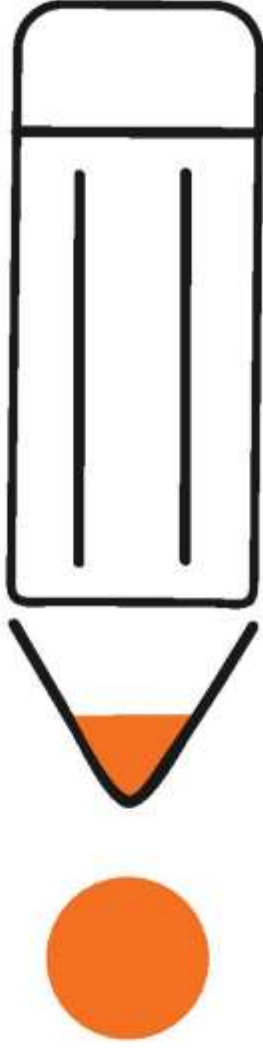


CRTA:



PARLIAMENTARY ELECTIONS 2020

Final report with recommendations

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ABBREVIATIONS

Agency	Anti-Corruption Agency (The Agency changed its name in Serbian on September 1st, 2020)
AP	Autonomous province
PS	Polling station
PSC	Polling station committee
VR	Voters' Register
CESID	Centre for Free Elections and Democracy
CINS	Center for Investigative Journalism of Serbia
COVID-19	Coronavirus disease 2019
Cрта	Centre for Research, Transparency and Accountability
DCR	Diplomatic and consular representation
ENEMO	European Network of Election Monitoring Organisations
EPS	Electric Power Utility Company Serbia
CEC	City Electoral Commission
GC	General Consulate
GNDEM	Global Network of Domestic Election Monitors
CM	City Municipality
IFES	International Foundation for Electoral Systems
IT	Information technology
UVR	Unified Voters' Register
PUC	Public Utility Company
SGU	Self-Government Unit
PN	Personal number
PC	Public Company
CHC	Clinical and Hospital Centre
CC	Criminal Code
LTO	Long term observer
MPALSG	Ministry of Public Administration and Local Self-Government
CO	Communal Office
MoFA	Ministry of Foreign Affairs
Moi	Ministry of the Interior
LC	Local Community
NARS	National Assembly of the Republic of Serbia
ODIHR	Office for Democratic Institutions and Human Rights
OSCE	Organisation for Security and Co-operation in Europe
MEC	Municipal Electoral Commission
OMIK	OSCE Mission in Kosovo
MC	Municipal Committee (CC – City Committee)
MSP	Media Service Provider
PUPS	Party of United Pensioners of Serbia
MB	Mining basin
REM	Regulatory Authority of Electronic media
REC	Republic Electoral Commission
RTS	Radio-Television of Serbia
RTV	Radio-Television
SORS	Statistical Office of the Republic of Serbia
STO	Short term observer
UV	ultraviolet
LEM	Law on Electronic Media
LEMP	Law on the Election of members of the Parliament
LAP	Law on Administrative Procedure
LAD	Law on Administrative Disputes

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1. SUMMARY

Elections for MPs of the 12th convocation of the National Assembly of the Republic of Serbia were held on June 21st, 2020. In addition to the regular parliamentary elections, regular provincial elections were held on the same day, as well as elections for local assemblies in 154 cities and municipalities in Serbia. The CRTA observation mission, as a non-partisan and independent national observer, monitored the entire course of the parliamentary elections, pre-election period, the Election Day and post-election period, until the announcement of the final election results, while local and provincial elections were not observed.

Taking into account the entire election process, from the moment of calling the elections, to the Election Day and the post-election period until the announcement of the final election results, the CRTA observation mission estimates that this has been the worst of all election processes observed so far, and although the elections as a whole met the minimum democratic standards, they will have a negative impact on democracy quality in Serbia. Despite the fact that the elections were conducted in accordance with the law and that there were no legal restrictions for political actors to present themselves and communicate with the public, voters were denied equal and objective information about the election offer. Instead of ensuring broad participation through dialogue, bogus pluralism was created, while clientelistic strategies, pressures and intimidations which commenced in previous election cycles continued and additionally diminished freedom of choice.

These elections were held in an atmosphere of boycott by a significant number of opposition parties, as well as in the shadow of the coronavirus epidemic, due to which a state of emergency was declared in the country, and the election campaign was suspended for more than 50 days. These elections will be remembered because, for the first time since 2000, the rules of the electoral system changed right before the elections were called, and also during the election process, without a public debate, contrary to international democratic principles. Although legal changes (lowering the electoral threshold from five to three percent, increasing the gender quota and weighting the quotients for national minorities) would not necessarily have negative effects on the electoral process, the manner of their adoption, without public debate and impact assessment and their timing reduced the predictability of the process and favoured the ruling parties. There was a two-percent decrease in the number of voters in the Unified Voters' Register in relation to the previous elections, which has not been recorded in the last few decades, while the manner in which this decrease occurred was insufficiently transparent.

Attempts to improve the quality of electoral conditions as a result of talks between the government and the opposition during 2019 have been reduced to limited progress in legal changes and changes in practice. Most progress has been made in the areas of better regulation of the Unified Voters' Register, process transparency and data availability, which should have aimed at increasing voter confidence in the electoral process, while there has been no substantial progress in areas that should lead to equal participation in the electoral process.

Although during the election campaign there was an equal representation in the television programme provided for the presentation of electoral lists, which was a legal obligation of the media, in the rest of the programme there was an uneven representation of political actors, and representatives of the ruling parties dominated. In the long period before the election campaign, as well as immediately after the Election Day, the representation of the ruling parties in the programme was so pronounced that there was almost no pluralism.

As in the previous election cycles, numerous abuses of public resources and an intensive public officials' campaign were noted. This is particularly significant in the context of state measures aiming to combat the COVID-19 epidemic, which have often been used for promotional purposes by the ruling parties. Electoral clientelism, the practice of promising resources and services in exchange for political support, were noted throughout Serbia and is a well-established way in which political actors approach voters.

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Institutions that protect the integrity of the electoral process have had different effects. Passivity, non-transparency and bias in decision-making were noticed in the actions of some institutions, while intensive educational and informative activity was also recorded, as well as several important reactions to violations of the law and negative occurrences in the elections, which can be considered to be an indicator of positive changes in the election administration and controlling institutions.

A total of 21 electoral lists ran in the parliamentary elections, which has been the largest number of electoral lists since the 2008 parliamentary elections. The ballot included four lists that made up the ruling majority in the previous convocation and 17 opposition lists. Among these lists, five belonged to national minority parties. In spite of the large number of candidates, the turnout of 49% has been the lowest since the 2000 parliamentary elections. The low turnout must be interpreted not only as a result of the boycott, but also as the fear of the spread of the coronavirus, and the dissatisfaction of voters with the political offer in the elections. The Election Day was on the verge of regularity, given the number, seriousness and territorial distribution of irregularities that may have an impact on the election results, which were recorded in eight to 10 percent of polling stations. Only three non-minority parties have crossed the previously reduced threshold, along with four national minority parties for which the electoral threshold does not apply. The election result is a parliament with the least pluralism in the last 20 years.

The parliamentary elections were marked by a repeat voting at 234 polling stations on July 1st, 2020, which is a lot in comparison to the previous election cycles. This largest repetition of elections in the past 20 years is primarily a consequence of the observed shortcomings in the minutes of the work of polling stations, which were established by the Republic Electoral Commission, and not of recorded violations of voting secrecy, keeping parallel Voters' Registers, pressure on voters, vote buying, voting without IDs and other reasons for which objections were lodged with the Commission. The CRTA did not observe the repeated voting on July 1st, due to the worsened epidemiological situation, as the number of infected with the coronavirus after the Election Day, June 21st increased, as well as the because the competent institutions did not timely declare whether the safety conditions for the repeat voting had been met.

For the purposes of observing the parliamentary elections in 2020, the CRTA observation mission created teams of long-term observers who were deployed to monitor the election campaign in all towns in Serbia with over 1000 inhabitants, all televisions with national frequencies in the extended prime time, over 300 official political accounts of parties and their representatives on social networks, as well as the work of the Republic Electoral Commission. More than 1,700 short-term observers were trained to monitor the Election Day. On the Election Day, June 21st, they were deployed in a random and representative sample of 500 polling stations to observe the quality of the election process inside polling stations, in front of polling stations, and for the first time, voting outside polling stations (*from home*) with the help of especially trained teams.

Following a call from the authorities and based on the findings of the assessment mission in December 2019, OSCE/ODIHR initially proposed that the entire mission observe the elections scheduled for 2020. However, for the first time after 2007, due to the coronavirus situation ODIHR monitored the elections in extremely reduced capacities, only in the last weeks of the election campaign. The Election Day was also observed by five other accredited national organisations, two international ones in addition to the OSCE/ODIHR, as well as by representatives of various embassies and international institutions.

Bearing in mind that the long-standing inequalities between campaign participants and the media had not been resolved, the lack of progress in ensuring the regularity of the Election Day, the circumstances in which these elections took place, especially changes in the electoral system just before calling of the elections and amendments to laws during the campaign, low turnout and inexistence of genuine pluralism in such a Parliament the CRTA has concluded that these elections met the minimal democratic standards, but that after their holding, democracy in Serbia has become even more endangered.

1.1. Pre-election period

After the dialogue between the opposition and the government held in 2019, legal changes occurred aiming to improve the election conditions and to design more precisely the existing regulations, but did not extend into the fundamental election rules. Nonetheless, the election process was marked by changes in the key rules of the game just before the start, and even during the election campaign, which was not the subject of public debate and is contrary to democratic standards. The February amendments to the Law on the Election of Members of Parliament and the Law on Local Elections first reduced the electoral threshold from five to three percent, increased quotas for women on electoral lists to 40 percent, and introduced weighting of quotients for national minority parties. After the state of emergency and on the eve of the continuation of the election campaign, there was another round of amendments to these laws, which gave local governments the authority to certify supporting signatures for submitting electoral lists, which had exclusively pertained to the competence of notaries since 2017.

From the moment of announcing the elections on March 4th until the interruption of the election process on March 16th due to the declaration of the state of emergency, as well as from the announcement of the continuation of elections on May 11th until June 29th, when the 163rd session of the Republic Electoral Commission was held, our observation mission closely monitored the work of this election administration body. The work of the Republic Electoral Commission during the election campaign was mainly conducted in accordance with its competencies and the existing legal framework, with a more pronounced educational and informational activity in relation to previous years. However, the electoral list nomination process was marked by doubts among election participants about the legality of the supporting signatures collection process.

The number of voters in the Unified Voters' Register has long been considered exaggerated, as it did not reflect the actual number of voters present in the country. The number of voters was reduced by two percentage points, which is the highest percentage in the last decades. If it had been done in accordance with the law, it might be a step in the right direction. Nonetheless, the lack of transparency in this process only further nourishes already deep-rooted suspicions of one part of voters about manipulations in the Voters' Register.

The findings of long-term observation of the election campaign throughout Serbia, in all towns with over 1,000 inhabitants, show that the campaign passed without clear public policy programmes, as well as with a reduced scope of activities involving direct contact with voters due to the coronavirus situation. The contents of the election campaign, primarily of the list "Aleksandar Vučić – For our children", gave the impression that it was a campaign for the presidential, not the parliamentary elections. Infrastructure projects and investments stand out as the most frequently mentioned topics by the ruling electoral lists, whose promotional activities were two times more frequent in relation to the opposition. The opposition lists dealt with social and communal topics, as well as infrastructure. The opposition in the boycott almost exclusively called for a boycott and addressed the issue of election conditions, although a strong campaign to boycott the elections was lacking on the ground.

Measures caused by the coronavirus epidemic reduced physical contacts during the election campaign, so that, for example, the list "Aleksandar Vučić – For our children" organised online rallies. On the other hand, COVID-19 received its share of space as a topic in the promotion of the ruling majority, in a positive light of the state's victory over this virus. The CRTA observers found out that this topic of the state's success in the fight against the coronavirus was also present in the new models of influencing voters. Phone calls to citizens were made appearing to be a survey, but were actually techniques abused for propaganda purposes (push poll). Mail was also used, as letters were sent to pension recipients, which caused suspicion that there was a potential misuse of public resources, as well as of citizens' personal data. Nevertheless, as the Election Day approached, the campaign in the field became more intense, while the public officials' campaign, various forms of misuse of public resources and clientelistic practices in bribing voters became more pronounced.

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The CRTA observers noted more than 2000 appearances of republic, provincial and local public officials, the Prime Minister and all 18 ministers, as well as the President of the Republic, in towns across Serbia. In two thirds of the cases, they linked their appearances to the public function they performed, and the most common reason for their appearances were tours, commencements or completions of public infrastructure works. Thus, public officials, as a part of regime, used the opportunity to gain more media attention during the elections or to openly abuse their public office to promote a political party, which the CRTA reported to the Anti-Corruption Agency.

During the election campaign, the CRTA mission recorded almost 450 situations throughout Serbia in which parties and their activists were engaged in conducting various humanitarian activities and performing public works of various scales. Such activities do not represent the purpose of founding and operating a political party, they are treated as clientelistic and contribute to blurring the line between a political party and the state. More than 50% of the recorded situations refer to various public works: arranging green areas and playgrounds, arranging the space of local communities, houses of culture, painting bridges, embanking roads... In addition, during the campaign, local branches of the ruling parties published on social networks and websites integral municipal documents about the planned and implemented activities, which led to the merging of public functions and political parties' engagements in the eyes of voters.

The CRTA observation mission filed one criminal charge for vote buying and recorded several allegations of bribery and corruption in the election process, i.e. situations in which political actors, superiors in the workplace or unknown persons offered money or other benefits, such as employment or employment contract extension, in exchange for a vote. In addition to offering benefits, our observers noted in the whole country cases of voters being forced to vote or not to vote for a particular actor in elections by threats or intimidation.

The monitoring of the extended prime-time programme on all televisions with national frequencies from October 2019 until the announcement of the election campaign showed a pronounced dominance of the representatives of the ruling coalition, who occupied almost three quarters of the total time. Monitoring showed that by the end of the election campaign, the representation of the ruling and opposition lists that participated in the elections had been balanced, and that political actors who advocated a boycott of the elections were marginalised and represented in a mostly negative tone. Although in the later phase of the campaign there was a decrease in the share of representatives of the ruling parties in the overall media coverage. Unlike opposition actors, they were predominantly represented as public officials, in programmes outside the formal election segment. Also, immediately after the elections held on June 21st, the trend of representation of political actors soon returned to the state from the period before the election campaign. After the Election Day, representatives of the ruling parties occupied 75 percent of the total space reserved for all political actors, representatives of the opposition that participated in the elections about five percent, and representatives of the opposition in the boycott about 20 percent.

Monitoring of more than 300 accounts of political parties and their leaders on social networks, showed a more pronounced activity of opposition actors on social networks, primarily on Facebook. The profiles of the ruling parties on Twitter recorded a greater engagement of their followers, who shared their content five times more often than the followers of the opposition accounts on this network.

For the first time since the 2014 parliamentary elections, the Regulatory Authority of Electronic Media (REM) has systematically monitored media coverage, with weekly reports reporting on key findings on candidates' representation in the election programme. However, the REM conducted the monitoring in a non-transparent manner, denying the public insight into the methodology, while the way the data was presented gave the impression of a biased and selective approach, and the results themselves distorted the image of political actors in the media. As a positive development in the work of this independent body, the rapid action of the REM Council regarding the requests for opinions sent by the CRTA observation mission to the REM can be singled out, but the lack of prompt handling of reports and lack of initiative to initiate proceedings ex officio still raise worries. Nevertheless, the most significant problem in the work of this institution in relation to the election process is the fact that by adopting

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inadequate bylaws, the REM failed to contribute to equalising the chances of all election participants, primarily by not regulating reporting on the activities of officials who were candidates or prominent representatives of electoral list submitters in shows that did not belong to the election programmes.

In comparison to the previous election processes, there have been noticeable improvements in the field of transparency of the work of the Anti-Corruption Agency (the Agency). Greater transparency was ensured by improving the legal norms that the Agency applies in its work during the election campaign, as well as by publishing decisions on the Agency's website within the short deadlines provided by law. It can also be stated that the Agency acted proactively, which was reflected in the timely publication of announcements related to the interpretation of the law, additional instructions on how political entities should behave during the election campaign, as well as reminders of legal obligations of actors in the election process. Unlike the Regulatory Authority of Electronic Media, which did not decide on complaints during the election campaign, the Anti-Corruption Agency initiated proceedings in several cases, and in several cases issued warning measures and published recommendations for dismissal, i.e. initiated misdemeanour proceedings. However, in this election campaign as well, numerous examples of public officials' campaigning and misuse of public resources, both by officials and political entities, went unpunished, due to certain inconsistencies in the Agency's actions, which are reflected primarily in uneven application and controversial interpretations of legal provisions while deciding on the filed complaints. Even in cases where it was found that the law had been violated, the Agency showed inconsistency in imposing sanctions on various political entities.

1.2. Election Day

The elections for MPs of the National Assembly of the Republic of Serbia were held in Serbia as a single constituency on June 21st, 2020, by applying the proportional electoral system. The distribution of mandates was done between the candidate lists that crossed the electoral threshold of three percent of all votes, using the system of the highest quotient. 6,584,376 voters registered in the Voters' Register had the right to vote at 8,433 polling stations in the country and abroad.

The reporting of the CRTA observation mission on the Election Day refers primarily to the quality of the process during that day and is based on information collected from more than 1,700 accredited and trained short-term observers, who were deployed in a random and representative sample of 500 polling stations¹. Observers monitored the Election Day from the preparation and opening of polling stations to their closing and the announcement of election results at observed polling stations. In addition to observing elections inside polling stations, certain observers deployed in 150 mobile teams monitored events in front of and around polling stations, while especially trained teams of our observers for the first time systematically monitored voting outside polling stations on a representative sample.

The Election Day passed on the verge of regularity, given the number, seriousness and territorial distribution of irregularities that can affect the election results, which were recorded in 8 to 10 percent of polling stations. The percentage of polling stations with serious irregularities and incidents is two or three times higher than on the election days of 2016 and 2017. Such an increase is worrying and indicates the need for a systematic and substantial solution to the problem in the period between election cycles. In the remaining 90 to 92 per cent of polling stations, The Election Day was largely in line with the legislative framework, with isolated irregularities.

Our analysis also shows that the quality of the election process did not call into question the election results, but that it did affect the voter turnout. Taking into account the type of irregularities and their spread throughout the country, the CRTA observation mission estimates that without their impact, the turnout would have been lower by about four

¹ The CRTA observation mission monitored the elections on the territory of the Republic of Serbia excluding Kosovo and Metohija, the Institute for the Execution of Institutional Sanctions, and voting abroad. Also, repeated elections held on July 1st, 2020 were not observed.

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percentage points, while the results by lists would have remained the same, indicating that the observed irregularities were aimed at increasing turnout, but did not affect the final distribution of votes.

The most common irregularities, which were recorded at the polling station and outside them, as well as the climate in front of the polling stations, include: violating the secrecy of voting, keeping parallel Voters' Registers, pressure on voters, vote buying, voting without IDs and without a UV lamp check, etc. The CRTA observers recorded three cases of corruption in the election process, known as the "Bulgarian train" which the CRTA immediately reported to the police. Physical incidents were also recorded at two polling stations. There were also cases where voters could not vote because they were not registered, or the polling station committees could not find their data in the Voters' Register.

The opening of polling stations in the parliamentary elections, as well as their closing, took place mainly in accordance with the prescribed procedures. Our observers were able to monitor the voting process at almost all polling stations in the sample. At three polling stations, they were denied access upon arrival at the polling station at the beginning of the Election Day, while at five polling stations they were denied to monitor voting during the day. Following the intervention of the CRTA legal team, in all these cases, observers were given back the right to continue to observe the Election Day at polling stations. Verbal attacks and attempts to intimidate our observers were reported at two polling stations, in Šabac and Novi Sad.

Due to the epidemiological situation, voters were given a longer period to register to vote outside the polling station, the percentage of voters who demanded to vote from home was 3.3 percent of the total number of voters who casted their ballots, which is twice as much as in previous parliamentary elections in 2016 (1.5 percent). Despite the increased number of voters who voted outside the polling station, preliminary findings indicate that this process, with isolated procedural shortcomings, went according to legal procedures.

Although, in line with measures to prevent the spread of the coronavirus, 97 percent of polling stations were provided with protective equipment, delivered at the beginning of the Election Day, along with the election material, the CRTA observers noted that committee members and voters did not use it consistently, especially later in the day.

1.3. Post-election period

From the Election Day until the announcement of the final election results, the CRTA observation mission monitored the work of the Republic Electoral Commission in deciding on the received complaints and on repeating the elections at certain polling stations. Due to the worsening of the coronavirus situation after the Election Day, the Republic Electoral Commission switched to electronic sessions. The transition to electronic sessions meant communication by e-mail between the REC members, which made it impossible for national and foreign observers, as well as the media, to directly follow the work of this body, with the proposed agenda of sessions submitted to accredited observers electronically. After the sessions held in this way, observers, members of the Republic Electoral Commission, and accredited media representatives, had the opportunity to inspect the material from the electronic sessions held in the premises of the Administrative and Professional Services of the Republic Electoral Commission.

The Republic Electoral Commission also conducted a joint debate on the complaints submitted by the CRTA observation mission, as well as on over 2,500 complaints submitted by voters, and decided without establishing the factual situation on each complaint and rejected them as unfounded. Pursuant to verdicts pronounced by the Administrative Court annulling the decisions of the Electoral Commission, decisions were made individually at the REC sessions in compliance with the provisions of the Law on General Administrative Procedure, but the outcome remained the same and the complaints were rejected.

At the session held on June 26th, the Republic Electoral Commission passed a Decision on the repeated vote at polling stations where voting had been annulled and where the repetition of voting in the elections for MPs had been

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ordered. In accordance with the stated decision, the voting was repeated on July 1st at 234 polling stations. Due to the worsening of the epidemiological situation and the increase in the number of infected people on the territory of Serbia, the CRTA observation mission did not observe the repeated voting, as the competent institutions, i.e. the Government of the Republic of Serbia, the Crisis Response Team and the Republic Electoral Commission did not issue a response regarding the conditions for holding a repeated vote.

The Republic Electoral Commission announced the final results of the elections on July 5th, i.e. two weeks after the Election Day, while the preliminary results were not announced. At the time of the announcement of the final election results, the procedure for the protection of the right to vote was not completed in 34 proceedings initiated upon the complaints lodged by the CRTA, as well as in over 2,500 proceedings initiated by the voters. The election results were announced while the complainants still had the right to appeal the decisions of the REC, which is why those decisions could not become final or irrevocable. Based on that, the CRTA filed a complaint with the Republic Electoral Commission, which was rejected. This is why the CRTA filed an appeal with the Administrative Court, but it was also rejected.

1.4. Recommendations of the CRTA observation missions

Out of a total of 62 recommendations proposed by the CRTA on the basis of the findings of the monitoring process of previous election cycles, according to our assessment, 26 recommendations were fulfilled (12 completely and 14 partially), while the remaining 36 were not fulfilled. Throughout 2019, the CRTA advocated a narrowed set of 32 recommendations that were expected to have been fulfilled until the elections without major obstacles. Out of these recommendations, 9 were fully met, 11 partially, while 12 recommendations remained completely unfulfilled.

The analysis of the fulfilment of all recommendations shows that mainly simpler recommendations were fulfilled, as they did not interfere with systemic changes and did not require legal changes, except in the area of preventing the misuse of public resources. Almost half of all fulfilled recommendations fall into the area of the Voters' Register editing, i.e. of the process transparency and data availability. Therefore, it can be concluded that the greatest focus on fulfilling the recommendations was on those that raise the transparency of the process and encourage voters' confidence. Recommendations to prevent the misuse of public resources, ensure equality of participants and equal media representation, increase the capacity and efficiency of the election administration, and ensure legal certainty and protection of the right to vote, have not been adopted.

This report provides a detailed overview of all the individual changes inducing the fulfilment of the recommendations. On the basis of the observation of the entire election process in 2020, in this report the CRTA presents 17 new recommendations, which, in addition to the old ones, will be developed and advocated in the upcoming period. The CRTA will notify the public about any new developments.

2. MONITORING AND REPORTING

2.1. Methodology

As a national observation mission, the CRTA monitored the entire 2020 parliamentary election process. The observation methodology includes three periods: pre-election period, the Election Day, and post-election period.

2.1.1. Pre-election period

During this period, the CRTA team of long-term observers monitored several aspects of the election process: the election campaign (general information about the campaign; main topics addressed in the campaign; overall campaign climate; cases of irregularities but also cases of serious violations of the election law during the campaign), use of public resources in campaigning, media coverage of the campaign, electoral lists and candidates as well as the work of the election administration. In the period from February 10th to the Election Day on June 21st, 2020, 120 long-term observers, trained according to international standards, were deployed in all towns in Serbia with over 1000 inhabitants, covering 1051 towns (22 percent of 4709 towns in Serbia without Kosovo, which makes up about 88 percent of the population of Serbia), which provided the CRTA with equal access to information on the course and trends of the election process in the entire country.

Our team of media observers collected data on the level of media pluralism and professional approach to all actors of the political scene on a daily basis, from October 14th, 2019 until the announcement of the election results, following an extended prime-time (from 5.30 pm to midnight) featuring political actors from Serbia on national frequency televisions: RTS 1, TV Pink, TV Prva, TV Happy and TV B92. The team of social network observers collected, from the moment the elections were announced, information on the behaviour of political actors and the course of the election campaign on Facebook, Twitter and Instagram on a sample of over 300 profiles.

In the pre-election period, the CRTA observation mission also communicated directly with the representatives of the lists that participated in the elections, but also with relevant political actors who boycotted the elections, while our legal team monitored the work of the election administration and institutions on a daily basis.

The methodology for long-term monitoring of the election process, which the CRTA uses, is based on international standards for election observation: the Declaration of Principles for International Election Observation,² Code of Conduct for International Election Observers, Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organisations³ and the Code of Conduct for Nonpartisan Citizen Election Observers and Monitors.

