective, i.e. 8 days after their promulgation and not on the day following the adoption by the parliament of the last law.

<sup>3</sup> Document CDL-AD(2006)013 ([http://venice.coe.int/docs/2006/CDL-AD\(2006\)013-e.asp](http://venice.coe.int/docs/2006/CDL-AD(2006)013-e.asp)).

<sup>4</sup> "First round of Serbian presidential election mostly in line with OSCE commitments, says observation mission". Press release ([http://www.osce.org/documents/odihr/2008/01/29349\\_en.pdf](http://www.osce.org/documents/odihr/2008/01/29349_en.pdf)).

<sup>5</sup> *Ibidem*.

<sup>6</sup> *Ibidem*.

<sup>7</sup> *Ibidem*.

<sup>8</sup> "Da osvojimo Evropu zajedno" in Serbian (<http://www.boristadic.org/>).

<sup>9</sup> V.I.P. Daily News Report. Issue #3773, 4 February 2008.

<sup>10</sup> "Repeat voting in Dobro Polje begins". B92, 12 February 2007

([http://www.b92.net/eng/news/politics-article.php?yyyy=2008&mm=02&dd=12&nav\\_id=47650](http://www.b92.net/eng/news/politics-article.php?yyyy=2008&mm=02&dd=12&nav_id=47650)).