2.1.2. Election Day – June 21st, 2020

On the Election Day, 1,700 observers were deployed in a random and representative sample of 500 polling stations on the territory of Serbia without Kosovo, abroad and at the Institution for the Execution of Criminal Sanctions. Observing the election process in such a sample enabled the CRTA to report on the course of the elections, compliance with the law and election procedures at all polling stations in Serbia. Observers, trained according to international standards, monitored the quality of the election process at polling stations, as well as events and the climate around polling stations.

² National Democratic Institute, Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers, October 27, 2005. www.ndi.org/dop

³ National Democratic Institute, Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organisations and Code of Conduct for Nonpartisan Citizen Election Observers and Monitors, April 3, 2012. www.ndi.org/DoGP

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Given that due to the coronavirus pandemic, the deadline for voters to register to vote outside the polling station has been extended, a larger number of voters was expected to exercise their right to vote in this way, and the CRTA monitored this type of voting for the first time with the help of especially trained teams. Observers were present at the polling stations from the moment the polling station was prepared for opening until the members of the polling committees publicly announced the election results for the observed polling station, which provided a comprehensive insight into the events at the polling stations throughout the Election Day. Moreover, our legal team monitored the work of the Republic Electoral Commission.

2.1.3. Post-election period

The CRTA observation mission monitored the work of the Republic Electoral Commission, including the announcement of the final results, as well as the processes of objections, i.e. complaints against the work of polling stations and the REC. Due to the worsened epidemiological situation provoked by the coronavirus spread after the Election Day, as well as because the competent institutions did not timely declare whether the safety conditions for the repeat voting had been met, the CRTA had to give up observing the repeated voting at 234 polling stations, which was held on July 1st.

2.2. Preliminary findings

Based on the processed data, the CRTA prepared periodic reports on long-term observation of the campaign that it presented to the public, in order to inform it about the quality of the election process in the observed period, as well as about all potential irregularities. This final report, which provides a comprehensive picture of the election process, summarises the findings of four preliminary reports.:

1. Campaign before the campaign (February 10th – March 3rd)
2. First preliminary report by the CRTA long-term observers (March 4th to 16th, May 12th to 24th)
3. Second preliminary report by the CRTA long-term observers (May 25th – June 14th)
4. Preliminary report on the Election Day monitoring (June 15th do 20th, June 21st)

The report “Campaign before the campaign” covers the period from February 10th, 2020, when the CRTA observation mission officially started its long-term field observation of the election process on the territory of the entire country, i.e. from October 14th, 2019, when it started watching all televisions with national frequencies, until March 3rd, when the elections were called. This report contains detailed findings of 120 long-term observers, who observed and recorded information on the climate and activities of nine political actors in 1,051tpwns, i.e. in all towns in Serbia with a population of more than one thousand inhabitants. The actors were all politically active groups, movements and political parties that announced their participation in the election race (ruling and opposition), as well as the opposition actors who declared a boycott of the elections. During this period, 22 days before the official announcement of the parliamentary elections, our long-term observers observed in the field the extent to which political actors communicated and maintained contacts with voters, how they conveyed messages from electoral programmes, what their key topics were but also which anomalies were present in the election process, such as a public officials’ campaign or misuse of public resources. A total of 1256 findings were recorded. Various activities of political actors were recorded in this period throughout Serbia, in one third of the observed towns. This report also contains the first findings of media monitoring, i.e. observation of all televisions with a national frequency, which began on October 14th, 2019.

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The first long-term observers' report⁴ refers to the campaign period beginning on March 4th, i.e. on the day the elections were called, ending on March 16th when the campaign was suspended due to the declaration of the state of emergency. During this period, having toured the entire territory included in the observation process, our long-term observers recorded more than 850 findings on campaign activities. Due to the seriousness of the situation with the coronavirus, the CRTA observation mission withdrew all 120 observers from the field on March 16th and discontinued the observation, while later that day the election process was interrupted by a decision of the Republic Election Commission. With the lifting of the state of emergency and the decision to continue the election process, the CRTA continued its long-term observation of the elections on May 12th. In this reporting period, which covers the course of the campaign before and after the state of emergency, as of May 24th, the CRTA observers deployed in the field recorded more than 1,900 findings. The second preliminary report of the CRTA observation mission presents in the first part the novelties in the legal framework, i.e. the changes in the legal framework that took place on May 10th, just before the decision on the continuation of the election process was made. The second part of the report is dedicated to the work of the election administration, while the third part presents the activities of independent institutions - the Anti-Corruption Agency and the Regulatory Authority of Electronic Media. A special section is dedicated to the Oversight Committee formed within the National Assembly of the Republic of Serbia with the task of conducting oversight over the media, with a brief overview of the relationship between this body and the Regulatory Authority of Electronic Media. After the legal and regulatory framework and practice, the findings of the observations conducted by the CRTA in this reporting period are presented - the findings of media monitoring, the findings of long-term field observations and the findings of social media monitoring.

The second long-term observers' report⁵ refers to the campaign period beginning on May 25th ending on June 14th before the proclamation of the election silence in the eve of the general and local elections. The work of the Republic Electoral Commission underwent in accordance with the competencies and the existing legal framework, with increased educational and informative activity in comparison to previous years. The process of nominating the electoral lists was marked by doubts of the participants in the elections regarding the legality of the process of collecting voter supporting signatures. Preliminary data on the number of voters registered in the Voters' Register indicate that there has been the largest decrease in the last few decades. It was concluded that the non-transparency of these processes could encourage citizens' distrust in the competitive nature of elections, as well as in the final assessment of turnout on the Election Day. Unlike the Regulatory Authority of Electronic Media, which in this period did not initiate proceedings upon complaints, the Anti-Corruption Agency initiated proceedings in several cases, and in several cases issued remonstrance and published recommendations for dismissal, i.e. initiated misdemeanour proceedings.

The campaign of participants in the field intensified in comparison to the first two weeks after the lifting of the state of emergency, with a more pronounced public officials' campaigning, long-established clientelistic practices, but also new models of influencing voters, especially through a direct contact with citizens by phone, and potential abuses of public resources. Media monitoring showed a continuing trend of increasing the share of opposition lists participating in the elections, and the marginalisation of political actors advocating a boycott of the elections, who were also presented mainly negatively. The share of representatives of the ruling parties in the total media coverage is decreasing, but unlike the opposition actors, they are dominant in the programmes outside the formal election segment. Finally, the trend of more pronounced activity of opposition actors on social networks continued, with a slightly increased activity and a reach of the profile of the ruling parties compared to the previous monitoring period.

The public was informed from the CRTA press centre about the course of the Election Day, the quality of the process, the turnout and the results of the voting on June 21st. Preliminary results of the Election Day monitoring⁶ were presented to the public on Monday, June 22nd, after an analysis of data collected from the field. The preliminary

⁴ CRTA, First long-term observers report. crt.rs/izbori-2020-izvestaj-dugorocnih-posmatraca

⁵ CRTA, Second long-term observers report. crt.rs/izbori-2020-izvestaj-dugorocnih-posmatraca-za-period-25-maj-14-jun-2

⁶ CRTA, Second long-term observers report. crt.rs/izbori-2020-izvestaj-dugorocnih-posmatraca-za-period-25-maj-14-jun-2

report on the Election Day monitoring includes the last pre-election period and the Election Day itself, when 1,700 observers were deployed in a random and representative sample of 500 polling stations on the territory of Serbia without Kosovo, abroad and at the Institution for the Execution of Criminal Sanctions.

Observing the election process in such a sample enabled the CRTA to report on the course of the elections, compliance with the law and election procedures at all polling stations in Serbia. Observers monitored the quality of the election process at polling stations, as well as the events and climate in front of polling stations. Given that due to the coronavirus pandemic, the deadline for voters to register to vote outside the polling station has been extended, a larger number of voters was expected to exercise their right to vote in this way, and the CRTA monitored this type of voting for the first time with the help of especially trained teams. Observers were present at the polling stations from the moment the polling station was prepared for opening until the members of the polling committees publicly announced the election results for the observed polling station, which provided a comprehensive insight into the events at the polling stations throughout the Election Day. In addition to these activities, on the very Election Day, the CRTA continued to observe the work of the election administration, to monitor activities in the field, media and social networks.

2.3. Status of observers

Election observation by domestic observation missions in Serbia was first conducted during the 1997 parliamentary and presidential elections and has since been recognised as one of the elements of the electoral process and an indicator of democracy measuring. Although there were 16 parliamentary and presidential elections between 1997 and 2020, the position of observers has never been established in the election laws in force. Instead, the election administration regulates the position of observers by adopting by-laws for the implementation of a certain election process, without a guarantee that the rules in force at that time will be valid during the next elections. Thus, the position of observers is left to the uncertainty and readiness of the election administration to apply democratic standards in its work. The consequences of the fact that observers are not a legal category have hampered their work in the past, while election administration decisions have been sufficient to restrict or expand observers' access to different stages of the election process, affect the timely issuance of accreditations or the availability of election documentation.⁷

During the previous parliamentary elections, held in 2016, the then valid Instruction for Conducting the Elections of the Republic Electoral Commission foresaw the accreditation of one representative of the observation mission at one polling station. The logistical barriers arising from this approach to observers leave negative effects on the efficiency and feasibility of observation methodologies based on international standards. In other words, such solutions can prevent observers from gaining comprehensive insight into the Election Day and reduce the quality of the findings and organisation of an observation mission. In addition to the aggravating circumstances of the Election Day observation, observers were denied the right to inspect the candidacy process during those parliamentary elections, which was marked by falsification of voters' signatures, and were as well denied the access to polling station records and other election materials.⁸

During the 2020 elections for MPs, the position of observers was facilitated by the fact that the accreditation of observers meant connecting an observer with a municipality, and not with a polling station. This means that observers accredited to observe elections in a particular municipality could attend the voting process at a polling station of their choice in that municipality, respecting the rule that two observers in front of the same organisation cannot be at the same polling station at the same time. When it comes to the election administration and observers, these elections are significant as observers have been given the opportunity to monitor the phases of the election process to which they did not previously have access. Thus, it was possible to observe the work of the working bodies

⁷ CRTA, Preliminary report on the Election Day monitoring. crt.rs/izbori-2020-preliminarni-izvestaj-o-monitoringu-izbornog-dana

⁸ CRTA, Report of the CRTA observation mission "Citizens on Watch" – Extraordinary parliamentary elections in 2016.

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of the Republic Electoral Commission, training for members of polling stations, and for the first time, observers were given the opportunity to observe the voting process that took place outside polling stations, i.e. “voting from home”.

The social climate in which observers monitored the election campaign and the Election Day was less favourable to them than the election administration. Several issues were noted, such as attempts to discredit independent civil observation missions by pro-regime and tabloid media, as well as by political actors during the campaign, intimidation of members of observation missions in their environments, and verbal attacks on observers by members of polling stations during the Election Day.

3. POLITICAL CONTEXT

The 2020 ordinary elections in Serbia were organised under specifically complex circumstances. On the one hand, there was a challenge in the form of a new coronavirus (Serbia has been the first country in Europe to hold general parliamentary elections since the outbreak of the pandemic), and on the other, there was a threat of deepening the political crisis and of shifting the battlefield beyond the institutional framework, as a part of the opposition, seven parties having MPs in the previous convocation, as well as several non-parliamentary parties and movements, decided to boycott the elections. Originally announced on March 4th for April 26th, elections for 250 MPs of the National Assembly were held on June 21st. For the first time in the history of the multi-party system, the official election campaign was interrupted for more than 50 days due to the epidemiological situation, i.e. the declaration of a state of emergency and the suspension of the election process.

The opposition in the boycott adhered to the assessment that there were no conditions for free and fair elections. Back in February 2019, the majority of opposition MPs boycotted the work of the Parliament, presenting it as an act of solidarity with citizens who had been protesting throughout Serbia for months, first under the slogan “Stop to bloody shirts”, and then as a “1 in 5 million” movement. The reason for the wave of protests was the physical attack on Borko Stefanović, the then leader of the Serbian Left, and two of his party colleagues in Kruševac while trying to hold a tribune. Representatives of opposition parties signed the “Common Opposition Statement for Free and Fair Elections” at the end of 2018, and the “Agreement with the People” in early 2019, pledging to boycott the elections unless conditions for a fair election process were created.

As far as the boycott of the National Assembly is concerned, the European Commission’s annual report on Serbia’s progress towards the EU membership, published in May 2019, stated that there was an urgent need to create more space for a genuine cross-party debate and that “the practices of the ruling parliament coalitions have exacerbated legislative debates and reduced parliament's ability to oversee the executive”.

In order to completely improve the quality of the election process, in early 2019, the CRTA prepared a set of recommendations applicable in a short period of time and fully in line with the recommendations given by the OSCE / ODIHR observation missions in the period from 2014 to 2017. Out of a total of 32 recommendations advocated by the CRTA in this period, during these elections, the competent institutions fully accepted and implemented nine of them, and eleven partially.

The inter-party dialogue was organised by the Faculty of Political Sciences of the University of Belgrade and the Open Society Foundation, with the support of civil society organisations (the CRTA inter alia). The dialogue continued later, this time with the mediation of representatives of the European Parliament. Altogether, this process lasted almost half a year, but did not yield results that would allow all relevant political actors to decide to participate in the elections.

The most important changes that occurred in the election rules did not emanate from the said inter-party dialogue, nor from the civil society organisations’ recommendations. They refer to lowering the electoral threshold, i.e. the minimum percentage of votes necessary for the list to participate in the distribution of mandates, from five to three percent, increased quotient for calculating the mandate of representatives of national minority lists by 35 percent, as well as legalising the obligation to have at least 40 percent of under-represented sex. The decision on these changes was made less than a month before the elections, which is contrary to all good practices and recommendations of relevant international institutions, according to which fundamental changes in the electoral system and the way of representation should not be introduced in the election year.

These changes to the election rules were supposed to be the product of a large-scale public debate and consensus, and adopted after careful consideration of all possible desired and undesirable consequences for the election

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process. Nonetheless, the manner and time of adoption of these changes in the context of the boycott, and especially of lowering of the election threshold, leads to the conclusion that it was pre-election engineering that was supposed to neutralise the effects of the boycott. This adoption of the law can be interpreted in the light of the ruling majority's attempts to ensure a symbolically important higher voter turnout, and election results that would give at least a hint of pluralism in the future composition of the highest representative body.

As stated at the beginning of this chapter, the elections were largely marked by an epidemic of the coronavirus, which not only interrupted the election campaign and changed the election date, but also significantly narrowed the space for election campaign participants to act. Citizens faced the uncertainty of the extent to which going to the polls could endanger their health. Due to the epidemiological risk, even international organisations, including the OSCE / ODIHR missions, were unable to organise observation missions in their full capacities in Serbia.

A state of emergency was declared on March 15th, just 11 days after the elections were called. It was therefore possible to postpone the elections in accordance with the Constitution, which provides for such a possibility only in cases of war and emergency. There were disputes about the manner in which the state of emergency was imposed - by the decision of Serbian President Aleksandar Vučić, the National Assembly Speaker Maja Gojković and the Prime Minister Ana Brnabić, without any adjudication of MPs, because, as explained, it was not possible to hold a parliamentary session due preventive anti-epidemic measures. At the procedural level and without going into the merits, the Constitutional Court unanimously rejected several initiatives to initiate proceedings to assess the constitutionality and legality of the Decision on declaring a state of emergency.

The period of the state of emergency was marked by a markedly increased media presence of government representatives, especially the President of Serbia (also the President of the Serbian Progressive Party) and the Prime Minister, which conveyed the impression that they were key operatives in the fight against the virus, but also indicated a deterioration of pluralism in the media. Due to very strict restrictive measures (several-day log curfews), there were increased tensions in the society. In response to the action of citizens who protested against the government by banging on pots on their balconies and windows, anti-opposition performances were organised on the rooftops of Belgrade buildings, with plenty of pyrotechnics and a very loud sound system.

The state of emergency was lifted on May 6th, and two days later, tensions escalated in front of the National Assembly when several opposition MPs physically attacked the ruling majority MP Marijan Rističević. Then (on May 10th) a series of hunger strikes followed at the same place. Five MPs went on hunger strike with different motives - three from the opposition, two from the ruling party - and thousands of sympathisers of both the government and the opposition followed, despite the still valid ban on public gatherings.

The election process resumed in the climate of smouldering conflicts, inconsistent messages from medical experts and politicians about whether the epidemic continued or we "had defeated the coronavirus" (as conveyed in one of promotional videos of the Serbian Progressive Party) and doubts disseminated by unofficial outlets saying that data on the number of infected and deceased had been falsified for the sake of the elections. After the Election Day, the CRTA assessed these elections as the worst of all previously monitored.

4. ELECTION ADMINISTRATION IN THE PRE-ELECTION PERIOD

4.1. Key findings

The work of the Republic Electoral Commission during the election campaign was mainly conducted in accordance with its competencies and the existing legal framework, with a more pronounced educational and informational activity in relation to previous years.

The electoral list nomination process was marked by doubts among election participants about the legality of the supporting signatures collection process. The CRTA did not observe this aspect of the election process, and cannot draw conclusions about its regularity, but the change in the direction of expanding competencies from notaries to municipal certifiers was a change in the bad direction for the quality of the election process.

Data on the number of voters registered in the Unified Voters' Register indicate that there has been the most pronounced decrease in the number of voters (by 2.1 percent) since the existence of the Unified Voters' Register, which has been active since the 2012 elections. The transparency of this process is important because it would encourage citizens' confidence in the election process, in the competitive character of the elections, as well as in the final assessment of turnout on the Election Day. However, although the Ministry of Public Administration and Local Self-Government explained the ways in which the number of voters was reduced, greater transparency is needed, primarily related to the passivation of residence by the Ministry of the Interior.

Based on our observers' findings during the election campaign, the CRTA submitted about 40 complaints to the competent institutions, including the Anti-Corruption Agency, the Regulatory Authority of Electronic Media, the competent prosecutor's offices, and other institutions. The reports to the Agency included cases of misuse of public resources, official campaigns, conflicts of interest, as well as violations of the rules of financing from the Law on Financing Political Activities. Complaints were filed with the Ministry of Economy for reported cases of violations of the Law on Public Companies, as well as one criminal charge against officials in case of potential vote buying.

Unlike the Regulatory Authority of Electronic Media, which did not decide on complaints during the election campaign, the Anti-Corruption Agency initiated proceedings in several cases, and in several cases issued warning measures and published recommendations for dismissal, i.e. initiated misdemeanour proceedings.

4.2. Changes in the legal framework

4.2.1. Changes before calling the elections

During the election year and on the eve of the announcement of the elections, the legal framework for organising and conducting the elections underwent changes. The first round of changes referred to laws that contain provisions relevant to the election process and the quality of election conditions, namely the Anti-Corruption Agency Act, the Law on Prevention of Corruption, the Law on Financing Political Activities and the Law on Public Companies. The second round of changes, conducted a few weeks before the elections, without a public debate, i.e. secured social consensus, referred to changes in the law that are crucial for organising and conducting elections, i.e. the Law on Election of Members of the Parliament and the Law on Local Elections. In addition to legal changes, several by-laws of the Republic Electoral Commission and the Regulatory Authority of Electronic Media were adopted, which introduced innovations in the actions of these bodies.

The key changes are contained in the Law on the Election of Members of the Parliament and the Law on Local Elections, as laws that mostly regulate the organisation and the conduct of elections in Serbia. The biggest change

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refers to the change of the threshold, according to which all non-minority electoral lists that received at least three percent of the votes will participate in the distribution of mandates, instead of five percent in the previous legal solution. National minority parties will participate in the distribution of mandates even when they received less than three percent of votes, however, the new provision of this law also ensures that the quotients of all electoral lists of political parties of national minorities and their coalitions be increased by 35 percent. Amendments to these laws also introduced the obligation for at least 40 percent of the underrepresented gender to be present on each list (instead of the previous 30 percent).

These legal changes to the fundamental election rules were adopted by the Serbian Parliament on February 8th, 2020, less than a month before the elections were called, without a wider public debate and impact analysis. The manner in which these legal changes were introduced into the legal system of Serbia completely pushed into the background the topic of the expediency and effects of such changes. The Venice Commission's Code of Good Practice in Elections⁹ and the OSCE Standards for the Conduct of the Elections¹⁰ state that changes in electoral legislation in the year of the elections are not desirable, and that they can mislead voters, as well as election participants.

Other important novelties that affect the election conditions are primarily related to changes in the Law on Financing Political Activities and the Anti-Corruption Agency Act, which define in more detail the concepts of election campaign, public resources, the ban on the use of public resources for political purposes and the notion of public officials' campaigning. Amendments to the Law on Financing Political Activities¹¹ and the Anti-Corruption Agency Act¹² also introduced a five-day deadline for the Agency to decide on complaints related to the elections.

The election campaign is defined in relation to the activities of political entities covered by the amendments to the Law on Financing Political Activities, so that it represents the activities of political actors from the day of calling the elections to the announcement of final election results, including: work with voters and members; organising and holding meetings; promotion, production and distribution of advertising material, brochures, leaflets and publications; political advertising; public opinion research, media, marketing, PR and consulting services; conducting trainings for party activities and other similar activities; as well as other activities the costs of which are unequivocally related to the election campaign.

The ban on the use of public resources for political purposes is specified in the amendments to the Anti-Corruption Agency Act and also applies to the property, name and activities of a public company. Due to the misuse of public resources, the responsible person in the company, the political party and the responsible person in the political party may also be accountable, according to the said amendments.

Amendments to the Law on Public Companies introduced additional reasons for dismissal of the director of a public company before the expiration of the period for which they were appointed, in case they misuse public resources for political purposes, put pressure on employees or if they knew that employees were pressured and did nothing about the issue.

4.2.2. Changes in the course of the election process

At its session held on May 10th, 2020, the National Assembly of the Republic of Serbia passed the Law on Amendments

⁹ Venice Commission, Code of Good Practice in Electoral Matters, Opinion No. 190/2002.

¹⁰ OSCE, Existing Commitments for democratic elections in OSCE participating states, 2003

¹¹ Pursuant to article 35, paragraph 6 of the Law on Financing Political Activities the Agency shall be bound, acting upon the complaint referring to violation of this Law in the course of the election campaign, and within five days from the date of reception of the certificate stating that a political entity has been notified of the complaint from paragraph 3 of this article and, if requested, upon expiry of the deadline for the submission of data from articles 32, paragraphs 3 and 4 of this Law, to pass a decision deciding on whether or not a violation of this Law in the course of the election campaign, has occurred. (Article 35, paragraph 6).

¹² The Agency shall decide within five days from the day of initiating the procedure ex officio, i.e. from the day of receiving the complaint of the legal or natural person. (Article 29, paragraph 7).

to the Law on the Election of Members of the Parliament and the Law on Amendments to the Law on Local Elections, which amended the provisions governing the validation of signatures of voters supporting electoral lists and entered into force immediately after their publication in the Official Gazette because of “particularly justified reasons”. These changes relate primarily to the possibility of validating the statements of voters who support a particular electoral list not only in the courts and/or by notaries public, but also in municipal and city administrations.

Amendments to these laws raise a number of issues and should be appraised in the context of legal predictability and security, which reflects in the equal treatment of all participants in the election process, given that nine electoral lists were supported by 100,000 certified statements, validated in accordance to provisions in force before the changes were made. Furthermore, we must not lose sight of the fact that the provisions of these laws had already been changed on February 6th, one month before the elections, in the part that prescribes the level of the electoral threshold, i.e., that electoral lists that receive at least 3% instead of 5% of votes may participate in the distribution of mandates.

Thanks to the said amendments to the Law on the Election of Members of the Parliament and to the Law on Local Elections, voters who supported the electoral lists before the amendments to the law (as well as the submitters of electoral lists) were placed in an unequal position in relation to voters (and electoral list submitters) whose supporting signatures are validated in accordance with the amended provisions. The submitters of electoral lists who validate signatures after May 11th have a higher and territorially wider distribution of legally authorised verifiers in relation to the submitters of electoral lists who collected signatures before the state of emergency. Additional inequality is reflected in the fact that voters and submitters of electoral lists who will validate signatures after May 11th carry out activities during measures imposed in order to prevent the spread of coronavirus.

The provisions of the Law on the Election of Members of the Parliament which had been in force until the amendments to the law on May 11th, stipulated that the voters’ signatures supporting a particular electoral list must be validated by a competent court, while in practice the provisions of the Law on Notaries were applied so that the supporting signatures had been validated uniquely at notaries’ offices. Instead of this provision, the Law on Amendments to the Law on the Election of Members of the Parliament¹³ stipulates that the signatures must be certified by a notary public or in the municipal or city administration, and in cities and municipalities where notaries public have not been appointed, in the basic court, court unit, reception office of the basic court or the municipal or city administration. Moreover, the provisions of the Law on Local Elections, which had been in force until the adoption of the amendment to this law, prescribed that the validation of voters’ signatures supporting a certain electoral list must be verified in accordance with the law governing the verification of signatures, whereby the Law on Amendments to the Law on Local Elections,¹⁴ provide a possibility of signature validation by a notary public or in the municipal or city administration, and in cities and municipalities where notaries have not been appointed, in the basic court, court unit, reception office of the basic court or municipal or city administration.

In accordance with the amendment to the Law on the Election of Members of the Parliament, the Republic Election Commission amended the Instructions for Conducting the Elections of Members of the Parliament and prescribed that the statements of voters who support the electoral list be certified by a notary public or municipal or city administration,¹⁵ whereby in accordance with the previous Instructions, the statements of voters who support the electoral list had to be validated by a notary public in municipalities and cities where notaries were appointed.

¹³ Article 1. In the *Law on the Election of Members of the Parliament* (“Official Gazette of the Republic of Serbia”, no. 35/00, 57/03 – Constitutional Court, 72/03 – state law, 18/04, 85/05 – state law, 101/05 – state law, 104/09 – state law, 28/11 – Constitutional Court, 36/11 and 12/20), in the article 43, paragraph 3 the words “in the competent court” will be replaced by the following words “by a notary public or in the municipal or city administration, and in cities and municipalities where notaries have not been appointed, in the basic court, court unit, reception office of the basic court or municipal or city administration”.

¹⁴ Article 1. In the *Law on Local Elections* (“Official Gazette of the Republic of Serbia”, no. 129/07, 34/10 – Constitutional Court, 54/11, 12/20 and 16/20 – authentic interpretation), in the article 23, paragraph 3 the words: “in accordance with the law governing validation of signatures” will be replaced by the following words: “by a notary public or in the municipal or city administration, and in cities and municipalities where notaries have not been appointed, in the basic court, court unit, reception office of the basic court or municipal or city administration”.

¹⁵ Article 43, paragraph 4. Voters’ statements supporting the electoral list of candidates for members of the Parliament shall be verified by a notary public or in the municipal or city administration. In municipalities / cities where notaries public have not been appointed, voters’ statements

4.3. Calling the elections, suspension and resumption of election activities

After the elections for members of the Parliament were called for April 26th, the Republic Electoral Commission started conducting election activities on March 4th by adopting the Instructions for Conducting the Elections of Members of the Parliament and Schedule for the Conduct of Election Activities in the Procedure of Elections of Members of the Parliament. Due to the COVID-19 epidemic, the President of Serbia, the Speaker of the National Assembly and the Prime Minister brought a Decision on declaring a state of emergency on March 15th, after which the conduct of election activities was interrupted, i.e. the Republic Electoral Commission passed on March 16th a Decision on suspension of all election activities in the conduct of the elections of members of the Parliament, which were announced for April 26th,¹⁶ putting an end to all deadlines for the conduct of election activities.

The elections, i.e. election activities resumed on May 11th, when the Republic Electoral Commission brought a Decision on the continuation of the elections in the procedure of elections of members of the Parliament announced on March 4th¹⁷ after the state of emergency was lifted on May 6th. At the same session, the Decision on Amendments to the Instructions for Conducting the Elections of Members of the Parliament called for April 26th¹⁸ was adopted and the Schedule for the Conduct of Election Activities in the Procedure of Elections of Members of the Parliament called for June 21st, 2020 was adopted.¹⁹

4.4. The work of the Republic Electoral Commission

From the moment of announcing the elections on March 4th, until the interruption of the election process on March 16th due to the declaration of the state of emergency, as well as from the announcement of the continuation of elections on May 11th until June 29th, when the 163rd session of the Republic Electoral Commission was held, our observation mission closely monitored the work of this election administration body. At the 163rd session, the Decision on Amendments to the Rules of Procedure of the Republic Election Commission was adopted, determining (two days before the repeated elections at 234 polling stations), that due to the epidemiological situation the sessions of the Republic Election Commission would be held electronically. In this way, domestic and foreign observers, as well as the media, were prevented from directly monitoring the work of this body, although the proposals of the agenda of the sessions with accompanying material were submitted to accredited observers.

In this election process, 64 sessions were held, out of which 49 sessions in regular circumstances, i.e. in the hall of the Republic Electoral Commission, while 15 sessions were held electronically.

The CRTA observation mission monitored all important election activities, such as: deciding on the proclamation and rejection of electoral lists, publishing the total number of voters, determining the General Electoral List, determining the number of ballots for voting in the elections, announcing the final number of voters in the Republic of Serbia as well as deciding on complaints.

This report will present the work of the Republic Electoral Commission before and after the Election Day.

supporting the electoral list of candidates for members of the Parliament shall be verified in basic courts, judicial units, reception offices of basic courts or in municipal or city administrations. – *the Instruction for the Conduct of Elections of Members of the Parliament called for June 21st (consolidated text) – 02 number 013-53/20 dated May 11th, 2020.*

¹⁶ bit.ly/3eWYKZn

¹⁷ bit.ly/30cZPYO

¹⁸ bit.ly/2MCfeKe

¹⁹ bit.ly/2XDpqZx

4.4.1. Activities of the Republic Electoral Commission

After the elections for members of the Parliament were called for April 26th, the Republic Electoral Commission started conducting election activities on March 4th by adopting the Instructions for Conducting the Elections of Members of the Parliament and Schedule for the Conduct of Election Activities in the Procedure of Elections of Members of the Parliament.²⁰ Due to the COVID-19 epidemic and to the declaration of the state of emergency, the conduct of election activities was interrupted by Decision passed on March 16th by the Republic Electoral Commission on suspension of all election activities in the conduct of the elections of members of the Parliament, which were announced for April 26th,²¹ putting an end to all deadlines for the conduct of election activities. The elections, i.e. election activities resumed on May 11th, when the Republic Electoral Commission brought a Decision on the continuation of the elections in the procedure of elections of members of the Parliament announced on March 4th,²² after the state of emergency was lifted on May 6th. At the same session, the Decision on Amendments to the Instructions for Conducting the Elections of Members of the Parliament called for April 26th,²³ was passed and the Schedule for the Conduct of Election Activities in the Procedure of Elections of Members of the Parliament called for June 21st, 2020 was adopted²⁴.

Comparing the 2020 and 2016 Instructions for Conducting the Elections 2020, significant differences were noted, which refer to more detailed prescribing of obligations of nominators of members of polling station committees and working bodies (the compulsory training), i.e. submitters of electoral lists. The Instructions stipulate in more detail the obligation of local self-government units to assess the accessibility of polling stations, i.e. the obligation to fill in accessibility questionnaires. Types of activities of election bodies that can be monitored by accredited observers (REC working bodies, voting outside polling stations, handing over election materials) were expanded, informing voters about the manner of exercising the right to vote, i.e. the rights of voters and the procedure and the course of voting in the elections and about all other issues of importance for exercising the right to vote, through print and electronic media and social networks. Informing voters about the possibility of voting abroad has been further clarified, with the introduction of new possibilities for the protection of electoral rights (every voter has the right to request information from the REC after voting on whether their vote had been registered or not in the excerpt from the Voters' Register). In addition to obtaining information, each voter has the right to request direct access to an excerpt from the Voters' Register. The provisions of the Instructions have been adjusted to the Amendments to the Law on the Election of members of the Parliament and the Law on Local Elections of February 6th so that it envisages that at least 40% of the underrepresented sex must be on electoral lists, i.e. that among every five places on the list, two must be occupied by representatives of the underrepresented sex.

For the purpose of transparency of the election process, the Instructions stipulate that the working bodies are obliged to scan the Minutes on the work of the polling station committee as soon as they receive election material from the polling stations and to submit them to the Republic Electoral Commission. The Commission publishes all Minutes of the work of the polling station committee on its website.

For the purpose of transparency of the election process, from March 4th all sessions held during this election process were broadcast on the official website of the Republic Electoral Commission, which enabled the interested public to follow the work and decision-making of the members of the Republic Electoral Commission.²⁵ This is a novelty in relation to the previous election processes. Electronic sessions, which were held in the period after the Election Day were yet another novelty.

²⁰ bit.ly/35Kf7aa

²¹ bit.ly/3eWYKZn

²² bit.ly/30cZPYO

²³ bit.ly/2MCfeKe

²⁴ bit.ly/2XDpqZx

²⁵ bit.ly/35Dji7W

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The Republic Electoral Commission undertook certain activities in order to educate citizens about the procedure for conducting the elections, primarily about the manner of exercising the right to vote on the Election Day. The instructions were given in video form, i.e. in video clips which covered three segments, namely: Voting procedure on the Election Day, Voting outside the polling station and voting with the help of assistants and How to check the registration in the Voters' Register.

Furthermore, in order to educate participants in the election process, submitters of electoral lists, members of election administration bodies as well as working bodies of the Republic Electoral Commission and election observation organisations, the following guides and manuals were developed: Voting abroad, Guide for observers of the elections for Members of the Parliament, Instructions for the work of the Working Bodies of the Republic Electoral Commission, Rulebook on the work of polling stations on the coordinated conduct of all elections, etc.²⁶

4.4.2. Independent observers' status

The Instructions for Conducting the Elections for members of the Parliament set out in detail the conditions for acquiring observer status, both for national and foreign observers, as well as the rights and obligations during the monitoring of the work of election administration bodies. At the session of the Commission, on the basis of the report of the Working Group of the Commission for Observers, the chairperson establishes that the conditions for monitoring the work of the bodies conducting the elections have been met. At the session of the Commission held after the opinion of the Ministry of Foreign Affairs has been received, the chairperson establishes that conditions for foreign observers have been met.

During this period, the REC established that six citizens' associations had met the requirements for obtaining the status of the REC observers, namely the CRTA's "Citizens on Watch", CESID, the Organisation for Fair Elections and Democracy, the Lawyers' Committee for Human Rights, and the Centre for Election and Election Procedures Monitoring. Accredited observers were allowed to observe plenary sessions, as well as sessions of working bodies, in accordance with the Conclusion of the REC dated December 2nd, 2019,²⁷ which had not been the case in previous election cycles.

4.4.3. Candidacies and signature collection

At its session held on May 10th, 2020, the National Assembly of the Republic of Serbia passed the Law on Amendments to the Law on the Election of Members of the Parliament and the Law on Amendments to the Law on Local Elections, which amended the provisions governing the validation of signatures of voters supporting electoral lists and entered into force immediately after their publication in the Official Gazette because of "particularly justified reasons". These changes relate primarily to the possibility of validating the statements of voters who support a particular electoral list not only in the courts and/or by notaries public, but also in municipal and city administrations. In accordance with the mentioned legal changes, the Republic Electoral Commission also changed the Instructions for conducting the elections for MPs of the National Assembly and stated that the supporting signatures of the electoral lists shall be validated by a notary public or in the municipal or city administration.

Amendments to these laws raise a number of issues and should be appraised in the context of legal predictability and security, which reflects in the equal treatment of all participants in the election process, given that nine electoral lists were supported by 100,000 certified statements, validated in accordance to provisions in force before the changes were made. Furthermore, we must not lose sight of the fact that the provisions of these laws had already been changed on February 6th, one month before the elections were called, in the part that prescribes the level of

²⁶ bit.ly/2zHiod2

²⁷ Conclusion on measures to improve the electoral process of the REC dated December 2nd, 2019 bit.ly/2XBs16a

the electoral threshold, i.e., that electoral lists that receive at least 3% instead of 5% of votes may participate in the distribution of mandates.

In the candidacy and announcement of electoral lists, we would single out certain specificities that accompanied the proclamation of individual electoral lists. First of all, the electoral list “Serbian Party of Oath Keepers” was proclaimed after re-collecting more than 10,000 signatures of voters in a very short time, after this list initially withdrew its “candidacy” to participate in the elections. As a matter of fact, the original name of the electoral list submitted by the “Serbian Party of Oath Keepers” was “BE BRAVE - Milica Đurđević Stamenkovski – Serbian Party of Oath Keepers” that the Republic Electoral Commission, despite the objection to the name of the electoral list, proclaimed because it received the support of most of the REC members. Deciding on the appeal filed against this decision of the REC, the Administrative Court annulled the decision on the proclamation of the electoral list due to the fact that in the opinion of the court the provisions of the Law on Election of members of the Parliament were violated, which primarily refer to the name of the electoral list, so that the word “BRAVE” needed to be excluded from the name as it was not a part of the name of the submitter of the electoral list entered in the Register of political parties, nor is it a part of the name of the electoral list submitter. Deciding on the judgment of the Administrative Court, the REC again decided on the request of this electoral list and annulled the proclamation of the electoral list with the conclusion of the elimination of the identified shortcomings for the proclamation. After the Conclusion, the electoral list “Be brave – Milica Đurđević Stamenkovski – Serbian Party of Oath Keepers” notified the Republic Electoral Commission on May 19th, 2020 of their withdrawal of the electoral list. The electoral list “Milica Đurđević Stamenkovski – Serbian Party of Oath Keepers” re-submitted voters’ supporting signatures on May 26th, 2020 with all accompanying documents and more than 10,000 voters’ supporting signatures.

Without entering into the assessment of the REC to initially proclaim an electoral list that did not meet the legally prescribed conditions, a number of questions were raised regarding the collection or rather ensuring of the number of voters who support the electoral list. As it happens, on May 19th, this electoral list withdrew its candidacy only to re-submit it on May 26th with the support of slightly more than 10,000 voters, which may indicate that this list ensured this support in a very short time or that it had started collecting signatures for the new electoral list even before the withdrawal of the old one. These doubts have caused a number of questions in the public regarding the method of collecting voters’ signatures, especially when it comes to “smaller” parties and especially when the number of votes that individual electoral lists received in the elections is lesser than the number of voters who supported the electoral list. Whether the parties provide a sufficient number of signatures by voters who support their programmes and activities or have covert support in doing so, using the capacities of other parties is a question that has been raised in the general public. Certain doubts and public distrust in this segment could be prevented by inspecting the database of voters’ signatures, respecting, of course the principles of personal data protection, in order to determine how many signatures were collected by lists and in which municipalities voters’ support was ensured, which might to a certain extent give an answer on the manner of providing voters’ support to individual electoral lists. This is especially important when holding elections for members of the Parliament and for councillors at the same time, because in these cases the number of voters who supported electoral lists in certain municipalities can be compared with the number of voters who voted for a certain electoral list.

The proclamation of the electoral list “Leviathan Movement – I live for Serbia” was specific because of the way this electoral list was proclaimed. Although this list acted in a timely manner and in full accordance with the REC Conclusion on eliminating the observed shortcomings for the proclamation of the list, the Republic Electoral Commission rejected the proclamation of this list because there was no majority of votes for the proclamation due to the smaller number of present members. As a matter of fact, although the conditions for the proclamation were met, the Republic Electoral Commission refused to proclaim this list because 15 out of a total of 34 members of the Republic Electoral Commission in the expanded composition voted for the adoption of the proposal, five members were against and three members did not vote. Bearing in mind that article 29, paragraph 3 of the Law on Election of Members of the Parliament stipulates that election administration bodies decide by a majority vote of members in the permanent or extended composition, as well as that article 21, paragraph 6 of the Rules of Procedure of the

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Republic Electoral Commission stipulates that if the proposal does not receive the required majority of votes, it will be considered rejected. When deciding on the objection filed against the decision to reject the said electoral list, at the session held on June 9th, the Commission, by a majority vote, adopted the objection, and the Chairperson of the Republic Electoral Commission stated that, based on article 96, paragraph 2 of the Law on Election of Members of the Parliament, the Decision on Refusal to Proclaim the Electoral List of the “Leviathan Movement – I Live for Serbia” was annulled.

When it comes to the proclamation of electoral lists of national minorities, in five cases the position of the party or coalition of national minorities was determined for the submitters of the electoral lists. The most controversies were caused by the determination of the position of the national minority party of the submitter of the proclaimed electoral list “Russian party – Slobodan Nikolić”. In fact, the Republic Electoral Commission rejected the proposal of this party to be declared as a national minority party, assessing that this party had not met the conditions for a national minority party. The REC passed the same Decision with the same reasoning even after the objection. Deciding on the appeal against the decision rejecting the proposal to determine the position of the national minority party, the Administrative Court did not enter into the essential reasonableness of the request. In its judgment, the Administrative Court annulled the Decision of the Republic Electoral Commission because of procedural reasons, i.e. because the Law on General Administrative Procedure was violated as the decision on the objection did not contain the legal basis for rejecting the complaint, nor the factual situation from which the legal basis arises.²⁸

Deciding in the repeated procedure on the objection of the Russian party, the REC issued a decision rejecting the party’s proposal to be declared as a national minority party, basing its decision on the provisions of the Law on the Election of Members of the Parliament that “all political parties the main objective of which is to represent and advocate interests of an ethnic minority, as well as to protect and improve the rights of members of ethnic minorities, in accordance with international standards shall be considered as political parties of ethnic minorities”²⁹ on the provisions of the same Law foreseeing that “the Republic Electoral Commission shall decide, at the proclamation of an electoral list, whether the submitter of the electoral list should be considered as political party of ethnic minority or a coalition of political parties of ethnic minorities, at the request of the submitter of the electoral list which must be made at the time of electoral list submission”. In the sense of paragraph 2 of this article, the Republic Electoral Commission shall decide by a special decision upon proclamation of the electoral list, and at the proposal of the submitter of the electoral list that must be submitted together with the electoral list. The Republic Electoral Commission may request the opinion of the competent national council of a national minority on whether the submitter of the electoral list is a political party of a national minority or a coalition of political parties of national minorities.”³⁰ These provisions of the Law are elaborated by the Instruction for Conducting the Elections for members of the Parliament in article 44, paragraph 1, which stipulates, inter alia, that the submitter is obliged to submit to the REC evidence of political action in representing the interests of national minorities and protection and improvement of national minority members’ rights.

Although the Russian party is registered as a national minority party in the Register of the competent ministry, although it submitted the party’s Article of Associations and programme, as well as the Opinion of the National Council of the Russian national minority, the Republic Election Commission assessed that this party had not met the requirements to be declared as a national minority party in the elections for MPs. As assessed by the REC, the programme objectives of the Russian Party were not specific enough to conclude that they were aimed at protecting the human rights and interests of members of the Russian national minority, that the National Council of the Russian national minority had failed to explain and provide concrete examples of political actions of this party in terms of protecting the interests of the Russian national minority and that the additional material that was attached did not

²⁸ Judgement of the Administrative Court III-11 UŽ 95/20.

²⁹ Article 81, paragraph 3 of the Law on Election of members of the Parliament (“Official Gazette of the Republic of Serbia” no. 35/2000, 57/2003 - Decision of the Constitutional Court of the Republic of Serbia, 72/2003 - state law, 75/2003 - amended 18/2004, 101/2005 - state law, 85/2005 - state law, 28/2011 – Decision of the Constitutional Court, 36/2011, 104/2009 - state law, 12/2020 and 68/2020).

³⁰ Article 81, paragraph 2.

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provide evidence of political but of cultural and artistic activities. Based on the above, the REC concluded that this party had not provided adequate evidence to conclude that its main objective was to represent the interests of the Russian national minority. An appeal was lodged against the new decision of the Republic Election Commission, which was adopted by the Administrative Court in the repeated procedure. The Administrative Court annulled the REC Decision and based on the factual state, established that the Russian Party, as the submitter of the electoral list “Russian Party – Slobodan Nikolić”, had the status of a political minority party, which the REC established at its next session.

As unverified information emerged that voters’ personal data had been misused, the CRTA observation mission sent a request to the Republic Election Commission to clarify how voters could check whether they had formally supported any of the lists that had submitted signatures for the election of the members of the Parliament. Regarding the CRTA’s inquiry on the right of voters to check whether their signatures are supporting a particular electoral list, the REC responded within a reasonable period of seven days with confirmation that voters can contact the REC with a request, stating personal data for identification purposes, while the request can also be sent by email as a scanned document. In individual cases where voters sent requests to the REC and notify the CRTA, the REC responded to the applicants within a reasonable time.

4.4.4. Voting in Kosovo and Metohija

At the session held on June 18th, three days before the elections, the Republic Electoral Commission passed “the Instructions for conducting of the Elections for MPs of the National Assembly scheduled for June 21st, 2020 in the territory of the Autonomous Province of Kosovo and Metohija” and passed a Decision on amendments to the supplementary decision on the determination of polling stations for voting in the elections for MPs. The mentioned acts were passed after the Office for Kosovo and Metohija informed the Republic Electoral Commission in writing that after the assessment of the epidemiological and security situation in Kosovo and Metohija, conditions were created for the voting process to be conducted at 140 polling stations on the territory of AP Kosovo and Metohija. At the same time, the OSCE Mission to Kosovo and Metohija (OMIK) assessed that there were no security conditions for conducting the procedure of unsealing ballot boxes and counting votes at polling stations on the territory of the Autonomous Province of Kosovo and Metohija.

Regarding the Instruction for conducting voting on the territory of AP Kosovo and Metohija, the controversy was over the very name of the document or the part of the document which mentions “conducting voting” and not “conducting the elections” as stated in the Instructions for conducting the elections for MPs of the National Assembly, which represents not only a terminological difference but also a legal one which equates the conduct of the elections on the territory of Kosovo and Metohija with the conduct of voting abroad. An essentially more important topic is the way of counting votes after the closing of polling stations, which is conducted outside the polling stations, more precisely, in the municipality of Raška, i.e. in the city of Vranje. As a matter of fact, the Instructions for Conducting the Elections on the territory of AP Kosovo and Metohija contain identical provisions regulating the conduct of counting of votes outside polling stations, as well as the provisions of the Instruction for Conducting voting in the elections for MPs on the territory of AP Kosovo and Metohija from 2014, which the Constitutional Court found to be in conflict with the Constitution. As the Instructions from 2014 is an act of a temporal character, i.e. its validity expired after one application, i.e. at the end of these elections, the Constitutional Court, in accordance with the Law on the Constitutional Court, was able only to determine the illegality of these provisions, but not to eliminate its consequences. Given this state of affairs and the fact that the Constitutional Court assessed that the rules prescribed by the said provisions of the disputed Instructions were in conflict with the Law on the Election of MPs, it is obvious that, despite its actual termination, the harmful consequences produced by their illegality were not eliminated. Therefore, according to the position of the Constitutional Court, only by making a formal decision on determining the illegality of the disputed provisions of the Instructions from 2014, the evident harmful consequences that they produce can be removed. This is due to the fact that, in accordance with the provisions of article 166, paragraph 2 of

the Constitution, the decision of the Constitutional Court on the illegality of the disputed provisions was final, executive and generally binding on all state bodies. Such legal effect of this decision makes it impossible to adopt a new act of the Republic Electoral Commission which would prescribe rules of identical content for future elections, which are in conflict with the Law on the Election of MPs.³¹

4.4.5. Preventive anti-epidemic measures

On June 13th, the Crisis Response Team of the Government of Serbia for the suppression of the COVID-19 virus passed a Conclusion on the adoption of recommendations on measures to control and protect against the spread of the COVID-19 infectious disease at polling stations,³² that the Republic Electoral Commission established without adopting a special act on preventive measures. The said Conclusion provides measures and instructions for the polling stations, members of polling stations and voters. As for the polling station, it must be cleaned at least 24 hours before the start of voting and ventilated throughout the Election Day, the voting must be organised in such a way as to provide a physical distance of at least one meter between voters and to prevent crowding in the polling station. When it comes to members of polling station committees, they should be informed about prevention measures during the Election Day, they should ensure physical distance and reduce the length of contact with voters to the minimum. Also, members of polling station committees should use protective equipment (masks and protective gloves) that will be provided by the Republic Health Insurance Fund. In case of voting outside the polling station, the members of the polling committees should wear protective equipment and provide protective masks to the voters who are not able to come to the polling station due to health reasons. Upon returning to the polling station, before entering the polling station, protective masks and gloves are replaced with new ones with prior hand washing.

Some REC members asked whether this procedure, in addition to persons with disabilities and the elderly, also applies to voters who are in self-isolation or home treatment from COVID-19, and asked for additional clarification from the Crisis Response Team whether masks and gloves would suffice for protection of the polling station committee members. The REC members also asked the Crisis Response Team to specify what the voting procedure for voters who are positive for the coronavirus would look like. The same recommendations apply to voters as to the members of the polling station committees, and they concern the safe distance at a distance of not less than 1 meter and wearing of protective equipment, primarily masks that can be removed briefly when determining the identity of voters. While getting acquainted with the Conclusion of the Government of Serbia, some members informed the Commission that the epidemiological situation had worsened in some places (Novi Pazar, Tutin). Neither the Crisis Response Team nor any other institution answered the questions asked by some REC members regarding the clarifications of the measures prescribed in the Conclusion.

4.4.6. Complaints before the Election Day

In the pre-election period, the work of the REC was marked by the decision on more than 2050 objections to the Decision on the continuation of the election activities dated May 11th. In fact, the form and content of these complaints were the same, i.e. it was a standard document that was published on the social network "Facebook" and which users could print, sign and submit to the Republic Electoral Commission. Complaints were filed against the Decision of the Republic Electoral Commission on the continuation of election activities and were based on the view that the continuation of interrupted election activities in the presence of anti-Covid measures was contrary to the basic principles of the Constitution of the Republic of Serbia and that the continuation of the election process was jeopardising public health. Due to the large number of these complaints, at sessions devoted to discussions about complaints, the REC made conclusions on merging legal matters into one procedure, given that the rights of all complainants were based on the same factual state and on the same legal grounds. All these complaints were

³¹ Case IUo - 149/2014. sirius.rs/cyr/praksa/y5vTlg

³² Text of the Conclusion on measures at polling stations. bit.ly/2ZGPfbH

rejected as untimely, as they had been filed after the expiration of the period of 24 hours from the adoption of the disputed act (Decisions on the continuation of election activities).

Apart from these complaints, the REC also decided on complaints based on a different factual state and legal grounds, which have been described in detail in the CRTA's periodic or preliminary reports.³³

4.4.7 Decision-making of the Administrative Court

Ruling on approximately one thousand appeals against the Decision of the Republic Election Commission, the Administrative Court decided individually on appeals against decisions on rejection of complaints and adopted appeals and annulled the decisions rejecting the complaints as unfounded. According to the Administrative Court, the reference that the Republic Electoral Commission made to the provision of the Rules of Procedure foreseeing that if the proposal to adopt the complaint does not receive the required majority of votes, the complaint will be considered rejected, does not affect the Court's assessment of the legality of the appealed decision. This emanates from the fact that the provisions of the Rules of Procedure of the Republic Electoral Commission regulate the manner of decision-making of the Republic Electoral Commission in the complaint procedure, which does not relieve the acting election administration body from the obligation to assess all allegations of complaints that are important for proper decision-making having previously correctly and completely determined factual state which might affect the legality of the decision. As in the case in question the above was not acted upon, it is reasonably indicated that the appealed decision violated the law and denied the protection of the suffrage. The Administrative Court did not act upon these complaints in full jurisdiction, but annulled the decisions of the Republic Electoral Commission for the abovementioned reasons.

Following the judgments of the Administrative Court, in repeated procedures, the Republic Electoral Commission decided individually on each complaint and, after the conducted voting, adopted decisions rejecting the complaints as unfounded. These decisions explain the legal and factual grounds, i.e. the reasons for the adopted decisions. As far as dozens of complaints are concerned, the procedure was suspended due to the fact that the Republic Electoral Commission, before deciding on the complaint again, made decisions on repeating the voting for MPs at certain polling stations to which the complaint referred.

4.5. Competent ministries and other bodies

4.5.1. Voters' Register

At its session held on June 19th, 2020, the Republic Electoral Commission made a decision on determining and announcing the final number of voters in the Republic of Serbia and announced that the total number of voters in Serbia was 6,584,376.³⁴ Comparing this number of voters with the previous elections for the MPs of the National Assembly of the Republic of Serbia in 2016, and for the President of the Republic in 2017, a difference of 155,065, i.e. 140,573 voters has been reached. This means that, in comparison to 2017, the number of voters in the Unified Voters' Register in 2020 is lower by 2.1 percentage points, which is the largest change in the number of voters so far, as shown in Figure 1.

The topic of the Voters' Register is very sensitive. The findings of the research conducted by the CRTA in 2018 show that there is not enough public confidence in the updatedness and accuracy of the Unified Voters' Register. More

³³ CRTA, Observation missions. crt.rs/posmatracke-misije

³⁴ Decision on determining and announcing the final number of voters in the Republic of Serbia www.rik.parlament.gov.rs/tekst/8230/broj-biraca.php

than one half (59 percent) of Serbian citizens believe that the Voters' Register is not accurate.³⁵ For these reasons, the CRTA has been collecting data on the movement of the number of voters in the Voters' Register per local self-government units since the middle of 2019. Based on preliminary published data, interviews with representatives of competent authorities, as well as analysis of changes in the number of voters by municipality, the following conclusions were reached:

1. The difference of 140,573 or 2.1 percent of voters in relation to the last elections held in 2017 is the largest recorded decrease in the number of voters since the existence of the Unified Voters' Register.
2. This decrease can only be partly explained by the natural decrease in population. Based on the data of the Statistical Office of the Republic of Serbia, it can be estimated that in 2020 there were 90,000 fewer adult inhabitants than in 2017.
3. The two main mechanisms presumed to have led to further reductions were updating the data in the Unified Voters' Register after the linking of civil records by the competent Ministry of Public Administration and Local Self-Government Units in previous years, between election cycles, as well as deleting voters from the Unified Voters' Register, who, for various reasons provided by the law, lost residence in the Republic of Serbia (competence of the Ministry of the Interior).
4. With a few exceptions, including the municipality of Medveđa, the spatial analysis of the reduction in the number of voters per local self-government unit shows a mode of three percent and basically normal distribution, which indicates that the reduction in the number of voters was evenly distributed among local self-government units. The time analysis of the change in the number of voters conducted by the CRTA during 2019 and 2020 shows that there was no sharp decrease in the number of voters before the elections, and that the decreasing trend could be identified about a year before the elections.
5. Despite these findings, it is important that the processes that are assumed to lead to changes in the number of voters in the Unified Voters' Register be more transparent and fully explained by regular procedures, in order to remove existing public suspicions about the manipulations in the Voters' Register.

Figure 1. Fluctuation of the number of voters 2000-2020. (REC)

Elections	Number of voters registered in the Voters' Register	Change in the number of voters between the elections	Annual rate of change
2020	6,583,665	-141,284	-47,095
2017	6,724,949	-14,492	-14,492
2016	6,739,441	-26,557	-13,279
2014	6,765,998	-4015	-2008
2012	6,770,013	61,316	15,329
2008	6,708,697	54,846	54,846
2007	6,653,851	121,588	40,529
2004	6,532,263	20,813	20,813

³⁵ Research "Citizen participation in democratic processes in Serbia in 2018" crta.rs/istrazivanje-ucesce-gradjana-u-demokratskim-procesima-u-srbiji-2018-godine

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2003	6,511,450	-14,310	-14,310
2002	6,525,760	16,904	8452
2000	6,508,856		

In the period from June 2019 to June 2020, the CRTA monitored the movement of the number of voters registered in the Unified Voters' Register. Requests for the number of voters were sent every three months, a total of four times in this period. Data were collected by sending requests for access to information of public importance to all municipal and city administrations in Serbia.

Information on the data collection process are presented in Figure 2. Out of four transmission cycles, the most responses arrived in September 2019. As a rule, the answers did not come from Belgrade municipalities, nor from several larger cities in Serbia. Complaints for refusal to act upon the request, as well as complaints for silence of the administration, were sent to the Commissioner for Information of Public Importance and Personal Data Protection. Having acted on the decisions of the Commissioner, some city municipalities and larger cities submitted answers on the movement of the number of voters. However, responses from several municipalities were not provided even after the complaints were sent to the Commissioner.

Data on the number of voters in municipalities and cities that responded to the Requests are presented in Figure 2. These data collected by the CRTA were crossed with the number of voters in these municipalities in 2017. As can be seen from the Figure, depending on municipalities that responded in a given cycle, the reduction in the number of voters during 2019 and 2020 ranged between 1.2 and 2.2 percentage points, which is the interval within which lies the total difference between the number of voters 2020 and 2017 (2.1 percent).

Figure 2. Collection of data on the fluctuation of the number of voters 2019-2020.

Request date	Number of sent requests	Number of received replies	Number of voters in local self-government units that replied	Number of voters in local self-government units that replied in 2017	Changes in local self-government units that replied in comparison to 2017.
25. 06. 2019.	170	153	5,236,626	5,299,234	-1.2%
30. 09. 2019.	170	156	5,295,300	5,382,156	-1.6%
28. 01. 2020.	170	151	5,415,939	5,538,245	-2.2%
20. 05. 2020.	170	153	5,657,514	5,738,622	-1.4%

As there were no drastic deviations in the movement of the number of voters within the analysed period, further analysis referred to the cross-section made on the basis of the latest available data for municipal and city administrations. Out of 167 units, data were obtained for a total of 157, of which 143 data are from January 2020, and the remaining 14 are older data from 2019, or newer from 2020. For seven municipalities, data are not available at all, of which all five municipalities in Niš, and two city municipalities in Belgrade.³⁶

These data can explain the difference of a total of 118 thousand voters in relation to the number of voters in the list in 2017. The assumption is that with the remaining municipalities from which no data were obtained, it would probably be around 120 thousand, which means that the difference from around 20 thousand to 140 thousand

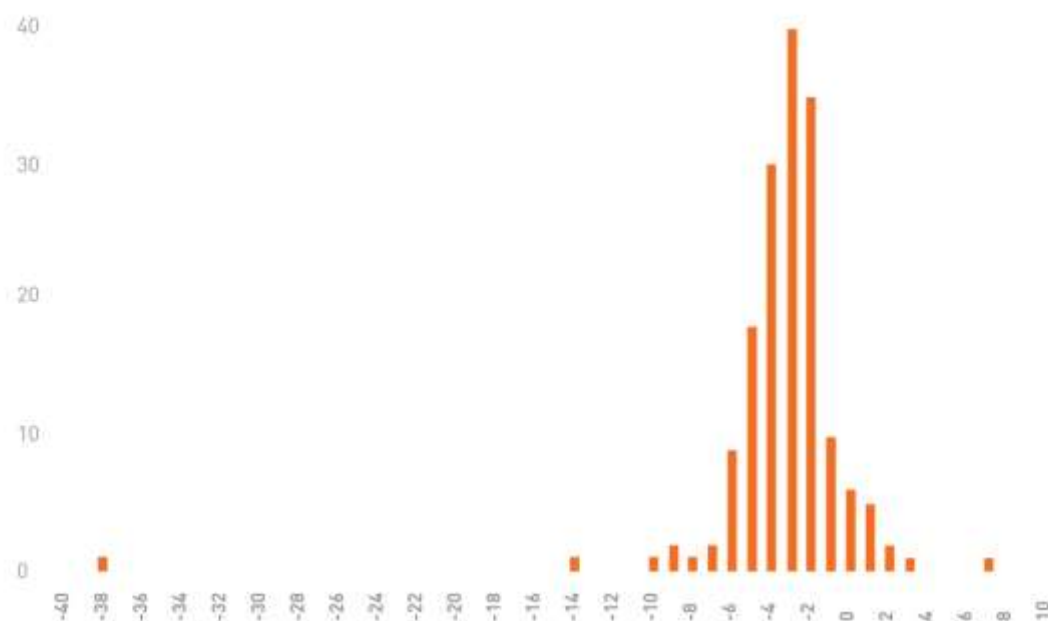
³⁶ Mladenovac and Sopot have never submitted data, while Rakovica did so for the first time only on July 27th, 2020.

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should have arisen from the moment the CRTA received the data until the publication of the REC data on the total number of voters for the upcoming elections on June 21st, 2020. This indicates that the changes in the number of voters in the Unified Voters' Register did not occur suddenly, nor in the period immediately before the elections, but that these were longer-term processes.

Finally, based on a comparison of the official REC data on the number of voters by municipalities in 2020 and data from the last elections in 2017, it can be seen that there are no large discrepancies between municipalities in the number of voters, as shown in the histogram (Chart 1). In most municipalities, the number of voters decreased by three percent. There was a slight increase in the number of voters in only ten municipalities, namely the urban municipalities of Belgrade, Novi Sad and Niš, and municipalities with a significant Bosnian or Albanian population.

Chart 1. Reduction of the number of voters by municipalities between 2017 and 2020 (in percentage points)



Among the municipalities with the most pronounced drop in the number of voters Babušnica and Ražanj stand out with 8.5, Gadžin Han with 10, and Crna Trava with 14 percentage points less than in 2017. However, the municipality in which the most pronounced drop in the number of voters is Medveđa, which had 10.6 thousand voters in 2017, and according to the latest available data, 6.5 thousand, or even 38 percentage points less.

Given the issue of trust in the accuracy of the Voters' Register, which is very low among Serbian citizens, the relevant ministries need to make greater efforts to make the processes that are supposed to lead to changes in the Voters' Register more transparent. Significant changes in the number of voters, which has a high political significance, given the context of the election boycott and the issue of turnout, should be fully explained by regular procedures, otherwise they will continue to deepen distrust in democratic mechanisms and institutions.

4.5.2. Polling stations

Elections for MPs were held on June 21st, 2020 at a total of 8,433 polling stations in the country and abroad. In Serbia, voting is personal and is conducted only at polling stations, without the possibility of electronic or postal voting, so

the determination of polling stations is an important element of the election process, as it can affect the rights of voters and election outcomes.

The Republic Electoral Commission determines polling stations on the proposal of municipal or city administrations, then the Ministry of Justice, for voting within the Institutions for Execution of Criminal Sanctions, the Ministry of Foreign Affairs, for polling stations abroad, as well as the Office for Kosovo and Metohija for polling stations in Kosovo and Metohija. The final number of polling stations where the voting took place on June 21st is given in the Table 3.

During this election process, numerous changes of polling stations on the territory of the Republic of Serbia were recorded, both in relation to the previous election cycle and after the determination of the first decision on determining polling stations, which reduces the possibility of comparing election results with all previous elections. Polling stations in penitentiary institutions were determined in exactly the same way as in previous elections. Polling stations on the territory of Kosovo and Metohija were determined in such a way that more than a third of polling stations were designated only three days before the elections, which in fact made it difficult, if not impossible, for parliamentary groups to appoint polling station members in a timely manner, which implies that in practice more members of polling stations committee were appointed by the Office for Kosovo and Metohija. Finally, polling stations abroad were determined in half the number of countries compared to 2017, primarily due to the small number of citizens who registered to vote, but Bosnia and Herzegovina, in which almost five times more voters registered, stands out from this trend, and five times more polling stations opened there.

Figure 3. Number and structure of polling stations in the 2020 elections.

Locations	Number of polling stations
Republic of Serbia, cities and municipalities	8224
Institutions for the execution of criminal sanctions	29
Kosovo and Metohija	140
Abroad	40
<i>Total</i>	<i>8443</i>

4.5.2.a. Determining polling stations on the territory of the Republic of Serbia

On the territory of the Republic of Serbia without Kosovo and Metohija, elections were held at 8,224 polling stations in cities and municipalities, and with 29 polling stations opened in the Institutions for the Execution of Criminal Sanctions, there was a total of 8,253 polling stations. The specificity of these elections was a significant change in the numbering and structure of polling stations in several municipalities throughout Serbia, which in practice reduces the comparability of results with previous elections. Moreover, this year, the Republic Electoral Commission published as many as eight decisions from May 25th, when polling stations were determined on the territory of the Republic of Serbia, until June 18th, by which it made a total of 144 subsequent corrections, changes and additions to the description of polling stations.³⁷ These changes referred mostly to the areas of polling stations (80), followed by addresses (36), and names (5).³⁸ On the other hand, there were no changes in the organisation of polling stations in penitentiary facilities in comparison to previous election cycles.

³⁷ Decisions dated May 30th and 31st, June 2nd, 3rd, 5th, 10th, 14th and 18th.

³⁸ Some changes related to several elements.

4.5.2.b. Determining polling stations on the territory of Kosovo

The organisation of voting in Kosovo and Metohija was the subject of numerous disputes about legality that had reached the Constitutional Court and which were discussed in more detail in the part of the report that dealt with the work of the Republic Electoral Commission. An additional problem with the untimely determination of polling stations this year has reduced the possibility of representatives of parliamentary groups being present at polling stations.

Polling stations in Kosovo and Metohija were originally determined by the Supplementary Decision dated May 31st, at the proposal of the Office for Kosovo and Metohija, in 90 places. Nonetheless, by the Decision dated June 18th, i.e. passed only three days before the elections, 50 new polling stations were added in this territory. This Decision did not change the physical places where the elections were held according to the first decision, twenty of them, but the areas of polling stations were divided, mainly in two ways. Polling stations, the areas of which covered more than one town were divided into several polling stations, while in several cases of polling stations covering only one town, the area of that town was divided into two parts (“one” and “two”).

This additional proliferation of polling stations in Kosovo and Metohija should be understood in the context of the special rules for holding the elections relating to polling stations in this territory. The Republic Electoral Commission regulated the holding of elections in Kosovo and Metohija with the Instructions issued at the session on June 19th, just before the elections. According to these Instructions, polling station committees consist of three members, who are appointed on the proposal of parliamentary groups in the National Assembly, in proportion to their representation on the day the Instructions are adopted. Unlike all other locations in the Republic of Serbia, penitentiary institutions and abroad, no expanded composition is elected to the committees in Kosovo and Metohija, which makes the holding of elections essentially different from all other polling stations.

Moreover, article 6 of the Instructions stipulate that if the parliamentary group does not submit a proposal for the appointment of persons to the polling station committee in a timely manner, the REC shall appoint persons proposed by the Office for Kosovo and Metohija. The decision on the amendment of the Supplementary Decision dated June 18th envisages the opening of an additional 50 polling stations, while the Instructions adopted on June 19th set a deadline for proposing members of polling stations committees, which was also June 19th. This behaviour of the election administration made it difficult, if not completely impossible, to appoint persons to many subsequently determined polling stations on the proposal of parliamentary groups.

A possible consequence of this is the de facto enabling of the executive, through the Office for Kosovo and Metohija, to conduct elections for MPs not only without the presence of members of polling stations proposing electoral lists participating in elections, but also without members of polling stations committees nominated by parliamentary groups. This practice should be avoided in the future, and the holding of elections in Kosovo and Metohija should be harmonised with the legal framework that applies to all other polling stations in the Republic of Serbia.

4.5.2.c. Determining polling stations abroad

The elections for MPs in 2020 were held at 40 polling stations. This is roughly the number of polling stations where the previous elections for MPs in 2016 were held (37), but significantly lesser than the last elections for the President of the Republic in 2017 (53). However, the structure of polling stations by country has changed significantly more than the ratio of the total number of polling stations. In comparison to 2017, when elections were held in 32 countries, in 2020 they were held in almost half the number of countries – 17, and the number of polls designated for elections in only one country, Bosnia and Herzegovina increased from two polling stations in 2017 to as many as 11 polling stations in 2020. An overview of polling stations opened abroad in 2017 and 2020 is shown in Table 4, and changes in the number of polling stations by country are shown in “traffic light” colours: green for the country in

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which the number of polling stations increased, yellow where the number has not changed, and red where the number decreased.

Polling stations abroad are opened at the proposal of the Ministry of Foreign Affairs, based on the number of registered citizens who have submitted a request to enter the information that they will vote abroad in the Unified Voters' Register. Although three more polling stations (Malta, Great Britain and Lebanon) were planned to be opened on the basis of registered voters, due to the epidemiological situation, voting was not held in these countries.

Among the countries where voting took place, Bosnia and Herzegovina stands out, where 4.5 times more polling stations were opened than in the previous elections, then Russia and Croatia, where the number doubled, as well as the USA and Montenegro, where only one in four polling stations opened in relation to 2017. One polling station was opened in Denmark and Cyprus respectively, where there was no voting in the last presidential elections, while the remaining ten countries remained unchanged. On the other hand, there are 17 countries in which voting was possible in 2017 and in which polling stations were not opened in 2020.

The CRTA asked the Ministry of Foreign Affairs for data on the number of citizens who applied to diplomatic and consular missions with the intention of exercising the right to vote in the elections for MPs. The analysis of the received data shows that the polling stations were mostly determined in accordance with the rules, having in mind the number of registered citizens. The exceptions are Bosnia and Herzegovina and Greece, where exactly 100 voters registered to vote at two locations (Athens and Thessaloniki) and where no polling stations were opened, although it was possible to redirect citizens from Thessaloniki to vote in Athens.

Figure 4. Polling stations abroad in the 2017 and 2020 elections.

Country	2017.	2020.	Country	2017.	2020.
Bosnia and Herzegovina	2	11	Greece	2	0
Russia	1	2	China	2	0
Croatia	1	2	Rumania	2	0
Denmark	0	1	Great Britain	1	0
Cyprus	0	1	South African Republic	1	0
Germany	6	6	Canada	1	0
Italy	4	4	Qatar	1	0
Switzerland	3	3	Lebanon	1	0
France	2	2	Malta	1	0
Austria	1	1	Norway	1	0
Belgium	1	1	Poland	1	0
Hungary	1	1	Slovakia	1	0
North Macedonia	1	1	Turkey	1	0
Slovenia	1	1	UAE	1	0
Czech Republic	1	1	Finland	1	0
USA	4	1	Netherlands	1	0

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Montenegro	4	1
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Sweden	1	0
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According to the Ministry of Foreign Affairs, as many as 4,258 voters registered to vote in Bosnia and Herzegovina, i.e. almost five times more than in 2017 (872 voters). According to the Ministry of Foreign Affairs, it seems that more than 100 voters have registered for each of the 11 polling stations, which is a formal condition for opening a polling station in Serbia, but also in the diplomatic and consular missions abroad. Nevertheless, it is unclear how the registration was done, because only the consular offices in Drvar and Trebinje³⁹ were mentioned in the official notifications of the application for voting on the pages of the embassy in Sarajevo and the consulates in Mostar and Banja Luka. It is therefore uncertain how the citizens of Serbia were supposed to register to vote in Višegrad, Doboj, Bijeljina, Zvornik, Bratunac and Prijedor if there was no notification that the voting would take place in these places. Elections in these six places in Bosnia and Herzegovina were not held in the diplomatic and consular missions of Serbia, but in secondary and primary schools (four), the cultural centre (one), and the premises of the city administration (one). Although elections abroad are sometimes held outside the diplomatic and consular missions, this is not a well-established practice, so it is also surprising that in fact most polling stations in Bosnia and Herzegovina were designated in this way.

Such forms of registration for voting abroad in different countries could be related to the political affiliation of voters in previous elections. In the 2017 presidential elections, in 17 countries where polling stations were not open due to the small number of applications in 2020 (right part of Table 4), the ruling party's candidate won 12 percent of the vote, while in three countries where the number of polling stations increased because Aleksandar Vučić received about 60 percent of the votes (Bosnia and Herzegovina, Russia and Croatia). On the other hand, the decision to open almost five times more polling stations in Bosnia and Herzegovina indicates a possible motive to allow more voters to vote without the need to travel longer, which encouraged higher voter turnout abroad.

The CRTA recommends to liberalise the opening of polling stations abroad, i.e. to enable as many citizens as possible to exercise their voting right, in which the first step would be to stop conditioning the opening of polling stations in the diplomatic and consular missions with the number of registered voters. However, selectively facilitating voting in some countries, while maintaining restrictive rules for other countries, is not a practice that should be perpetuated, because such actions of the election administration put Serbian citizens abroad in an unequal position.

4.6. Oversight institutions and bodies

4.6.1. Regulatory Authority of Electronic Media

For the first time since the 2014 parliamentary elections, the Regulatory Authority of Electronic Media (REM) has systematically monitored media coverage, with weekly reports reporting on key findings on candidates' representation in the election programme. However, the REM's selective publication of the collected data contributed to the fact that the representation of individual lists shown in the REM reports does not correspond to the total media coverage of the representatives of these lists in the programmes of media service providers. As a positive development in the work of this independent body, the rapid reaction of the REM Council regarding the requests for opinions, as well as the fact that, albeit in a limited number of cases, the failure to ensure non-discriminatory representation has been recognised as a basis for issuing reprimands and warnings. On the other hand, the lack of prompt handling of reports and the lack of initiative to initiate proceedings ex officio remain a concern. Nevertheless, the most significant problem in the work of this institution in relation to the election process is the fact that by passing inadequate by-laws, the REM failed to contribute to equalising the chances of election participants, primarily by not regulating reporting on the activities of officials who are candidates or prominent representatives of electoral list submitters in programmes that do not belong to the pre-election programme.

³⁹ Notices on the website of the Embassy in Sarajevo (bit.ly/2C3QKbj), GK Banja Luka (bit.ly/30vPgA0) i Mostar (bit.ly/2XA0yj4).

4.6.1.a. Activities

During the election campaign, the REM Council adopted eight weekly reports on the oversight over media service providers, which included only data on the quantitative representation of actors, many of whom are not participants in the campaign. Representation was observed only within the pre-election programme, while the appearances of officials at various types of events in which they promoted their work so far within the information programme remained outside the scope of REM oversight.

During the campaign, the REM received 15 citizens' complaints. Until the day of concluding this report, the REM Council decided in two cases that there was no place to initiate the procedure of imposing measures, while in four cases it finalised procedures initiated after consideration of complaints. By these decisions, two procedures were suspended, one procedure ended with a remonstrance and one with a warning. The proceedings against TV Kopernikus were suspended due to the fact that the media service provider stopped broadcasting the controversial show "Keep in touch with Đuka", despite the fact that the Council determined that the broadcast of the show authored and hosted by a party high official violated the Rulebook on the protection of human rights in the field of media services.⁴⁰ The procedure of imposing measures against RTV Novi Pazar, initiated due to the appearance of officials in the pre-election programme, was also suspended. A remonstrance was imposed was issued to RTV Studio B in a procedure initiated on the basis of a report indicating that the media service provider during the election campaign broadcast statements of five Serbian Progressive Party officials who linked opposition leaders in the boycott with the criminal milieu, while they did not provide the other party with possibility to express themselves on the allegations.⁴¹ In this case, the REM found that on that occasion, the media service provider indirectly favoured one political option and thus violated its obligation to ensure that all participants in the elections be represented without discrimination during the campaign.⁴² Finally, a warning measure was issued to RTV Pančevo because during the campaign, officials were allowed to promote political entities in their official capacity on several occasions in the programme of this television.⁴³

Data on decisions made in the remaining proceedings have not been made available on the REM website until the date of conclusion of this report.

During the campaign, REM ordered media service providers to suspend broadcasting of two pre-election advertisements. Due to the violation of the ban on the use of minors' participation in the programme for political purposes, REM ordered the suspension of the broadcast of the video of the electoral list "Aleksandar Vučić – For our children". In addition, REM suspended on two occasions the broadcast of an advertising message promoting a boycott of the election. The decision was first reasoned by stating that the sentence "The only way not to vote for Vučić is not to vote at all" indirectly discriminates against someone's political beliefs, and that in the same sentence, the personal property of President Vučić was used without his consent. After the advertiser corrected the advertisements, and changed the controversial sentence to "The only way not to vote for the regime is not to vote at all", the REM again ordered that this advertisement not be broadcast, taking the position that only declared electoral lists had the right to political advertising during the election campaign.

On the other hand, the REM did not recognise that the principles of legality and use of permitted means in advertising were violated by broadcasting videos of the electoral list "Aleksandar Vučić – For our children" which show employees in a public company, i.e. in a public institution, in their workplace, wearing official uniforms, promote the electoral list, although in the case of the same videos, another institution – the Anti-Corruption Agency – determined

⁴⁰ Regulatory Authority of Electronic Media, Decision number 07-821/20-7 dated June 10th, bit.ly/2X9IEVW

⁴¹ Complaint against RTV Studio B dated May 26th 2020, bit.ly/3gbJeKk

⁴² Regulatory Authority of Electronic Media, Decision number 07-978/20-5 dated June 26th 2020. bit.ly/2X9IEVW

⁴³ Ivana Predić, REM issued a fourth warning measure to TV Pančevo, Panpress, September 18th, 2020. bit.ly/3koOsDW

that this was an illegal way of political promotion. In this way, the REM contributed to the fact that the Agency's decision, in the end, did not result in termination, but in the continuation of the started promotion.

4.6.2.b. Media monitoring and the Regulatory Authority of Electronic Media

During the election campaign, the REM Council adopted eight weekly reports on the oversight over media service providers during the election campaign prepared by the Regulatory Administrative and Professional Service. The methodology on the basis of which the REM prepared its reports remained unknown, despite the fact that the CRTA observation mission officially requested its submission from the Regulator. The findings of the monitoring of media service providers' programmes published by the REM in its weekly reports during the election campaign create an image of a uniform media representation of campaign participants. Nevertheless, in its reports, the REM presented only the quantitative representation (in seconds and percentages) of actors in the election programme, stating only the time at which election actors appear as subjects (when speaking or presenting themselves). The reports do not show the electoral actors who appear as objects (who are talked about, and who do not have the opportunity to speak or present themselves in the first person). Monitoring did not include tonality, which means that both positive and negative representation had equal value.

In addition to political subjects who had electoral lists proclaimed, and who according to the Law on Electronic Media had the right to representation without discrimination during the election campaign, the REM included in its reports the time that belonged to election analysts, but also the time dedicated to political actors who boycotted the elections. The time devoted to actors who had electoral lists proclaimed was measured exclusively within the pre-election programme, while the appearance of officials, who are at the same time representatives of the subjects who had electoral lists proclaimed, when they were presented in their official capacity, was not included in REM reports.

Still, during the campaign it was pointed out to the public that the REM did not present in its weekly reports all the data collected by this body's Administrative and Professional Service. From a statement given to the CINS reporters by Slobodan Cvejić, a member of the REM Council, the public was able to find out that the Service differentiated contents and reported only when officials talked about the elections, political opponents, their political programmes, and that the time was measured when they acted as officials as well as the tone (if the parties and their representatives were represented negatively, positively or neutrally), but that the REM did not have the capacity to process and publish this data on a weekly basis.⁴⁴ At the same time, Cvejić expressed the expectation that after the end of the elections, a report including all the collected data would be published, but this did not happen until the day of the conclusion of this report.

4.6.2.c. Analysis of the actions of the Regulatory Authority of Electronic Media upon complaints

In the period before the elections were announced, the CRTA observation mission submitted two complaints to the REM. One complaint was filed against TV Novi Pazar due to the covert advertising of a political entity. Considering this complaint, the REM issued a decision ordering this media service provider to comply with the Law, but did not initiate the procedure of imposing measures. In the same period, complaints were filed against TV Šabac for political advertising outside the election campaign. In this procedure as well, the Council decided that there was no place for imposing measures.

During the election campaign, our observation mission submitted twelve complaints to the REM. Until the conclusion of this report, having considered CRTA's complaints, the REM issued one remonstrance and one warning, in one case

⁴⁴ Vladimir Kostić and Jovana Tomić, REM does not publish all monitoring data, CINS, June 2nd, 2020. bit.ly/36xg7iH

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a decision was made that there was no place for imposing measures, the proceedings regarding two complaints were suspended, while the other proceedings were not completed.

Two complaints were submitted indicating the use of names, logos and activities, as well as the use of the reputation of public companies and institutions for the purpose of political advertising in advertising messages that were broadcast in the programmes of numerous media service providers. In the area of political advertising, our observation mission also filed a complaint against TV Pink for broadcasting “leased terms” longer than foreseen for commercial media service providers within one-hour advertising, believing that this practice privileged more financially powerful election participants.

The CRTA observation mission submitted to the REM nine more complaints against six media service providers (TV Happy, TV Pink, TV Pančevo, RTV Studio B, B92 and RTV Novi Pazar), because during the reporting period they broadcast content that violated the principle of non-discrimination of election campaign participants. Out of these, eight complaints referred to contents that gave privileged treatment to state and local officials who are at the same time candidates on electoral lists or prominent representatives of parties that have proclaimed electoral lists.⁴⁵

Due to biased reporting during the campaign, the complaint was filed against RTV Studio B. In this particular case, the media service provider broadcast statements by five Serbian Progressive Party officials who linked opposition leaders in the boycott with the criminal milieu, while they did not provide the other party with possibility to express themselves on the allegations. In this case, the REM found that on that occasion, in addition to violating the “rights of the other party” referred to in article 8 of the Rulebook on the protection of human rights in the field of media services, the media service provider indirectly favoured one political option and thus violated its obligation to ensure that all election participants are represented without discrimination during the campaign.⁴⁶ Based on two complaints filed by the CRTA against TV Pančevo,⁴⁷ which referred to the promotion of political entities by officials who were shown in the programme in their official capacity, the REM consolidated the procedure and issued a remonstrance to this television. The remonstrance and warnings issued during this election campaign are the first measures since 2016 that the REM imposed on media service providers for violating the principle of non-discrimination in the election program.⁴⁸

The REM Council decided that there was no place to initiate the procedure of imposing measures against TV Pink due to the promotion of the electoral list that Maja Gojković carried out as a guest in the news programme in her capacity as the Speaker of the National Assembly.⁴⁹ The procedures for imposing measures initiated on the occasion of two reports of the Line, which referred to the promotion of electoral lists by officials in the pre-election program of RTV Novi Pazar, were suspended, although the REM Administrative and Professional service concluded that the content was inconsistent commercial media service providers on ensuring non-discriminatory representation during the election campaign.⁵⁰

The REM also acted on two requests for opinions submitted by the representatives of the CRTA. One of the requests referred to the commercials of the list “Aleksandar Vučić – For Our Children” which show employees in a public company, i.e. in a public institution, in their workplace, wearing official uniforms, promote the electoral list, although in the case of the same videos, another institution – the Anti-Corruption Agency – determined that this was an illegal way of political promotion. The REM did not find that this way of advertising was contrary to the provisions of the

⁴⁵ Contents of the CRTA’s complaints are available at the link: crta.rs/crtine-prijave

⁴⁶ Regulatory Authority of Electronic Media, Decision number 07-978/20-5 dated June 26th, 2020, bit.ly/2X9IEVW

⁴⁷ Complaints in question are available at the following links: bit.ly/2ZMvPSw and bit.ly/2ZNoORJ

⁴⁸ Regulatory Authority of Electronic Media, Decisions from the 219th ordinary session of the Regulatory Council, September 16th, 2020, bit.ly/3caq9XC

⁴⁹ Regulatory Authority of Electronic Media, Minutes of the 382nd extraordinary session, page 8. bit.ly/3cItNOC

⁵⁰ *Ibid*, page 10-12.

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Law on Advertising and thus enabled, despite the decision of the Anti-Corruption Agency, the initiated promotion to be continued.⁵¹

Acting on the request for an opinion requested by the CRTA observation mission regarding actors who are allowed to advertise politically during the campaign under current regulations, and on the occasion of broadcasting videos of an unknown advertiser calling on voters to boycott, the REM informed the applicants that during the election campaign only proclaimed electoral lists have the right to advertise.⁵² Nonetheless, the REM did not order the suspension of video broadcasting because the advertiser did not have a proclaimed electoral list, but because the sentence “The only way not to vote for Vučić is not to vote at all” indirectly discriminates against someone’s political beliefs and because in the same sentence the personal property of President Vučić is used without his consent.⁵³ Only after the advertiser corrected the advertisements, and changed the controversial sentence to “The only way not to vote for the regime is not to vote at all”, the REM reacted again ordering the broadcasters to stop broadcasting these clips until “it is established whether the advertiser is an electoral list proclaimed by the REC that has the right to advertise, or the advertiser is not an entity that has the right to political advertising during the election campaign”.⁵⁴

4.6.2. Anti-Corruption Agency

Compared to the previous election process, there have been noticeable improvements in the field of transparency in the work of the Anti-Corruption Agency.⁵⁵ Greater transparency is ensured by improving the legal norms that the Agency applies in its work during the election campaign, as well as by publishing decisions on the Agency’s website within the short deadlines provided by law. It can also be stated that the Agency acted proactively, which is reflected in the timely publication of statements related to the interpretation of the law, additional instructions on how political entities should behave during the election campaign, as well as reminders of legal obligations of actors in the election process.

Regarding violations of the law in the election campaign, the Agency made available to the public on its website a total of 35 decisions, out of which 31 decisions related to complaints against political entities for possible violations of the Law on Financing Political Activities (25 decisions determining that complaints were unfounded and six decisions establishing that the law had been violated) and issued four warning measures to political entities, and a request for initiating misdemeanour proceedings for violation of the law that should be filed against two political entities. The remaining four decisions refer to complaints against public officials for possible violations of the the Anti-Corruption Agency Act, imposing four measures of public announcement of recommendations for dismissal of officials. It should be emphasised that in a large number of cases, the Agency has made a decision that complaints against officials for violating the Anti-Corruption Agency Act are unfounded, but they have not been made public, since there is no legal obligation to publish them.

Despite the decisions and their publication on the Agency’s website within the legally prescribed deadlines, in this election campaign numerous examples of public officials’ campaigning and misuse of public resources by both officials and political entities remained unpunished, due to certain inconsistencies in the Agency’s actions, which are reflected primarily in the uneven application and disputed interpretations of legal provisions in deciding on the submitted complaints. Even in cases where the law was found to have been violated, the Agency showed inconsistency in imposing sanctions on various political entities.

⁵¹ Regulatory Authority of Electronic Media, Official letter 07-1207/20-2 dated June 15th, 2020. bit.ly/31ewvL

⁵² Regulatory Authority of Electronic Media, Official letter 07-1070/20-2 dated June 12th, 2020. bit.ly/2UO41L3

⁵³ Regulatory Authority of Electronic Media, The Council’s statement, dated June 12th, 2020. bit.ly/3k6slDe

⁵⁴ Regulatory Authority of Electronic Media, Minutes from the 5th emergency session of the Council, June 16th, 2020. bit.ly/2DuGRnr

⁵⁵ Anti-Corruption Agency changed its name to the Agency for the Prevention of Corruption on September 1st, 2020. As this report refers to the period before this change, the old name is being used.

4.6.2.a. Activities of the Anti-Corruption Agency

The Anti-Corruption Agency (the Agency), as an autonomous and independent state body, has a significant oversight role in the election process. On the one hand, by applying the provisions of the Law on Financing Political Activities, it monitors the legality of financing political entities during the election campaign, and on the other hand, by applying the provisions of the Anti-Corruption Agency Act, during the campaign, controls the behaviour of public officials who are also members of certain political parties. Amendments to the aforementioned laws made in December 2019 specified the terms of the election campaign and introduced short deadlines for acting on complaints filed by natural and legal persons during the election campaign. Although the amendments to the law were made only a few months before the elections, which is contrary to international standards in the field of electoral legislation, it should be emphasised these were mostly just adopted recommendations advocated for many years by the CRTA and other civil society organisations dealing with elections observation and improving electoral legislation. It should be pointed out that not all recommendations were adopted this time either, the most important being the complete ban on public officials campaigning, financial transfers from public sources to citizens in the election campaign, as well as the use of funds from public sources by political entities to finance the election campaign. Of course, the question remains whether the election rules would have been improved to this extent if there had been no pressure from the international community due to the announced boycott of the elections by the largest opposition parties.

Noticeably, the Agency played a much more active role in this election campaign than in all previous election cycles. The Agency has formed a special section on its website called "Election Campaign 2020"⁵⁶, and within that section, four categories have been singled out: Statements, Election Campaign Observation, Agency Decisions on Applications, and Gallery. The Agency also informed the public on March 10th, 2020, that the observers of the election campaign hired by the Agency started working in the field. No data on the results of the work of observers and methodology have been made available until the conclusion of this report.

4.6.2.b. Statements of the Anti-Corruption Agency

During the election campaign, the Agency issued a number of statements informing the public, political entities and public officials about the most important actions taken by the Agency, as well as the legal obligations of officials and political entities and the actions of these entities violating applicable regulations. Furthermore, the Agency published basic information on the observation of the election campaign, which is conducted as an auxiliary mechanism in the process of controlling the financing of political activities in the election campaign.

So far, the agency has published a total of eight statements⁵⁷ related to the behaviour and work of political entities during the election campaign. The first statement refers to the financing of the election campaign and it explains in more detail the basic concepts from the Law on Financing Political Activities, such as: sources of funds (funds from public sources and funds from private sources), opening a special account for financing the election campaign and election guarantee. Other statements refer to pointing out to political entities participating in the election campaign the obligation to appoint an authorised person in a political entity, i.e. pointing out to political entities the legal definition of contributions and the maximum allowed value for election campaign expenses for individuals and legal entities. The Agency informed the political entities that they are obliged to open and use a special account in order to raise funds for financing a certain election campaign, as well as to pay all costs related to the same election campaign, and the procedure for opening an account was further explained. The case of opening a special account for the purpose of the election campaign when it comes to local elections was especially emphasised. Political entities were also provided with information related to the maximum values of benefits for the upcoming elections, which were determined on the basis of the law and the data on average monthly earnings in 2019 of the Republic Statistical Office.

⁵⁶ The Anti-Corruption Agency, 2020 election campaign, www.acas.rs/izborna-kampanja-2020/

⁵⁷ Anti-Corruption Agency, Statements. www.acas.rs/saopstenja/?pismo=lat

The special statement referred to the way in which political parties conducted the election campaign on social networks, which intensified as a consequence of the situation caused by the COVID-19 virus, which was determined on the basis of reports from Agency observers and complaints submitted during the campaign. The Agency appealed to political entities and holders of public office to act responsibly and pointed out the possibility of sanctions if it finds that the publication of certain content violated the law. The Agency especially warned all actors that the political promotion of the subjects participating in the elections, from websites, accounts and through funds owned by state bodies, is an abuse of public resources. The agency called on officials and political entities to respect election regulations, as well as to behave responsibly towards citizens, which is reflected in the proper use of social networks and applications. In a recent statement, the Agency points out to political entities that the distribution of promotional material in the form of food packages, or basic hygiene items, is not provided for in the Law on Financing Political Activities.

A special segment of the Agency's statement referred to the observation of the election campaign by observers hired by the Agency. The Agency issued a total of nine statements, most of which referred to the period before the official start of the election campaign, and those statements primarily refer to the training of observers. After the start of the election campaign, the Agency issued two statements. With the first statement published on March 10th, 2020, the Agency informed the public about the beginning of the monitoring of the election campaign in the field and about the type of observers (field observers and coordinators). Nevertheless, no data on the results of the work of observers and methodology were made available until the conclusion of this report. In another statement regarding this area, the Agency informed the public and political entities about the purpose of monitoring and the number of observers, and at the end of the statement it appealed to political entities, competent bodies and other participants in the election process to enable observers to do the jobs they were hired to do.

4.6.2.c. Decisions of the Anti-Corruption Agency

The Agency published the decisions made on complaints about violations of the law in the election campaign on its website.⁵⁸ A total of 35 decisions were published, out of which 31 decisions related to complaints against political entities due to possible violations of the Law on Financing Political Activities, and four decisions related to complaints against public officials due to possible violations of the Anti-Corruption Agency Act.

It should be noted here that, according to the applicable legal regulations, the Agency has the obligation to issue a decision establishing whether the Law on Financing Political has been violated in the election campaign, within five days from the date of receipt of the confirmation that the political entity has been notified of the complaint, as well as to publish that decision on its website within 24 hours of its adoption. On the other hand, when it comes to the procedure in which it decides whether there is a violation of the provisions of article 29 of the Anti-Corruption Agency Act (misuse of public resources by officials) during the election campaign, the Agency decides within five days the day of initiating the procedure *ex officio*, i.e. from the day of receipt of the complaint of a legal or natural person. However, in this case there is no obligation to publicly announce the decision on the Agency's website, except in the case when the Agency finds that the reported official violated the said legal provisions and when it therefore imposes a measure of public announcement of the recommendation for dismissal, but in that case no deadline is prescribed. The law only says that the wording and the summary reasoning of the decision imposing the measure of public announcement of the decision on violation of this law, i.e. recommendation for dismissal, will be published in the "Official Gazette of the Republic of Serbia" and in other media, at the expense of the official. When an official has been issued a measure of public announcement of a recommendation for dismissal, the Agency shall submit an initiative for dismissal of the official to the body that elected, appointed or assigned them. The competent authority shall be obliged to inform the Agency about the measures taken on the occasion of the pronounced measure of public

⁵⁸ Anti-Corruption Agency, Decisions on complaints. www.acas.rs/odluke-agencije-po-prijavama/?pismo=lat

announcement of the recommendation for dismissal, i.e. initiative, within 60 days from the day of publication of the measure.

Having in mind the above, the Agency published decisions in all completed proceedings against political entities for violation of the Law on Financing Political Entities, and based on the review of those decisions, it can be concluded that the Agency issued 25 decisions determining that there were no grounds for deciding on existence of violations of the law, while in only six cases it issued a decision establishing a violation of legal provisions prohibiting the misuse of public resources by political entities in the election campaign, namely: in four cases against the Serbian Progressive Party, whereby the Agency issued three warning measures, and in one case only found a violation of the law, which should lead to the submission of a request to initiate misdemeanour proceedings, as well as in the case when it was determined that the Socialist Party of Serbia – United Serbia coalition violated the law in the local elections in Valjevo so a request for initiating misdemeanour proceedings was submitted against the Socialist Party of Serbia to the competent misdemeanour court. In the last case, it was determined that the group of citizens “New people for a better Topola” violated the ban on the misuse of public resources in the election campaign for the local elections in Topola, which is why the Agency issued a warning measure.

Regarding the four published decisions establishing the violation of the provisions of article 29 of the Anti-Corruption Agency Act and imposing a measure of public announcement of the recommendation for dismissal from public office, they were issued in proceedings in which it was established that the following officials misused public resources: Đorđe Milanović, director of the Public Company Waterworks of Valjevo (“Vodovod”), and candidate for mayor on the electoral list of the Socialist Party of Serbia – United Serbia coalition in Valjevo, Zoran Stepanović, acting director of the Public Heating Company (“Toplana Valjevo”), and the candidate in the election coalition in the local elections in Valjevo, Radovan Uverić, the mayor of Novi Kneževac and a member of the Serbian Progressive Party, and Nebojša Zelenović, the mayor of Šabac and the president of the political party Together for Serbia. Decisions establishing that reported officials did not violate the law during the election campaign were not made public, which can be justified by the fact that there is no legal obligation to publish them.

Inspecting the published decisions, it can be concluded that they do not state who the complainants are. It should be noted that certain violations of the law were reported by different natural or legal persons, and the Agency conducted a single procedure and made a single decision on these complaints filed by different complainants.

On July 13th, 2020, the CRTA sent the Agency a request for access to information of public importance requesting information on the Agency’s actions in all proceedings initiated during the election campaign due to violations of the Anti-Corruption Agency Act and the Law on Financing Political Activities, both in those initiated ex officio and in those initiated on the basis of complaints from natural or legal persons. On September 21st, 2020, the Agency informed the CRTA that in the stated period, it had received a total of 39 complaints from natural and legal persons in connection with the election campaign. Four complaints, one against the Movement for the Restoration of the Kingdom of Serbia and three against the Serbian Progressive Party, did not relate to circumstances indicating a violation of the provisions of the Law on Financing Political Activities during the election campaign, and the complainants were notified thereof. According to other submitted complaints, 32 procedures were initiated and 31 decisions were made. These decisions were published on the Agency’s website. At the same time, the Agency pointed out to the CRTA that the three complaints against the Socialist Party of Serbia – United Serbia coalition Valjevo referred to the same factual situation, which is why the Agency issued one decision. Also, two complaints against the Serbian Progressive Party referred to the same factual situation, which is why the Agency issued a decision. In addition to the above, the Agency informed the CRTA that the procedure for reporting against the coalition “Nebojša Zelenović - Šabac is ours” is underway, because the conditions for decision-making in terms of Article 35, paragraph 6 of the Law on Financing Political Activities have not yet been met. Furthermore, the procedure initiated by the Agency ex officio against the Serbian Progressive Party is pending. At the end of the official letter, it is stated that the Agency filed a request against the Socialist Party of Serbia and Bojan Bošković as the responsible person to initiate misdemeanour proceedings for violating the provisions of the Law on Financing Political Activities during the election campaign.

4.6.2.d. Analysis of the actions of the Anti-Corruption Agency following the complaints

The CRTA observation mission submitted a total of 22 complaints to the Agency for suspected violations of the law during the election campaign, comprising 20 situations in which the provisions of the Anti-Corruption Agency Act (misuse of public resources by public officials) and 18 situations in which the provisions of the Law on Financing of Political Activities (misuse of public resources by political entities and other violations of that law).

Out of 20 reported situations in which violations were committed by public officials (the Anti-Corruption Agency Act), the Agency decided in 11 that there were no grounds to initiate proceedings to decide on the existence of a violation of the law, i.e. that the reported official had not violated the law. In three cases, the Agency issued a decision imposing a measure of public announcement of the recommendation for dismissal of the following officials: Đorđe Milanović, director of the Public Company Waterworks of Valjevo (“Vodovod”), and candidate in the local elections of the Socialist Party of Serbia – United Serbia coalition in Valjevo, Radovan Uverić, the mayor of Novi Kneževac and a member of the Serbian Progressive Party, and Nebojša Zelenović, the mayor of Šabac and the president of the political party Together for Serbia. The procedure following six complaints is still pending, i.e. the CRTA has not yet been informed about the outcome of the procedure. All decisions imposing the measure of public announcement of the recommendation for dismissal of an official were published on the Agency’s website and in the official gazettes of the Republic of Serbia and of the local self-government in which the official performs his public function, the legal obligation being thus fulfilled. At the same time, the Agency has no obligation to publicly announce other decisions in this area.

Out of 18 initiated proceedings based on complaints about suspected violations of the law by political parties and party coalitions (Law on Financing Political Activities), the Agency found in 12 cases that there were no grounds for deciding on the existence of a violation, while in five cases it found that there was a violation of the law, and in one complaint the procedure is still pending, due to problems with submitting a complaint for a statement to the authorised person of the political entity.

As for the CRTA’s complaints due to the violation of the Law on Financing of Political Activities, i.e. the misuse of public resources by political entities in the election campaign, the Agency acted on all complaints, and made decisions within the legally prescribed deadline. The only exception is the procedure against the Coalition Nebojša Zelenović – Together for Serbia, since the Agency failed to submit a request for a statement to Milan Vasić, an authorised person of the Coalition, and this was published on the Agency’s website.⁵⁹

The Agency found that the Serbian Progressive Party in four cases, and the coalition Socialist Party of Serbia - United Serbia in one case acted contrary to the provisions of Article 23 of the Law on Financing Political Activities, i.e. that they misused public resources for their own promotion during the election campaign.

Despite the timely decision-making on complaints and their public announcement, certain inconsistencies were recognised in the Agency’s actions, as well as controversial interpretations of legal provisions that were applied when deciding on certain complaints. In three situations, in which it determined that there was a violation of the law, the Agency issued a warning to the Serbian Progressive Party, while at the same time it submitted a request for initiating misdemeanour proceedings against the Socialist Party of Serbia, which is a stricter sanction. Considering that the CRTA’s complaints referred to videos that both parties recorded in the premises of public institutions, which represents the misuse of public resources, the Agency showed inconsistency in decision-making and imposition of measures. Only after issuing three warning measures to the Serbian Progressive Party, in the fourth procedure, the Agency issued a decision⁶⁰ establishing that the Party acted contrary to the provisions of Article 23 of the Law on

⁵⁹ bit.ly/2SawKrJ

⁶⁰ bit.ly/30miSiL

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Financing Political Activities, but did not issue a warning measure. The Agency is therefore obliged to initiate misdemeanour proceedings against the Serbian Progressive Party before the competent misdemeanour court.

Moreover, the reason why the Agency needed more than six months to decide on the complaint referring to the public officials campaigning and the abuse of public resources that the CRTA filed against the Prime Minister Ana Brnabić in December 2019, which it rejected as unfounded, remains unknown. The CRTA received the notification on the outcome of this procedure only in June 2020.

4.6.3. Oversight Committee of the National Assembly of the Republic of Serbia

4.6.3.a. Competence of the Oversight Committee

The Law on the Election of Members of the Parliament stipulates that in the procedure of conducting the elections, general oversight over the actions of political parties, candidates and the media during election activities shall be carried out by the Oversight Committee.

The Oversight Committee is a body with ten members, half of whom are appointed by the National Assembly of the Republic of Serbia on the proposal of the Government of the Republic of Serbia, and the other half on the proposal of parliamentary groups from the ranks of prominent public officials, provided that they are not members of political parties that participate in the elections.⁶¹

The responsibilities of the Oversight Committee include: monitoring pre-election activities and irregularities, media control related to providing equal conditions for the representation of candidates and list holders, proposing measures to respect the equality of participants, protecting the moral integrity of candidates and warning of actions that jeopardise the election campaign. If any participant of the electoral campaign behaves in such a way to incite violence, or spread national, religious or racial hatred, or encourage gender inequality, the Oversight Committee shall initiate the procedure before relevant state authorities.⁶²

In the run-up to the 2020 elections, the Oversight Committee was appointed in December 2019, for the first time since the December 2000 parliamentary elections.

4.6.3.b. Activities of the Oversight Committee

After being formed in December 2019, the Oversight Committee held a total of six sessions: one immediately before the calling of the elections and five during the election campaign period. Most of the Committee's activities were related to issues referring to the functioning of this body: election of the Chairperson, adoption of the Rules of Procedure, familiarisation with the regulations and the manner of its own work, as well as the duration of the Committee's mandate. In addition, the Committee considered the reports of the Regulatory Authority of Electronic Media on the oversight of media service providers during the election campaign, but there is no information on the Committee's conclusions regarding the considered reports. The last statement of the Committee announced the preparation of a detailed report on the election campaign.⁶³

4.6.3.c. Analysis of the actions of the Oversight Committee following the complaints

The Oversight Committee considered the objection of the Coalition for the Restoration of the Kingdom of Serbia, filed due to uneven representation of this coalition in the RTS programme in comparison to other political entities

⁶¹ Article 100 of the Law on the Election of Members of the Parliament.

⁶² Article 101 of the Law on the Election of Members of the Parliament.

⁶³ National Assembly of the Republic of Serbia, Statement of the Oversight Committee, June 19th, 2020. bit.ly/3gpSBpR

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participating in the elections, and recommended that the Public Media Service ensures equal representation without discrimination to all participants in the elections and concretely to the Coalition for the Restoration of the Kingdom of Serbia, bearing in mind the importance of political parties and candidates, i.e. the importance of the events in which they participate.⁶⁴

The Committee also considered the requests for pointing out irregularities in the conduct of the election procedure submitted by Transparency Serbia,⁶⁵ which pointed out the irregularities in the presentation of certain electoral lists on social networks. Considering the allegations of the request, the Committee concluded that it is not responsible for monitoring the campaign on social networks, i.e. that “such a way of representing political parties and candidates is not within the competence of the Oversight Committee.”⁶⁶

Having in mind the authority emanating from the Law on the Election of Members of the Parliament, we can say that the work of the Oversight Committee was insufficiently transparent and that it engaged the minimum of its powers. It is not known whether the Committee initiated certain proceedings, nor what the outcomes of reviewing certain complaints submitted by election actors were. Until the conclusion of this report, it remains unknown when the Committee will publish the report on the election campaign, or whether this document is being drafted at all.

⁶⁴ National Assembly of the Republic of Serbia, Minutes of the Fourth Session of the Oversight Committee dated June 5th, 2020. bit.ly/2Y0rDy7

⁶⁵ National Assembly of the Republic of Serbia, Statement of the Fifth Session of the Oversight Committee. bit.ly/2MZqn85

⁶⁶ Transparency Serbia, “Presidential elections for the Assembly of Serbia”, page 86, June 2020. bit.ly/30mF9x8

5. ELECTION CAMPAIGN

5.1. Key findings

The basic findings of the long-term observation of the election campaign, conducted by a team of 120 long-term CRTA observers in the field, throughout Serbia, showed that this campaign took place without clear policy programmes and plans, and that the way the ruling majority communicated with voters gave them the impression of campaigning for the presidential elections instead of the parliamentary ones. The lists of the ruling parties were twice as active in conducting promotional activities in relation to the opposition lists, while there was no significant campaign in the field for the boycott of the elections by the opposition, that opted for this type of political struggle. The state of emergency and the break in election activities for more than 50 days were reflected in the dynamics of the election campaign, conditioned by the adopted measures of social distancing and the monitoring of the coronavirus spreading in the country. This has led to a reduction in field activities and the absence of large gatherings and rallies, characteristic of election campaigns, in most electoral lists. During the election campaign, new models of influencing voters were noted, especially through direct contact of citizens by phone and mail, with potential misuse of public resources.

In the campaign period after the state of emergency, the CRTA observers noted that the coronavirus topic, together with the activities carried out by the state during the state of emergency, appeared in promotional activities, mainly in those of the ruling parties. In spite of international organisations' recommendations urging political actors to refrain from shaping up their campaigns on the COVID-19 topic, as it can be treated as another form of abuse in the form of misappropriation of state results for party propaganda purposes, promotional videos and field activities using this topic were present in the communication with voters.

The election campaign was marked by a significant intensity of activities of public officials, from national to local, which became more frequent as the Election Day approached. Official visits of public officials to places in Serbia primarily served to open additional media space for the government. Moreover, there have been cases of abuse of public office and public resources, when officials openly promoted the electoral lists of government parties and invited voters to vote for them in elections. Based on cases of open abuse of public office and public resources, the CRTA observation mission filed complaints with the Anti-Corruption Agency, against public officials and political parties.

Clientelistic strategies, based on various forms of material incentives or threats, which political parties, primarily the ruling ones, used to influence the behaviour and electoral will of voters have stabilised and become more frequent as the Election Day approached. For one vote-buying case, the CRTA observation mission filed a criminal complaint, while observers across Serbia noted numerous allegations of bribery and election corruption. Our observers also noted allegations of pressure on voters in more than 40 cities and municipalities in Serbia. The data collected show that pressure on voters was most often carried out in order to collect signatures in support of the lists for participation in the elections, in most cases with threats of dismissal or loss of state aid. In addition to pressure on voters, our observers also reported pressure on political actors, which included several incidents of physical attacks on party activists and party premises.

5.2. Observation methodology

In the period from February 10th to the Election Day on June 21st, 2020, 120 long-term observers were deployed in all regions in Serbia in order to observe the election campaign in the field, with the exception of the period when the election process was suspended due to the state of emergency.

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The methodology of long-term observation included daily data collection on ways of presenting election actors to voters throughout Serbia, frequency of communication and placement of promotional contents, types of messages, content of election programmes prepared by political actors, and key topics in the campaign. In addition to the course and contents of activities carried out during the election campaign, observers of the CRTA monitored and reported on the occurrence of anomalies, i.e. irregularities and abuses in the election campaign, in the following categories: clientelism, vote buying and pressure on voters, misuse of public resources, public officials' campaigning and abuse of public office, pressure on political actors. The observation unit was an event that took place in a certain town in Serbia, which represented a promotional election activity or another activity of a political actor. The observation methodology implied an equal focus on monitoring the behaviour of the ruling parties, the opposition parties, as well as the opposition parties that decided to boycott the elections, as well as the representatives of these three groups of political actors. Moreover, the observation included monitoring the activities of all public officials and holders of other public functions who were directly elected, both at the national, provincial and local levels. The activities of the holders of public functions that were in the focus of observation included every field trip of theirs where they addressed the voters directly, or indirectly, through local media or other communication channels.

The observation included 1,051 places in Serbia with more than one thousand inhabitants, according to the data of the Statistical Office of the Republic of Serbia, which, according to the estimate of the CRTA observation mission, covered almost 88 percent of the population of Serbia. Each observer was assigned a certain number of places, grouped into one observation zone, which the observer monitored daily with a mandatory field trip at intervals of two weeks until a state of emergency was declared. In the second part of the campaign, field visits were not conducted in May, but restarted in June, when all coronavirus protective measures were ensured by the CRTA observation mission, including masks, gloves and disinfectants, and the rules of social distancing and outdoor and indoor gatherings were respected.

Observation related to events that the observer reported on the basis of one or more elements present – electoral communication, anomaly, i.e. abuse, or a combination of these elements in one event. From March 4th to June 21st, observers submitted nearly 7,000 reports based on the data collected. For the purposes of data collection and verification, observers made three tours of the territory of Serbia, i.e. visited all places included in the observation.

5.3. Communication with voters

Communication with voters is one of the basic and regular activities of political parties, which is particularly intensified during the election campaign. The parties use different ways and channels of communication in order to reach the voters and convey their messages to them. Throughout Serbia, the CRTA observers collected information on the types and channels of communication that the parties use in the field, the messages they convey and the topics they tackle.

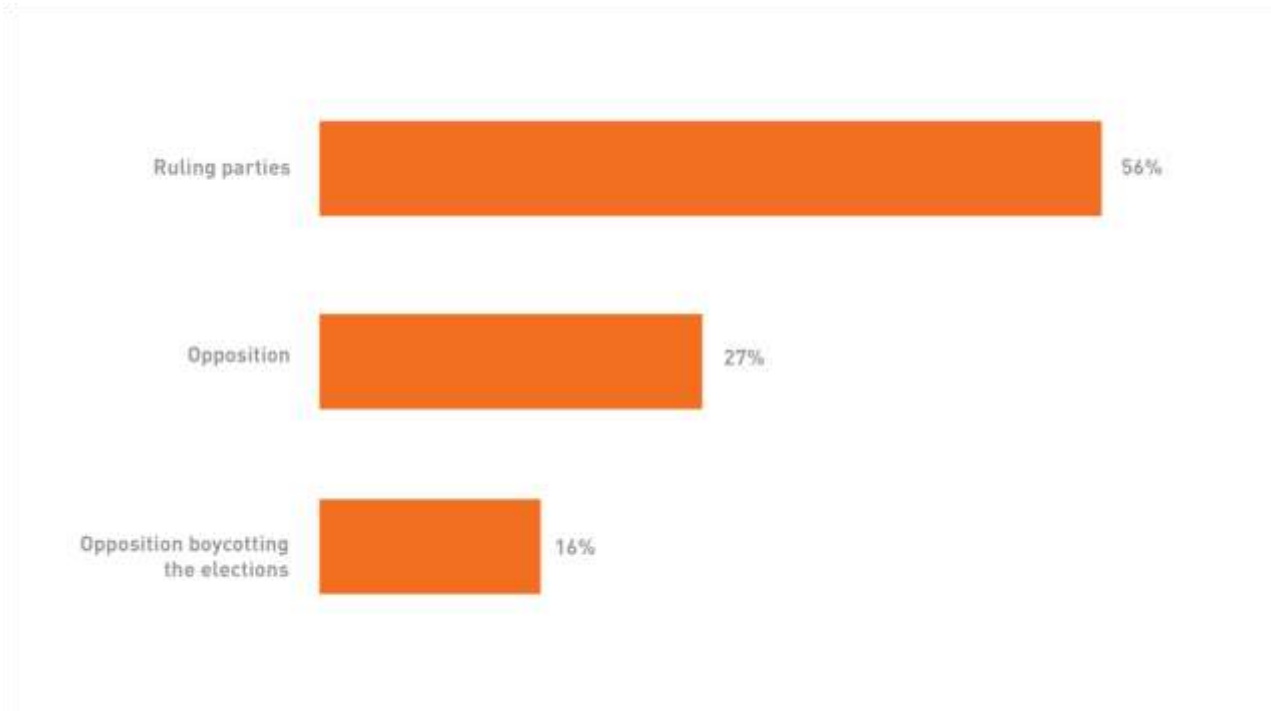
During the campaign, it was noted that government parties communicated significantly more intensively with voters than opposition parties. Nearly two-thirds of the promotional activities recorded from March 4th to June 21st were organised by the ruling parties (Chart 2).

The political party that communicated the most with the citizens during the campaign for the parliamentary elections in 2020 was the Serbian Progressive Party. Out of the total number of promotional party activities recorded by the CRTA observers during the campaign for the 2020 parliamentary elections, the share of promotional activities of the Serbian Progressive Party was almost 40 percent, while the share of the Socialist Party, the second most frequent party, was 13 percent. Among the opposition parties that participated in the elections, the most active were the Movement for the Restoration of the Kingdom of Serbia with four percent, followed by the Serbian Radical Party and "Broom 2020" (Metla 2020) with three percent each, followed by the Vojvodina Front, Enough is enough and the

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Movement of Free Citizens with two percent participation in the overall election promotion was enough. The remaining opposition actors who went to the polls had less than one percent of the recorded activities by the CRTA observers.

Chart 2. Promotional activities of the ruling parties during the campaign are twice as present as the promotional activities of the opposition and almost four times more present than the activities of the opposition boycotting the elections



When it comes to the geographical representation of promotional activities of political actors during the election campaign, communication with voters was most pronounced in Vojvodina and Western Serbia, followed by Belgrade (Chart 5). Eastern Serbia remains the region with the least recorded election activities during the campaign, in which the Danube and Zaječar districts stand out in terms of their intensity.

Figure 5. Share of recorded promotional election activities by regions

Region	Share (%)
Vojvodina	31
Western Serbia	25
Beograd	17
Šumadija	11
Southern Serbia	10
Eastern Serbia	7

When it comes to ways of communication, the parties most often used stands as a form of direct communication with voters, while the second most common channel of informing the public and conveying messages was through press releases. These two activities are also the two most regular party activities in the period between the elections. While, in the aftermath of the state of emergency, press releases became a more common means of communication

with voters in comparison to stands, the opposition parties (both those participating in the elections and those boycotting them) made press releases their primary means of communication, with stands occupying the second place. Posters, public debates and rallies were used much less in this campaign in relation to previous election campaigns in Serbia. Due to the COVID-19 pandemic, mass public gatherings were banned, which resulted in a reduction in classic campaign activities that involve direct contact with voters. On the other hand, the mentioned circumstances have led to novelties in the formats of campaign promotional activities. We single out the example of the Serbian Progressive Party, which on two occasions organised a pre-election online rally⁶⁷ via the Facebook and Instagram accounts “Aleksandar Vučić” and the Zoom Webinar application during the month of May. The door-to-door campaign was recorded almost exclusively as an activity of the ruling parties. On the other hand, only the Socialist Party of Serbia, with its coalition partner United Serbia, held a central convention in front of several hundred people at Tašmajdan in Belgrade, on June 8th, 2020. This gathering was held two days after the end of the ban on open gatherings by the decision of the Crisis Response Team.⁶⁸

In view of the COVID-19 protective measures that need to be respected when it comes to contact with voters such as wearing a protective mask and gloves and keeping a social distance, in promotional activities carried out in the period after the state of emergency noted by our observers, which involved direct contact with citizens, in only three percent party activists respected all measures, while in 22 percent of cases they did so partially while in as many as 75 percent of cases, the parties did not use coronavirus protective measures.

5.3.1. Door-to-door campaigning

As a form of direct, face-to-face, communication of parties with voters, door-to-door campaigns are one of the basic activities of political actors. It is a way for political activists to talk directly with their fellow citizens about the problems that bedevil citizens, as well as for parties to offer their policies, programmes and solutions. This type of communication is allowed only with the prior consent of the citizens. On the other hand, party activists are not allowed to insist that citizens answer their questions if they do not want to. They are absolutely not allowed to coerce any kind of pressure or blackmail on citizens so that they would express their political views in any way. This type of communication has caused a lot of speculation and controversy in the public about unauthorised access to databases of citizens maintained by state institutions (such as the Voters’ Register or registers of tax authorities) by election headquarters. On this occasion, the Commissioner for Personal Data Protection also spoke out, pointing out potential risks and abuses.⁶⁹

The door-to-door campaign was recorded in four-fifths of all districts in Serbia, but it was of varying intensity, influenced by two factors. On the one hand, some electoral actors practiced it more often and achieved greater territorial coverage. On the other hand, the coronavirus caused the door-to-door campaign to thin out in the second half of the campaign, and right after the state of emergency. The largest number of cases of door-to-door campaigns were registered in the Zlatibor district. The ruling parties were predominantly active in this type of campaign, although there were cases where some opposition parties – Oath Keepers, Healthy Serbia, Serbian Radical Party – also conducted a door-to-door campaign. However, in most districts where the CRTA observers identified the door-to-door campaign, this activity was conducted by the Serbian Progressive Party – in 17 districts, then the Socialist Party of Serbia – in 5, while the Social Democratic Party of Serbia, Justice and Reconciliation Party - Muftija Zukorlić, Party democratic actions of Sandžak - Sulejman Ugljanin and Healthy Serbia were active in one out of two districts.

⁶⁷ Video of the first online rally of the Serbian Progressive Party, May 16th, 2020, YouTube channel of the Serbian Progressive Party: bit.ly/2Mw385C

⁶⁸ *Danas*, “When Dačić sets sail to a far away land” www.danas.rs/politika/izbori-2020/kad-dacic-ode-tamo-daleko-u-beli-svet/

⁶⁹ Commissioner for Information of Public Importance and Personal Data Protection, Press release “Training of representatives of political parties on personal data protection”. bit.ly/35OeuwB

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The parties applied different modalities of this activity: from visits paid by some party officials to citizens, gatherings of citizens at their neighbour's where a party official came to talk, to the classic form when party activists knocked on citizens' doors.

5.3.2. "Push poll"

It was noted that the push poll, an interactive abusive marketing technique, was used. This approach in communication with citizens was recorded only with the Serbian Progressive Party, which first examined the attitudes of citizens towards the measures and results of the Government of the Republic of Serbia in the fight against the virus by telephone survey. In the first questions asked, the Serbian Progressive Party operators asked for a statement on the state of emergency and the government's moves in the fight against the coronavirus, and immediately afterwards on their readiness to support the party on the Election Day. Surveys of citizens of this type were reported in 15 out of a total of 25 districts in Serbia. Most places in which citizens reported being called from the headquarters of the Serbian Progressive Party (or of *Aleksandar Vučić*, according to several interlocutors) were recorded in Mačva district, then in Šumadija, then in Nišava district and in Belgrade.

During the election campaign, another form of mass contact of citizens was recorded throughout Serbia, namely the beneficiaries of old-age, disability and family pensions in the Republic of Serbia (among whom there are minors). This case opened more questions about the possible misuse of personal data, considering that letters with the insignia of the Serbian Progressive Party, the election slogan "For Our Children" and the signature of the President of the Republic of Serbia, Aleksandar Vučić, arrived at the home addresses of these persons. At the same time, the sentence "We provided 4,000 dinars of one-time assistance and another 100 euros for each of you, as a result of diligent and successful work of our country, but also as a sign of attention to you who have done so much for our Serbia". This can be interpreted as an abuse of public resources, since the above measures of the Government were used for the purpose of promoting the Serbian Progressive Party. Read more about the misuse of public resources during the campaign for the 2020 parliamentary elections in the chapter 5.5.

On the other hand, contacting voters by phone from the headquarters of political actors during the campaign also served to "remind" the citizens why they should repay the party and vote for it.

"In my municipality, they called on the phone to confirm certain votes, and at the same time to warn the citizens that they should vote, as it was the case in the neighbouring municipality in the previous days. People were called to be reminded that maximum mobility would be needed when the campaign starts to heat up, as the time for it was insufficient. To that end, they were reminded that the municipality received the status of a city during this government (although it could not get it on any grounds) and that no government did as much as this one for their municipality. And accordingly, it was needed to repay all this in the elections and to show unity."

From the CRTA observer's report

More information on voter bribery and electoral clientelism, as well as on pressure on voters, can be found in Chapters 5.7. and 5.8. of this report.

5.3.3. Topics and messages

In addition to party promotion, the regime used the opportunity to talk mostly about infrastructure projects, whilst the opposition used topics related to social policy. The opposition in the boycott mostly emphasised the topic of the state of election conditions, calling for a boycott of the elections.

However, the parliamentary elections in the campaign led by the list of the strongest ruling party, the Serbian Progressive Party, were overshadowed by the role of President Aleksandar Vučić, around whose character and deeds were built the messages that the “Aleksandar Vučić – For Our Children” list sent to voters. Bearing in mind that this electoral list dominated other electoral actors thanks to its communication, both in the field and in the media, we can conclude that the entire campaign looked more like a campaign for the presidential than for the parliamentary elections. The political party and its candidates for MPs, although announced as new and young people, were not the stars of the campaign, i.e. the bearers of the main messages, but rather a means of realising the “vision of the President”. One example of such messages, which through the coordinated activity of local committees on social networks targeted as many voters as possible throughout Serbia, is the following:

*“President Aleksandar Vučić promised even before he had been elected for the first time that he would make sure that the Serbian economy progresses and grows. Since the beginning of his mandate, President Vučić has been implementing economic reforms, cutting red tapes, investing in infrastructure, and opening the country to international trade. Serbia 2020 – According to new data from the World Bank, the economy of Serbia is the best in the whole of Europe in overcoming the consequences of the coronavirus and is one of the fastest growing economies of the future in the entire world. Serbia 2025 – President Vučić’s vision envisions billions of investments in infrastructure in order to double salaries and increase pensions. A majority in the assembly is necessary for the progress of the Serbian economy. We are restarting the economy. We are building the future of Serbia”.*⁷⁰ These are the messages of the video that was published on the main Facebook page of the Serbian Progressive Party on May 20th, 2020, and then distributed throughout Serbia by an extensive network of local committees of this party, whose coordinated promotion activities were one of key benefits of the Serbian Progressive Party’s communication strategy since the beginning of the election campaign, which was significantly weaker or non-existent among other actors who participated in or boycotted the elections.

The topic of the coronavirus, most often in combination with health, but also other topics such as economy, economics, IT industry, was present in the promotion, predominantly in the electoral lists of the ruling parties, and above all the list “Aleksandar Vučić – For Our Children.” By the end of the election campaign, public health messages thus became the third most frequent topic in the field, right after infrastructural and communal ones. This can be considered as an understandable and responsible behaviour of political actors in the race for parliamentary elections, who are ready to respond to the immediate needs of the population, by recognising problems and proposing solutions. Nonetheless, instead of an elaborate approach and policy proposals that would bridge and amortise the coronavirus crisis through various social spheres in the upcoming period, voters were faced with propaganda of victory over the coronavirus and with the merits of the state led by the Serbian Progressive Party, i.e. President Vučić.

You can read more about the use of coronaviruses for propaganda purposes and the reasons why they represent another type of abuse in the chapter 5.3.2. Push poll, as well as in chapter 5.5.1. Abuse of state measures to suppress COVID-19 in election promotion.

Some examples of such political messages are the following:

“Serbia is recovering from the coronavirus thanks to our noble health workers. The number of victims in Serbia is among the lowest in the world. Opposition leaders only complain and thus belittle the work and great achievements of our doctors and nurses. We respect doctors, we respect historical results which we have achieved together as a nation. They only hinder the fight against the coronavirus. We fight every day. We are building the future of Serbia”. List “Aleksandar Vučić – For Our Children “in a video published on the main profile of the Serbian Progressive Party and on profiles of its local branches in Serbia on the social network Facebook.⁷¹

⁷⁰ bit.ly/33gTugo

⁷¹ bit.ly/2Gj0W1w

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“In recent years, a lot has been invested in healthcare. Renovation of the facilities of the new hospital, higher salary of health workers, our people no longer have to emigrate. We will invest even more, we want our parents to be sure that they will have the best, cleanest, best equipped and the most modern hospitals. And now, this most recent Covid infection has shown how important to our President the health of citizens is. Adequate treatment, new equipment, diagnostic tests, the fact that we have achieved fantastic results, better than in Europe, convince me that the President really thinks about our public health. Therefore, I have no doubt that I will vote for the Serbian Progressive Party. We are building the future of Serbia.”⁷², List “Aleksandar Vučić – For Our Children” in a video published on the main profile of the Serbian Progressive Party and on the profiles of its local branches on the social network Facebook. This video was also the subject of a complaint that the CRTA observation mission sent to the Agency against the Serbian Progressive Party and the management of the Clinical Hospital Centre Zvezdara due to suspicion of misuse of public resources. Read more about this case in section 5.5. Misuse of public resources.

“Neither snow nor rain will stop us from working. We have to work day and night so that Serbia can have electricity. This was the case all the time during the coronavirus crisis. Kolubara is the heart of our energy system, but also the heart of our Serbian economics, so there will be no dismissals, salaries will not be reduced! I will keep my job, and I will provide my family, my children, with an even higher salary. Because President Vučić cares about people like me.”⁷³ – List “Aleksandar Vučić – For Our Children” broadcast on TV stations featuring also workers from the Kolubara Mining Basin. This video was also the subject of a complaint that the CRTA observation mission sent to the Agency against the Serbian Progressive Party for a potential misuse and which the Line Monitoring Mission also reported to the Agency as a possible misuse of public resources of public resources.

Messages of this type were transferred from the central profiles of the Serbian Progressive Party to the profiles of its municipal and local committees, and then to the field, in order to directly communicate with voters. As examples, we will list in this report several cases from different parts of Serbia. *“Respecting all preventive measures, i.e. wearing masks and gloves, the activists talked to the people of Valjevo about the coronavirus pandemic, but also about the exceptional success that the Government of the Republic of Serbia achieved, led by the President Aleksandar Vučić, listening to professionals’ advice,”* announced the Municipal Committee of the Serbian Progressive Party Valjevo on its Facebook page, on the occasion of the street action realised on May 18th, which was also recorded on the spot by the CRTA observers.⁷⁴ In Leskovac, the Municipal Committee of the Serbian Progressive Party presented 15 health workers who were engaged in COVID-19 Hospital as their candidates for councillors in the local elections in Leskovac,⁷⁵ while the Municipal Committee of the Serbian Progressive Party in Bač announced that *“so many schools and hospitals, roads and factories, have been built, unemployment has never been lower, the country has shown all seriousness regarding the coronavirus, thanks to the efforts of our President Aleksandar Vučić all medical equipment was procured in times when that seemed impossible, the results are better than in many European countries.”⁷⁶* An informative brochure of the Serbian Progressive Party, distributed by activists through street actions and at stands, in May was entitled *“Serbia in the fight against coronavirus, in the fight for human lives, the health of the nation and the economics. Surrender was never an option”*, while *“Serbia has won the fight against the dangerous virus”* opened this election edition of the Serbian Progressive Party informative brochure.⁷⁷

When it comes to the second largest electoral list led by the Socialist Party of Serbia under the slogan *“We stand steadfastly”*, the topics on which the programme was based were also diverse, from infrastructure and investments, to youth policy and Kosovo, but also the coronavirus. Although, like the Serbian Progressive Party, it highlighted young people on the list, this party did not try to present its candidates for MPs. Instead, a personalised campaign dominated incarnated in Ivica Dačić, whose face was on the party’s posters and billboards. In addition, the key

⁷² bit.ly/2HKv2vq

⁷³ bit.ly/2GfmH2p

⁷⁴ bit.ly/2HCPNcg

⁷⁵ bit.ly/36ixByT

⁷⁶ bit.ly/36kfwRh

⁷⁷ Serbian Progressive Party Informative brochure 83/2020. www.sns.org.rs/sites/default/files/sns_83_pdf_72.pdf

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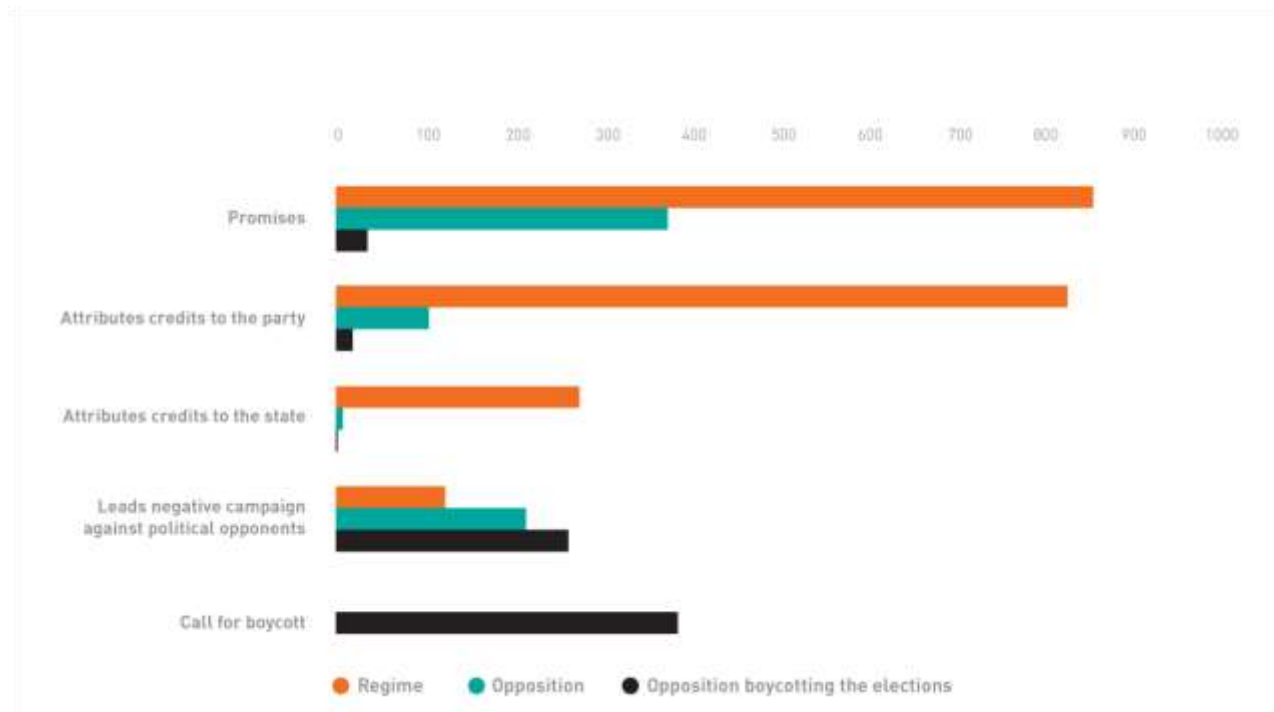
message in the eve of the election “My results are my campaign” that Ivica Dačić sent at the central convention of this list, on June 8th live in Tašmajdan, speaks in favour of this claim. At their final rally, negative messages were sent, which can be interpreted as hate speech against “Soros, Gates, non-governmental organisations that want to rule the world, that led to bombing of Serbia, that are constantly inventing new ways to rule the world, even now during the coronavirus. Our people will not be an experimental body for their vaccines. Only when Gates, Merkel, Macron are vaccinated, will it be our turn.”⁷⁸

Nevertheless, while the ruling majority in the messages it sent to voters mostly promised and attributed various processes and results in the country to its own party, and the border between a political party and the state faded, the opposition participating in the elections, in addition to making promises, most often conducted a negative campaign against political opponents in power (Chart 3). In a similar way, the opposition, which decided to boycott the elections, in addition to calling for a boycott, waged a negative campaign, mostly also against regime representatives.

When it comes to a negative campaign against political opponents or dissidents, the opposition used a higher percentage of circumstances to communicate with voters for this purpose than the government. However, if we take into account that the government had twice or three times more opportunities to communicate with citizens, their messages could reach a larger number of citizens in comparison to the opposition.

Findings on field communication are not sufficient to reach a comprehensive conclusion on the dominant topics of the campaign, their quality and the reach of voters achieved by political actors. These findings need to be interpreted in combination with the findings of media monitoring and social media monitoring, which are presented in Chapter 6. Media and social networks.

Chart 3. Directing the messages of the election actors of the regime, the opposition and the opposition boycotting the elections from March 4th to June 21st, 2020



⁷⁸ bit.ly/33eHKL1

5.4. Public officials' campaigning

During the election campaign, in the period from March 4th to June 21st, the CRTA observers noticed almost 1500 events throughout Serbia in which public officials from different levels of government took part – republic, provincial and local. At these events, observers noted more than 2,000 appearances by public officials. The difference between the number of recorded events and the number of appearances of public officials stems from the fact that several officials participated at the same time in certain events.

The activities that officials carry out during the period in which the election campaign lasts at the same time do not necessarily have to be related to the elections, but also to the regular duties and job descriptions of the function that the officials perform. On the other hand, given that public officials often take on the role of electoral list candidates during the election campaign, their public appearance in this capacity may also be part of the usual election promotional plans of political parties.

Nevertheless, the situation in which public officials use their function to gain additional media attention for the regime, i.e. for the ruling parties during the election period, through the implementation of regular activities, is treated as a negative phenomenon and is called a “public officials' campaigning”. The means used for the public officials' campaigning is provided is the number of pseudo-public events organised during the election campaign. They resemble to public events, but their real purpose is to promote the political actor who makes up the current government by presenting the results planned or achieved in the previous period by the state, which indirectly indicates to voters the need to ensure the continuity of the government. Examples of such events are ceremonial openings, endings of works or announcements of large infrastructure projects, investments, laying of foundation stones, visits to places in Serbia, schools, factories and hospitals during the election campaign, attended by top officials, at the national or local level. However, in a large number of cases, such activities can be carried out without a ceremonial part, if their performance is necessary during that period. On the other hand, some may be postponed for before or after the election campaign, and works could begin or end even without these activities. Pseudo-public events can also be recognised by the fact that they capture a lot of media attention, where during the parliamentary elections in 2020 they were even broadcast live from beginning to end on televisions with a national frequency, whenever Serbian President Aleksandar Vučić participated. Read more about this in the chapter dealing with media in section 6.2.2.1. Analysis of televisions with national frequencies.

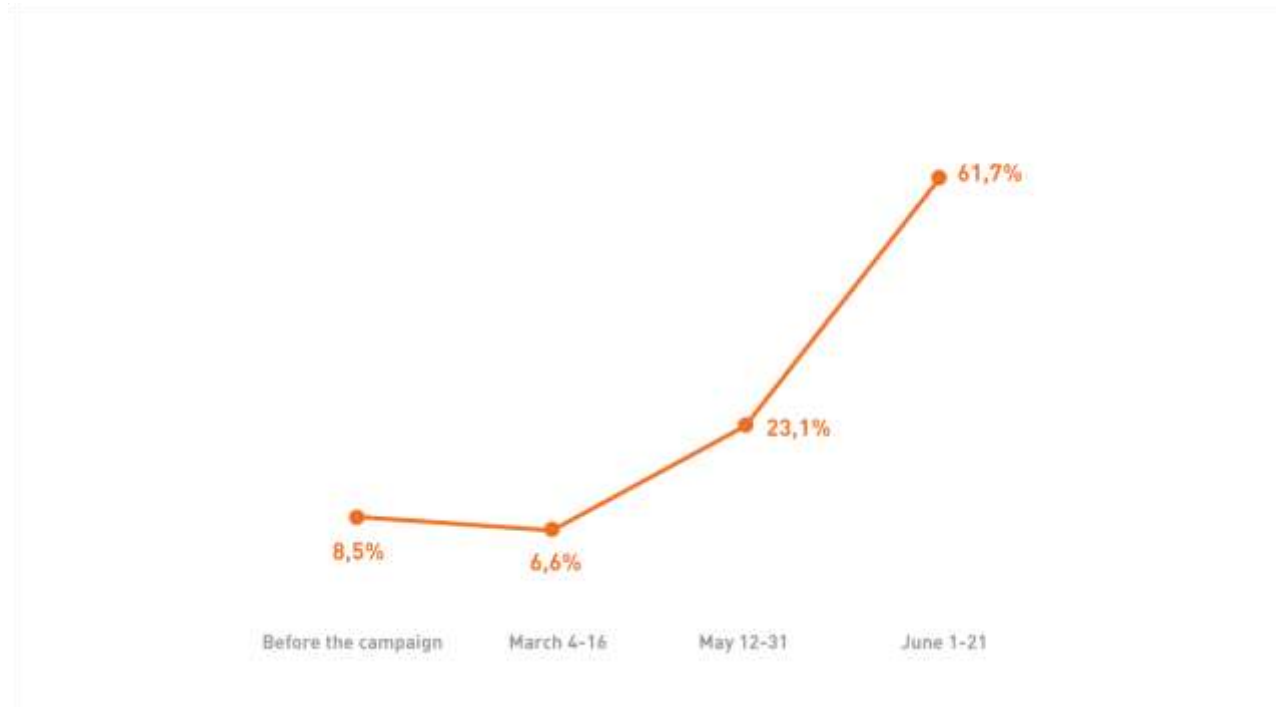
As we mentioned at the beginning, pseudo-public events do not necessarily represent a violation of the law, i.e. the public officials' campaigning is in many cases only a negative behavioural practice of public authorities with the aim of capitalising public resources for promotion during the election campaign. Another type of public officials' campaigning is one that the law recognises as abuse of public office. This form of abuse is recognised when a public official, in their official capacity, conducts a campaign with the intention of sending a message to voters to vote or not to vote for a particular party, as defined in article 29 of the Anti-Corruption Agency Act. Although this law excludes MPs and the President from its application, arguing that directly elected persons are not public officials under this Law, the CRTA observation mission analyses the behaviour of these public representatives as well, given the nature of the function they perform. Since the law excludes directly elected persons, the Agency rejects complaints against these public officials who violate article 29 of the Law.

The CRTA observation mission, as well as other domestic and international organisations observing the elections in Serbia, by monitoring previous election processes, determined the existence of a link between the intensity of public authorities' activities during elections and promoting (direct or indirect) the political option they support. In this regard, the methodology of observing the activities of public officials during the parliamentary elections in 2020, was aimed at documenting their frequency, as well as at documenting the type and reason for their appearance in the field.

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The CRTA observers collected information on where, when, and in what capacity a public official appeared in public – as a public official, as a member of a political party or both, on what occasion they appeared in public, whether the activity was realised during working hours or outside of working hours, as well as whether the messages they conveyed to the citizens were related to the upcoming elections or not.

Chart 4. Two thirds of the total recorded appearances of public officials throughout Serbia were recorded at the very end of the campaign



Out of the total number of recorded cases of officials appearing during the campaign, observers recorded as much as two-thirds during the last three weeks of the campaign, from June 1st to 21st, 2020 (Chart 4). During their public appearances in the field in Serbia, in two thirds of the situations public officials acted in their official capacity, which was mainly caused by visits to development and investment projects or their announcements. In the remaining 17 percent of cases, public officials were represented as both public officials and party members, and in 20 percent of situations exclusively as members of the political party they represented.

The activities of all 18 ministers and the Prime Minister, Ana Brnabić, were recorded during the election campaign. Their activities exclusively as public officials were recorded in almost 90 cities and municipalities in Serbia, where they appeared more than 300 times during the campaign. The most recorded visits were paid to Surdulica (13), Čačak (12), Novi Sad (11), Valjevo (11), Užice (10), and Novi Pazar (8).

The Prime Minister, Ana Brnabić, visited 30 cities and municipalities in the period from May 21st to June 16th. The reason for the tourings in which the Prime Minister participated were mostly visits, opening or closing of infrastructure and other development projects. However, business trips also served to “kill two flies with one stone” by organising, in addition to the official tour, a visit to the party’s promotional event in the town in question or its surroundings. One of the picturesque examples was the visit of Ana Brnabić to Arilje, where the Prime Minister had a working meeting with Arilje businessmen on the topic of the development of the municipality in her capacity of the Prime Minister. Although she performed the visit in that capacity, as reported by the Government of the Republic of Serbia, the official visit ended at the first part of the meeting.⁷⁹ The second part of the meeting, which cannot be seen on the Government’s website, but only on the official Facebook page of the Municipal Committee of the Serbian Progressive Party Arilje, was turned into a party gathering by placing a banner “Aleksandar Vučić – For our Children”

⁷⁹ bit.ly/36lEjnJ

behind the speaker.”⁸⁰ The CRTA observation mission is preparing a report on this case to the Anti-Corruption Agency. The described case, in which the Prime Minister participated, and which combines state and party activities, was often seen during the campaign by other public officials, as well.

As some of the most interesting activities of public officials, we can single out the opening of the ramp in Kruševac assembled by the Serbian Progressive Party in presence of the president of the municipality of Trstenik,⁸¹ a visit of the new school fence in Leskovac by the mayor of Leskovac,⁸² ceremonial opening of the photocopy shop in the school in the presence of the president of the temporary body of the city municipality of Kostolac.⁸³ On the other hand, high-ranking republic officials used the coronavirus situation to visit some of the projects for the renovation of hospital centres in Serbia. The activities of the Prime Minister, Ana Brnabić, were also recorded – during a tour of the reconstruction of the Clinic for Infectious Diseases of the Clinical Centre of Vojvodina, on May 21st, the day after the President, Aleksandar Vučić, visited the reconstruction of the Health Centre in Prokuplje. During both visits, both the Prime Minister and the President talked about the plans and results of the work of the government regarding the state of health, successes in the fight against coronavirus and reconstruction works that were not suspended of even during the state of emergency.

5.5. Misuse of public resources

Misuse of public resources in terms of the use of organisations, public institutions and companies, their names, inventory, premises, employees, and similar features was registered during the election campaign in the election activities of political entities observed by observers of the CRTA observation mission.

On the one hand, the legislative framework of Serbia prohibits, through the Law on Financing of Political Activities (article 23), political actors to use public resources in the election campaign, except in cases when these resources are available to all other political actors under equal conditions. It prohibits civil servants to use the funds from the state budget at their disposal for the needs of the election campaign. Furthermore, the Anti-Corruption Agency Act (article 29) prohibits public officials to “use public resources and gatherings attend their capacity as officials, for the promotion of political parties or political entities, which specifically implies the use of public resources for the purpose of public representation of election participants...”.

While some of the election activities observed by the CRTA observers represent a misuse of public resources in terms of violations of the law, on the basis of which our observation mission submitted complaints to the Agency, others represent a negative phenomenon contributing to blurring of the line between the state and the party. Considering that one of the significant forms of misuse of public resources is the abuse of public office for party purposes, especially in the context of article 29 of the Anti-Corruption Agency Act, the activities and phenomena described in chapter “5.4 Public officials’ campaigning” will be relevant to this topic.

The most frequent activities in which there was a potential violation of regulations in the observed period were the use of official premises of institutions for collecting signatures supporting the electoral lists, collecting secure votes, promoting activities of institutions on party profiles on social networks by public officials, carrying out infrastructure public works in presence of public officials and with party symbols, abusing press conferences and public addresses of officials through institutional channels for party promotion, abusing health institutions and institutional logos for party promotion.

One example of the recorded situations where the CRTA observation mission considers that there are reasonable suspicions that a violation of the law has occurred is the case the political party Serbian Patriotic Bloc, and its

⁸⁰ bit.ly/3kZOXon

⁸¹ bit.ly/2GsaK96

⁸² bit.ly/2GmPP7w

⁸³ bit.ly/3jcwF2K

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president Aleksandar Šapić, who is also the president of the Municipality of New Belgrade, because that party organised the collection of signatures supporting the electoral list in the official premises of the municipality. During this campaign, Aleksandar Šapić distributed leaflets to all citizens of New Belgrade, which contained a list of results achieved by the municipal government during his term, a message to entrust him with their vote in the elections and a family card for free use of the “April 11th” swimming pool, which is the public property of this municipality. Jasmina Palurović, the mayor of Kruševac, promoted the Serbian Progressive Party in her televised address on local television on the occasion of Women’s Day on March 8th, stating that the Serbian Progressive Party has 40% of women on its electoral list. According to the CRTA, the abuse of public resources also occurred in the case of public officials Violeta Filip, Deputy Presidents of the Main Committee of Zvezdara, Dušan Ignjatović and Robert Milićević (members of the Zvezdara Main Committee) because they posted recordings of their official activities on the Facebook page of SPS Municipal Committee of Zvezdara and thus abused public resources for the purpose of promoting the Socialist Party of Serbia. An example of using a public institution for political purposes was noted in Veliko Gradište, when, during the opening of the National Museum in this municipality, as part of a project implemented by the Ministry of Culture, it was announced that the election campaign would start from the National Museum and the citizens invited to vote for the Serbian Progressive Party.⁸⁴ As in the case of the Socialist Party of Serbia, which used the premises and logos of the public company “Waterworks” of Valjevo,⁸⁵ the Serbian Progressive Party recorded in Osečina a promotional video in the official premises of the majority state-owned company “Krušik-Plastika”⁸⁶. The Serbian Progressive Party has prepared more videos that use public companies, institutions and organisations, their names and logos, such as the Kolubara Mining Basin, the Zvezdara Clinical Hospital Centre, COVID-19 hospitals, or municipal volunteer centres.

After the state of emergency, i.e. in the second half of the campaign, it was noticed that political actors, primarily the ruling parties, used the coronavirus pandemic, measures taken by the Government of the Republic of Serbia, as well as the engagement of other competent institutions in controlling infectious diseases for propaganda purposes.

5.5.1 Abuse of state measures to curb COVID-19 in election promotion

The ruling Serbian Progressive Party published several promotional videos on social networks in which it presented the state’s successes in the fight against the coronavirus. The election video “Serbia is recovering from the coronavirus thanks to our health workers” this party⁸⁷ which will be further commented in the chapter 5.3.3., shows and promotes the state’s results through a combination of footages from various occasions⁸⁸, and at the same time speaks negatively about the opposition that only “interferes with the fight against the coronavirus.”

After this video, the Serbian Progressive Party recorded the video “Over the last few years, a lot has been invested in health care” which uses footages of the Clinical-Hospital Centre Zvezdara (maybe even of the inside of the hospital) and which shows a doctor employed in the same health facility with visible markings on a doctor’s coat.⁸⁹ The fact that the hospital space and the real doctor were used in making of this video, is a sufficient circumstance to submit a complaint for the misuse of public resources to the Anti-Corruption Agency pursuant to the law, which the CRTA did.

Encouraged by the current circumstances and measures to prevent the COVID-19 virus pandemic, the International Network of Domestic Election Monitors (GNDEM) published guidelines for organising and monitoring the election process during periods of public health risk. While it is perfectly legitimate for current governments to present results in the fight against a pandemic, a special measure concerns the use of these results by governments (political parties

⁸⁴ bit.ly/3clb9k9

⁸⁵ bit.ly/3l6mhdD

⁸⁶ bit.ly/36IFLGH

⁸⁷ Serbian Progressive Party, “We are building the future of Serbia,” May 12th 2020. bit.ly/2XEFR71

⁸⁸ Among others, there was an incursion of demonstrators, including opposition leaders, into the building of the Serbian Radio and Television during the protest held on March 16th, 2019.

⁸⁹ Serbian Progressive Party, “In recent years, a lot has been invested in health care”, May 19th, 2020. bit.ly/3dDTjOV

in power) for the purpose of political campaigning. This type of promotion is considered to be an abuse of state resources for one's own political benefits. Similar recommendations were made by the International Foundation for Electoral Systems (IFES). They cover the broader aspect of the use of information related to the virus pandemic, regardless of which political actor is trying to misinform the public in order to manipulate voter turnout or influence election results. Thus, both the opposition candidates and the candidates in power are considered to be potential actors who use the situation and the fear of citizens for their political benefit. For example, by placing inaccurate information about the spread of the infection, it is possible to influence a higher or lower election turnout in certain areas, depending on the preferences of the candidates. As a preventive measure against this practice, the IFES proposes that the bodies responsible for conducting the elections, in cooperation with political parties, should include in their codes of conduct a provision that would sanction such behaviour.

5.6. Pressures on political actors

During the election campaign, the CRTA observers recorded 77 cases of pressure on political actors in 44 cities and municipalities in Serbia. In the noted situations, political actors were intimidated or prevented from holding promotional and other election activities. Unlike pressures on voters, which were less frequently recorded as the campaign drew to a close (see Chapter 5.9), pressures on political actors became more frequent at the very end of the campaign.

The most common forms of pressure were the destruction of promotional material, such as posters or billboards, as well as allegations of unequal position of parties and local movements in collecting and verifying signatures and the availability of notaries.

More than twenty incidents of threats and attacks on party premises or activists have been reported. Most attacks were recorded on the premises and activists of the Socialist Party of Serbia. Flags and posters were torn in Temerin and Beočin, windows were broken in Crepaja, and premises in Kraljevo were broken into. In Žabalj, in addition to the intrusion into the premises, two SPS officials were attacked with metal bars.

“On Thursday, March 5th, 2020, the SPS submitted the list to the Local Electoral Commission for the local elections, after which the chairperson and the secretary of the SPS election headquarters returned to the party premises when they were attacked and beaten by three masked persons, so they ended up in the Emergency Centre of Vojvodina. The inventory was also broken.”

From a CRTA's observer's report

Our observers reported two attacks on the premises of the Serbian Progressive Party, which took place in Mladenovac and Maglić, in the municipality of Bački Petrovac. There have been cases of attempts to break into the premises of the movement Enough is Enough in New Belgrade⁹⁰ and the Movement “I live for Serbia” in Valjevo.

In the space of just a few days in late May and early June, several physical attacks on activists of various political parties and movements took place in Belgrade. The Movement of Free Citizens and its activists have been targeted twice, and incidents took place while collecting signatures for candidacy in public places in Belgrade. First, Sergej Trifunović, the leader of the Movement of Free Citizens,⁹¹ was attacked in Knez Mihailova Street, and a day later, at Zeleni venac, a member of this movements' youth, Aleksandar Pašalić.⁹² On the same day that the physical attacks

⁹⁰ bit.ly/33gjo3R

⁹¹ bit.ly/3n7MaLF i bit.ly/2Gg0vVI

⁹² bit.ly/34fZ2Xu

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on the activists of the movement of Free Citizens took place, activists of the New Communist Party of Yugoslavia⁹³ were attacked by unknown persons and activists of the movement Enough was Enough.⁹⁴

“Two activists told me that half an hour earlier they had been attacked by ‘bald men in black T-shirts with the coat of arms of Serbia’ who physically attacked them, called them pinkos and tore their banner”.

From a CRTA’s observer’s report

“An unknown man, who was approached by the activist of the movement Enough was Enough and offered a promotional leaflet of the movement, first addressed the girls who were promoting and distributing leaflets in a vulgar way, insulting Saša Radulović, and then pushed the activist away, kicked out a promotional stand set up in Njegoševa Street.”

From a CRTA’s observer’s report

Outside Belgrade, a physical attack was recorded on the activist of the Socialist Party of Serbia, Ivica Milenković, the holder of the list for the local elections in Vranjska Banja. The incident happened a few days before the Election Day. According to his testimony, he was attacked by members of the Serbian Progressive Party, while the Municipal Committee of the Socialist Party of Serbia condemned the incident.⁹⁵ A case of verbal and physical attack on an activist of the Serbian Progressive Party by a local group of citizens while he was gluing posters in Osečina was also reported. Threats to potential polling station members of the opposition in Boljevac were also noted, and the Broom movement decided to replace a member of the polling station committee in Vladičin Han due to the received threats.

The issue of the availability of notaries for political actors gained another dimension after the state of emergency when the Notary Chamber decided that a notary public could refuse to go to the field if the applicant did not ensure compliance with all epidemiological measures.⁹⁶ This provision has been interpreted as discriminatory by certain opposition actors, and in relation to actors who submitted their signatures before the state of emergency, given that in some places it affected the pre-agreed organisation of signature collection.

5.7. Bribing voters

During the election campaign, from March 4th to June 21st, the CRTA observers recorded more than 450 situations throughout Serbia in which parties and their activists carried out various humanitarian activities, gave donations to citizens and institutions or performed public works of various types and volume. The CRTA observation mission placed special focus on monitoring these and similar activities of political parties taking into account two circumstances. On the one hand, the pronounced presence of such party activities existed in previous election cycles. On the other, these types of engagements of political parties do not represent the purpose of their establishment and operation. If this is taken into account, and if it is additionally determined that the political party financed such activities from its budget for regular work or campaign, the political party may be subject to control by the Agency and punished for misuse of resources.

Political parties are not established to provide social assistance, supply citizens with food or hygiene packages, household appliances or heating, reconstruct roads, water supply systems, landfills, buildings and parks, even when such activities are not funded by the party but directly by its sympathisers. In this regard, the CRTA observation mission treats such and similar activities as part of the clientelistic strategies of political actors that serve to bribe voters. By organising them, political actors seek additional space and opportunities to attract the attention of voters by offering them a certain benefit in everyday life. Although such cases cannot always be treated as direct purchase of votes prohibited by law for which it is necessary to provide clear evidence that money or another advantage is

⁹³ bit.ly/3jhsLWd

⁹⁴ bit.ly/36jM7q5

⁹⁵ bit.ly/3l0dZUI

⁹⁶ bit.ly/33g7Ygj

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offered or taken in exchange for a vote, they still do represent a form of clientelism, which exists as well as in the regular activities of political parties in Serbia. Clientelistic strategies practiced by political parties also contribute to blurring the line between a political party and the state.

Given the prevalence of party clientelism in previous election processes monitored by the CRTA observation mission, as well as in the period between the elections, the methodology for observing the 2020 parliamentary elections was set to allow systematic collection of data on the most common forms of such action including: work actions, provision of medical services, donations to institutions and associations, organisation of free programmes.

Almost 50% of the recorded situations in this period refer to various public works referred to various works: from servicing green areas and playgrounds, to arranging the space of local communities, houses of culture, paving bridges, embanking the roads. During the campaign after the state of emergency, public works surpassed the hitherto dominant humanitarian activities, whose total share in the recorded activities was 22 percent during the entire campaign, between March 4th and June 21st, 2020 (Chart 5).

Only the Serbian Progressive Party, the head of the coalition “Aleksandar Vučić – For Our Children”, took part in 82 percent of the recorded situations, the following party where these activities were recorded was the Socialist Party of Serbia, in six percent of cases.

Our observers also recorded one situation in which the main role was played by the opposition parties that participated in the elections - the Broom 2020 Movement, Healthy Serbia and the Movement for the Restoration of the Kingdom of Serbia, respectively. The CRTA observers did not notice the presence of such activities among political actors who boycotted the elections.

Furthermore, our findings show that public works have become a dominant activity as the Election Day approached, i.e. that in the second half of the campaign. The distribution of humanitarian packages and other humanitarian contents to citizens was largely intensified in comparison to our findings referring to the period before the campaign. (Chart 6).

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Chart 5. Representation of different types of clientelistic activities in the total number recorded during the campaign period

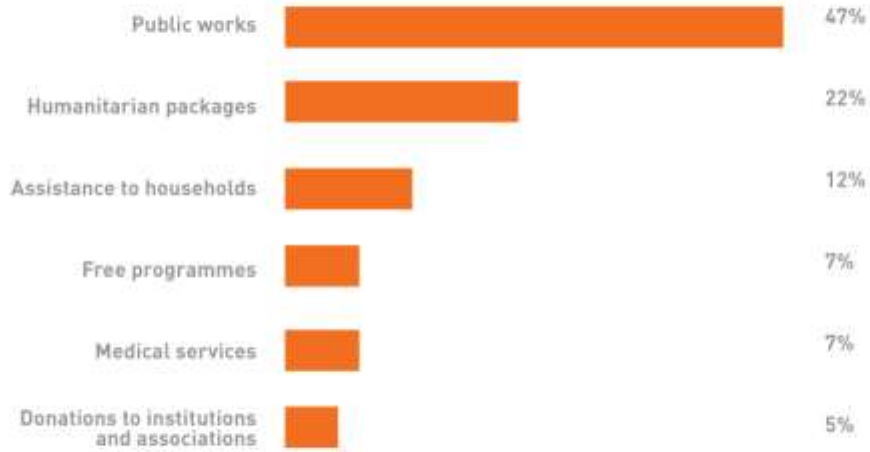
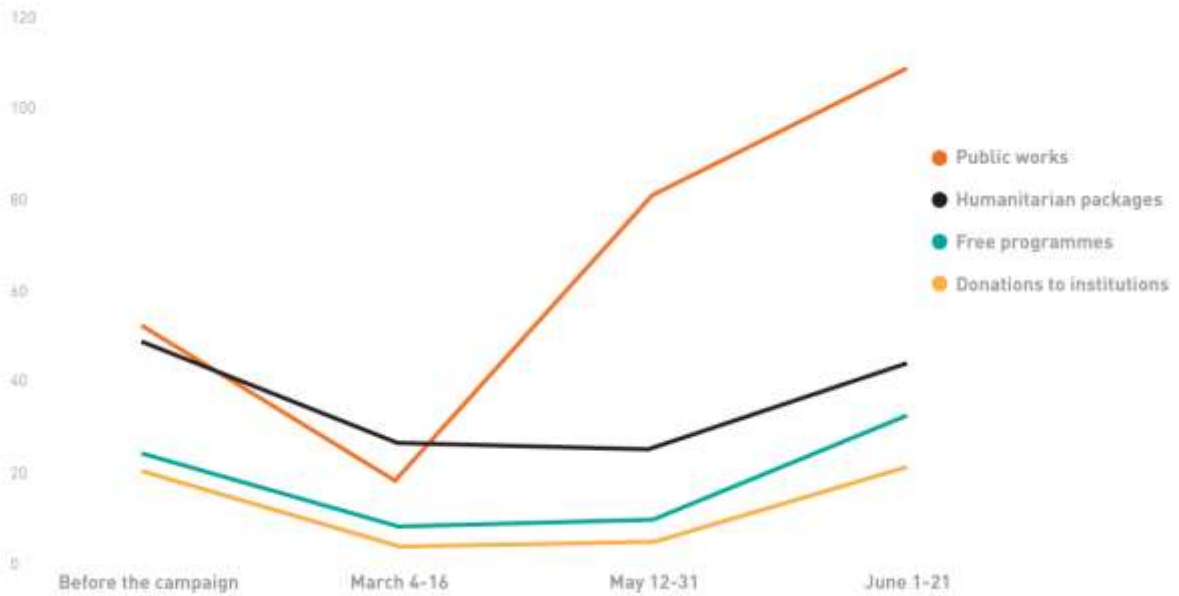


Chart 6. In terms of frequency, public works on average tripled in comparison to the distribution of humanitarian packages after the state of emergency



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One was able to be informed about the implementation and details of the implementation of public works quite easily on social networks and websites of political parties, and above all the Serbian Progressive Party, which was the most active in that area of communication.

“After the precipitation stopped, the Municipal Committee of the Serbian Progressive Party in Temerin continued with further resurfacing of the district roads. Today, works are being carried out in the extension of Branko Ćopića Street in Bački Jarak. This part of the road is flattened and arranged due to the fact that in that part of the area there are numerous orchards that are being reached by passenger vehicles, and therefore there is a great need to fix the road.”

Facebook post on the profile of the Serbian Progressive Party in Temerin, March 9th, 2020

“The action of the Local Committee of the Serbian Progressive Party in Irig: refurbishment of the premises of the Health Centre and Local Community of Irig. The Local Committee of the Serbian Progressive Party in Irig organised the action, within which it refurbished the premises of the Health Centre, as well as the offices of the Local Community of Irig. The laboratory space with the waiting room was painted as well as the respiratory clinic and the corridor leading to the warehouse space in this health institution. Also, the premises in the Local Community of Irig were painted and decorated. At the suggestion of the commissioner of the Municipal Committee of the Serbian Progressive Party in Irig, Tihomir Stojaković, in the future, we will continue this type of action. We are here as a party to help and support any proposal that will improve and beautify life in our municipality, says Stojaković.”

Facebook post on the profile of the Serbian Progressive Party in Irig, May 17th, 2020

“On May 20th, 2020, activists of the Municipal Committee of the Serbian Progressive Party Bogatić organised a working action of disinfection of public areas and facilities at several locations in our municipality... Our Municipal Committee tried to provide certain amounts of disinfectants from its own resources in order to give its modest contribution to the struggle that our state and society have been waging in the past few months.”

Post on the web-site of the Serbian Progressive Party in Bogatić, May 21st, 2020

When it comes to the distribution of such activities in relation to urban and rural areas of Serbia, about which our observers collected data, two thirds of them were recorded in urban areas. When it comes to rural areas, the most frequently recorded activities were public works and distribution of humanitarian packages.

5.7.1. Vote buying - offering and receiving bribes in exchange for votes

The CRTA also noted allegations of voter incentives to vote for a particular party or simply go to the polls, while in one case it filed a criminal complaint with the competent prosecutor's office.

Incentives in the form of promising a reward by way of monetary compensation, employment prospects or other benefits offering constitute a criminal offense under article 156 of the Criminal Code. In the same way, the legislation of Serbia criminalises situations in which there is an intention of voters to sell their vote.

In situations where our observers gather sufficient evidence that may be the basis for the competent investigative bodies, which includes witnesses' statements, the CRTA observation mission uses the possibility of filing criminal charges against persons for whom there is a reasonable suspicion that they participated in vote buying. Fear of consequences, such as repression in the immediate business or private environment or in the community, their own criminalisation, as well as mistrust of the institutions before which proceedings would be conducted, are key factors deterring citizens from reporting vote-buying cases that they witnessed or participated in. Mistrust affects not only the reporting of a crime to the police, but also the reporting of cases to observers, which is why the CRTA observers are trained to act in highly sensitive situations such as these, respecting the highest criteria of source confidentiality when documenting cases.

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For one case of vote buying that took place in the election campaign, the CRTA filed criminal charges. This is the charge against Zoran Drobnjak, acting director of the Public Company “Putevi Srbije” (“Roads of Serbia”). The case occurred in the village of Kukulovce near Leskovac, during Zoran Drobnjak’s visit to this place, a few days after it was announced in the media that the residents of this village would boycott the upcoming elections due to unfulfilled promises from the 2017 presidential election campaign. During the visit, Drobnjak publicly promised the locals that their roads would be asphalted in the next few days. He made this promise to the gathered villagers, in the presence of the media. At the end of his address, he uttered the sentence: “And now chop-chop to the polls.” So, it is obvious that Drobnjak promised to pave the roads in order to convince the villagers to go to the polls. Until the conclusion of this report, the status of the actions of the authorities upon the submitted charges remains unknown.

In addition to this case, the CRTA observers have collected a number of allegations of vote-buying situations and called on the relevant institutions to launch investigations to determine their accuracy.

“A police officer was offered money in the amount of 100 euros for voting for the Progressive Party and registering on their list as a safe vote. The police officer wants to remain anonymous because he fears for his job and family.”

From a CRTA’s observer’s report

“Activists of the Alliance of Vojvodina Hungarians offered money in the centre of the village in exchange for a vote and asked people for a contact phone in case they forgot to go to the polls.”

From a CRTA’s observer’s report

“I got a call from a friend of mine, whose father is in the Party of United Pensioners of Serbia and he asked me if I was interested in taking 100 APPLICATION FORMS for the PUPS, and in return offered the possibility of employment in a public company for my sister, if I collected all of them.”

From a CRTA’s observer’s report

“The Serbian Progressive Party activists were collecting safe votes at the stand and they suggested that if I voted, we could agree on some monetary compensation.”

From a CRTA’s observer’s report

“In telephone conversations, superiors from the public company call on employees to vote for the ruling party, which will help them receive 100 euros, and promise that their vote will affect their position in the public company (promotion).”

From a CRTA’s observer’s report

“During the day, they called me on a landline and asked me to vote in the local elections for the Serbian Progressive Party. Also during the day, they asked my sister for a secure vote in the elections for the local Serbian Progressive Party. Everyone had the same line: “If you promise me a safe voice, we’ll hire your children.”

From a CRTA’s observer’s report

5.8. Pressures on voters

During the campaign, from March 4th to June 21st, the CRTA observers recorded a total of 66 cases of pressure on voters in 39 cities and municipalities in Serbia. The highest number of pressures on voters was recorded during the election campaign at the beginning of March, and then in June, as the Election Day approached. Just like material incentives, services, and vote buying, pressures are another form of electoral clientelism that seeks to exert illicit influence on the electoral will of voters. However, instead of incentives and rewards, pressures are exerted through threats, intimidation, coercion and blackmail that focus mainly on voters’ existential issues, such as dismissal, loss of

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position, loss of protection, exclusion from the collective or deprivation of certain benefits enjoyed by the voters or their family members.

Pressures on voters are forbidden by the Constitution⁹⁷ that says that *“Suffrage shall be universal and equal for all, the elections shall be free and direct and voting is carried out by secret ballot in person”* and by the laws of the Republic of Serbia⁹⁸. During the election campaign, the CRTA observation mission reported solely on the cases confirmed by multiples sources. Given that the CRTA is not an investigative body, the reports will list only potential cases of pressure on voters. We call on the investigating authorities to diligently collect evidence and initiate judicial factual determination processes.

Almost one third of the reported cases referred to the pressures to which employees in the public sector were exposed – primarily employees in municipal administrations, public companies, but also cultural and educational institutions.

“The collection of signatures for the ‘Progressives’, which takes place in a public institution, started at 3 p.m. The workers of that institution received phone calls from the director urging them to come, as well as other citizens who were in some way forced. The pressures are huge.”

From a CRTA’s observer’s report

“In conversations with citizens and friends and family of employees, teachers who do not have a full-time jobs and who are under a temporary contract, were blackmailed into having to collect 15 safe vote; otherwise their contract would not be extended.”

From a CRTA’s observer’s report

“I spoke with an employee of a public company who confirmed the information that they had received a command from the director to collect votes for the Serbian Progressive Party list.”

From a CRTA’s observer’s report

“I personally talked to an employee who told me that her superior asked her to invite her friends and associates to vote for the Serbian Progressive Party. When she said that she did not have time to deal with it because she was very busy, they told her that soon she would not be employed anymore if she did not do that.”

From a CRTA’s observer’s report

“Several dozen trainees were hired in the municipality. Only a few of them come to work, because there was a need for just a few of them to get a job. The others do not show up for work, because there is no room for them, but everyone receives a salary. All trainees are conditioned to vote, collect votes, not only in their family, but everywhere.”

From a CRTA’s observer’s report

The most common forms of pressure on public sector employees noticed by the CRTA observers are giving and collecting secure votes for a certain party, or just a confirmation that they will go to the polls. In several recorded situations, the interlocutors of our observers were not sure to whom they were forced to give their signatures and why, bearing in mind that they were forced to subscribe to lists that did not bear anyone’s name or designation, i.e.

⁹⁷ Article 52 and article 55 of the Constitution of the Republic of Serbia.

⁹⁸ Criminal Code – article 155, paragraph 2, Law on Civil Servants – article 5, Law on Employees in Autonomous Provinces and Local Self-Government Units – article 16, Law on Employees in Public Services – article 6, Law on Public Enterprises – article 49, paragraph 4, Law on Social Protection – article 117, Law on the Fundamentals of the Education System – article 113, as well as the Government Conclusion No. 013-9473 / 2019 dated September 23rd, 2019.

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to blindly obey the demands of their superiors in relation to the upcoming elections, which indicates that the pressure is followed by other abuses and manipulative strategies of various actors.

In addition to employees in public companies, observers of the CRTA also noted that pressure was directed towards minorities and vulnerable groups, most often towards Roma, pensioners, and beneficiaries of social assistance.

“During the weekends of March 7th and 8th, 2020, the Serbian Progressive Party activists with councillors in the Municipal Assembly and employees of the Aged Care Home brought a notary to the Home in the evening and copied the ID cards of the beneficiaries pressuring them to sign the Serbian Progressive Party list.”

From a CRTA’s observer’s report

“According to the allegations of two citizens, a part of the employees in the library was forced to collect safe votes from their relatives, friends and neighbours under the threat of dismissal. The employees did not want to talk about that topic out of fear.”

From a CRTA’s observer’s report

Moreover, pressure was also recorded on workers in private companies, the media and civil society organisations.

“A local media worker received a call from an unnamed Serbian Progressive Party activist asking him to find five secure votes, for which he “thanked him”. Today, the municipality decided on the distribution of budget funds for 2020 intended for financing projects in the field of media and information, for which, in addition to the local, the media from the neighbouring city also applied. There are doubts about the connection between the allocation of funds from the municipality and the demand for secure votes.”

From a CRTA’s observer’s report

“An interlocutor told me today how his friend, the owner of the bookkeeping agency, after the control of the tax inspector, who had not notice any irregularities in her work, received a discreet message from him that this was it for now, but that she should pay attention to whom her staff and herself would vote.”

From a CRTA’s observer’s report

In the majority of the recorded cases, the goal of the pressure was give supporting signatures for the lists participating in the elections. The pressures were carried out by calling on the phone, sending messages or in person. Among the most common forms of pressure, citizens quoted threats of their dismissal of the dismissal of their family members, as well as the loss of services provided by the state institutions.

6. MEDIA AND SOCIAL NETWORKS

6.1. Key findings

According to the CRTA observation mission, the representation of political actors in the election campaign on TV stations with national frequencies varied during the campaign period, before and after the state of emergency. The period of the election campaign before the declaration of the state of emergency (from March 4th to 15th) was marked by the almost absolute domination of the representatives of the ruling parties. In the period after the state of emergency (May 12th to June 21st), there was a significantly more balanced representation of political actors who participated in the election campaign.

The media monitoring performed by the CRTA observation mission lasted from October 14th, 2019 to July 12th, 2020, and the trend of equal representation was not recorded in the period before the kick-off of the election campaign, nor after the Election Day. In the periods before and after the election campaign, nearly the same trend of representation of representatives of the ruling parties was recorded, which amounted to about three quarters of the total time allocated to all political actors.

The trend of balancing the representation of representatives of various electoral lists that participated in the elections, as well as the marginalisation of political actors who advocated the idea of boycotting the elections, were especially pronounced in the second part of the election campaign, after the state of emergency was lifted.

The tone of reporting on three groups of political actors: 1. the ruling party, 2. the opposition that participated in the elections and 3. the opposition in the boycott, tended towards a neutral tone during the election campaign. During the second part of the election campaign, especially from May 12th to June 21st, members of the ruling parties were mostly reported in a neutral, and then in a positive tone. Members of the opposition who went to the polls were reported on in the same way, while members of the opposition in the boycott were most often represented in a negative and then in a neutral tone.

During the election campaign, members of the ruling parties usually had the opportunity to address the audience directly, and had the role of the subject. The time in the role of the subject for the representatives of the opposition that went to the polls increased as the election campaign progressed, while the representatives of the opposition that advocated the boycott were represented almost exclusively in the role of the object.

Although during the election campaign there was a trend of more balanced representation, both in the time allotted to political actors, which fulfilled all legal obligations, and in the tone of their presentation, the greatest disproportion was observed in the representation of political actors in different types of programmes. Representatives of the ruling parties in most cases had the opportunity to be represented through regular television programmes, while the representatives of the opposition that participated in the elections were assigned a part of the programme intended for the elections. Thanks to the electoral parts of the programme that were foreseen for the members of the opposition that participated in the elections, a more balanced representation of all political actors who participated in the elections was achieved.

During the election campaign, the representation of representatives of the ruling parties and the opposition that participated in the elections was almost equal on the public media service, while the representatives of the opposition in the boycott were marginalised. As it was the case with other televisions with national coverage, during the election campaign, there was a tendency on the public media service to report more neutrally on all three groups of political actors. Representatives of the ruling parties and the opposition that participated in the elections had far more opportunities to be represented in the role of the subject, while the representatives of the opposition in the

boycott were most often represented in the role of the object. The representation of political actors in different types of programmes on the public service did not differ from the representation on other televisions: representatives of the ruling parties were far more represented in the regular parts of the programme, while the opposition that went to the polls occupied most of the programmes in the electoral blocs.

6.2. Media reporting

6.2.1. Methodology

On October 14th, 2019, the CRTA observation mission officially started monitoring television stations with national frequencies, with the aim of determining whether there was an equal representation of all political actors and what the tone of that representation was, i.e. to provide insight into the level of media pluralism and professional approach to all actors of the political scene.

Observers, trained to the highest international standards for media observation in the election process, monitored all TV stations with national frequencies in the period from October 14th to July 12th. The TV station sample comprises RTS 1, TV Pink, TV Prva, TV Happy and TV B92. Our observation focuses on the entire programmes in the extended prime-time (from 5.30 pm to midnight) in which political actors from Serbia appear or are mentioned. The basic units of observation are the subject, i.e. the political actor who speaks or is quoted in the media report, and the object, i.e. the political actor who is talked about by other actors or journalists/presenters. Below are the main findings of the analysis, which cover 10,764 hours of the observed television programme.

6.2.2. Findings

6.2.2.a. Analysis of TV stations with national frequencies

The representation of three groups of actors: 1. the ruling party, 2. the opposition that participated in the elections and 3. the opposition in the boycott shows a different trend. In the period from October 14th, 2019 to March 4th, 2020, when the parliamentary elections in the Republic of Serbia were called, the ruling parties had a stable trend in representation on televisions with national frequencies, which amounted to between 70 and 75 percent. The parties that participated in the elections, just before the elections were called, from February, 2020, started to getting higher representation on televisions with national frequencies, so their representation increased from 10 to 15 percent in January and to 22 percent in February this year. On the other hand, the representation of the opposition boycotting the elections on televisions with national frequencies in the period from October 2019 to March 2020 decreased from over 15 percent in the period until January 2020 to eight percent in March of the same year.

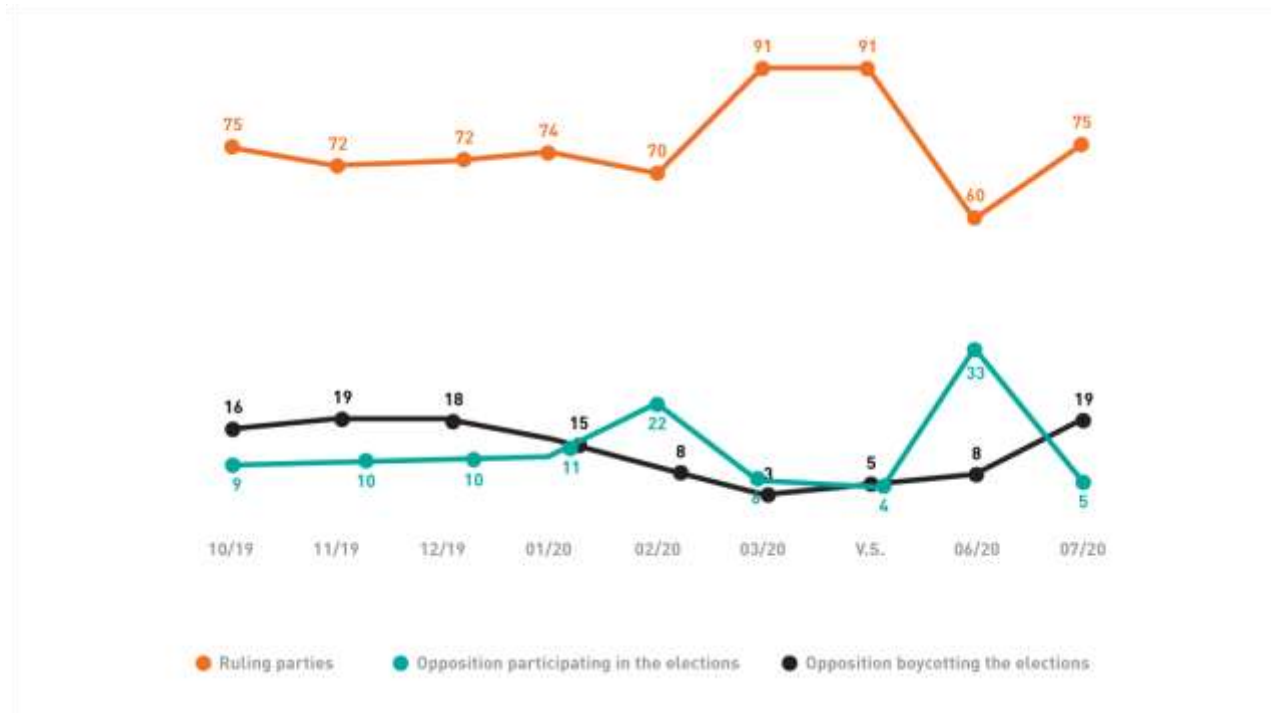
In the first part of the election campaign, which was interrupted due to the COVID-19 crisis, which led to the declaration of the state of emergency, as well as during the state of emergency itself, television stations with national frequencies were dominated by ruling parties' representatives who had 91 percent representation in the total time devoted to political actors. During this period, all representatives of the opposition together, regardless of whether they participated in or boycotted the parliamentary elections, had a representation of nine percent on televisions with national frequencies.

In the second part of the campaign, which continued after the lifting of the state of emergency, from May 12th to June 21st, there is a noticeable trend of a more equalised representation of political actors. 60 percent of the total time was intended for the representatives of the parties in power, whereby an additional 33 percent was intended for the opposition that participated in the elections. The remaining 7% was devoted to the opposition, which boycotted the elections.

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In the post-election period, from June 22nd to July 12th, the representation of political actors on television stations with national frequencies returned to the pre-election period. This means that after the elections, the representatives of the ruling parties regained the representation of 75%, the opposition that went to the polls returned to the representation of 5%, and the opposition that boycotted returned to the representation of 19% (Chart 7).

Chart 7. Representation of ruling parties, opposition and opposition boycotting the elections in the programmes of all televisions with national frequencies



*Period 10/19: from October 14th to October 31st. Period 03/20: from March 4th to March 15th, 2020, V.S. period: state of emergency March 15th to May 6th, 2020. Period 06/20: from May 12th to June 21st 2020. Period: 07/20: from June 22nd to July 12th, 2020.

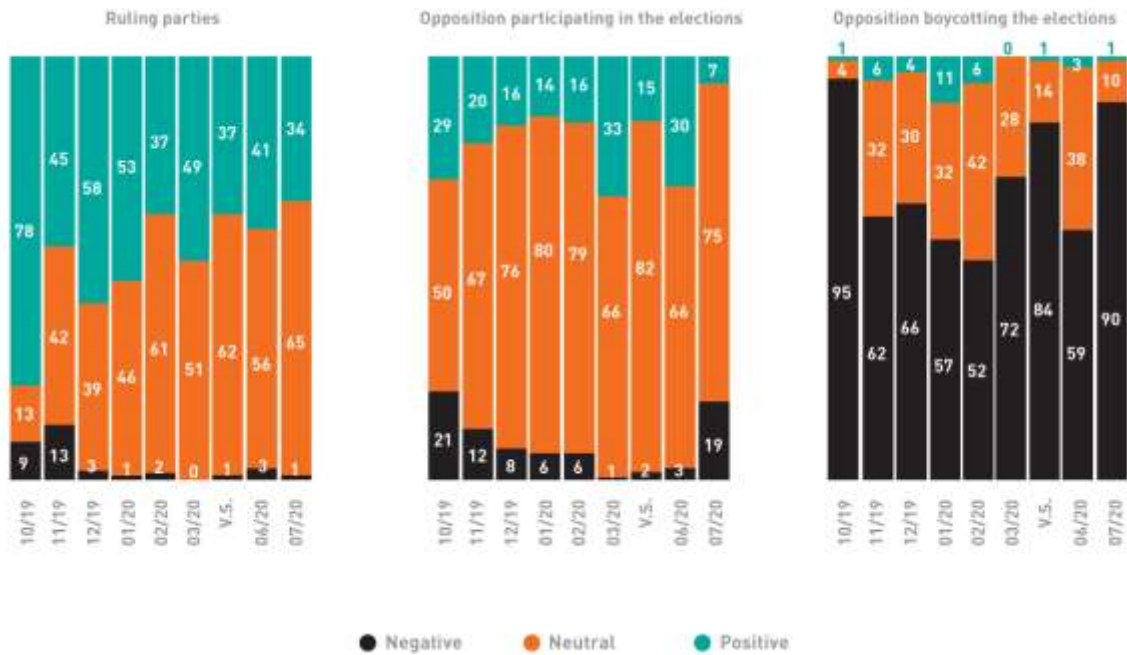
In the period from October 2019 to July 2020, the representatives of the ruling parties were reported on equally in a neutral and in a positive tone (48 percent). The election campaign was dominated by a neutral tone of reporting on representatives of the ruling parties (51 percent in the first part and 56 percent in the second part of the campaign).

Members of the opposition that went to the polls were most often represented neutrally, on average in 71 percent of all reports. During the election campaign, the positive tone of reporting on the representatives of the opposition that participated in the elections increased (33 percent in the first part and 30 in the second part of the campaign), but the neutral tone of reporting remained dominant with 66 percent in both the first and second part of the election campaign.

Members of the opposition boycotting the elections were predominantly represented negatively in the period from October 2019 to July 2020, on average in a negative tone in 71 percent of all reports. In the second part of the election campaign, after the state of emergency, the percentage of negative reporting decreased (from 84 to 59 percent), and the percentage of neutral reporting for members of the opposition in the boycott increased (from 14 to 38 percent). The percentage of negative reporting for the opposition in the boycott continued immediately after the elections in June 2020 (Chart 8).

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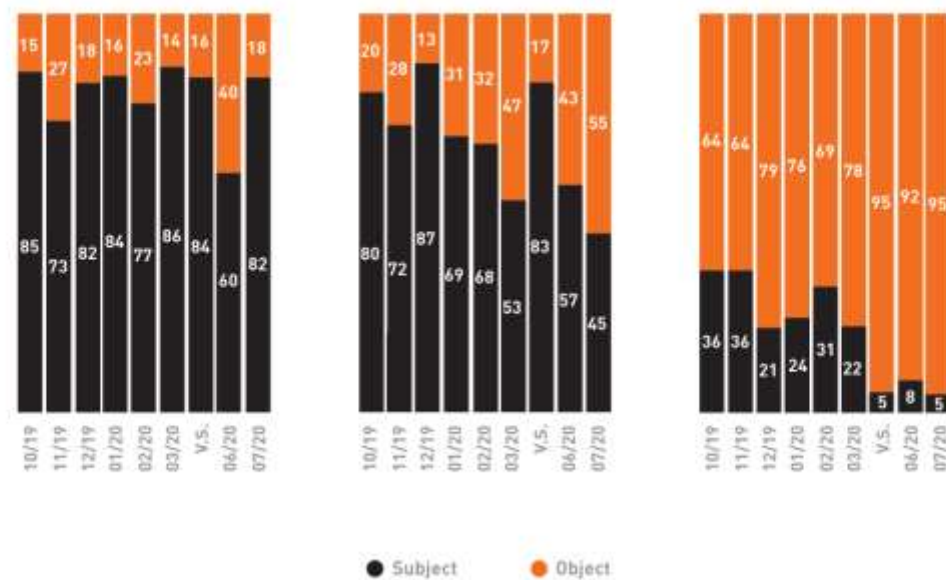
Chart 8. Tone of representation of political actors according to their party affiliation on televisions with national frequencies



During the entire period of the conducted media monitoring, the regime representatives had the most opportunities to be presented in the role of a subject on television programmes with national frequencies, on average in 79 percent of the total time dedicated to political actors. However, during the election campaign after the state of emergency, the time in the role of the subject of the representatives of the ruling parties and the opposition that went to the polls was almost identical, 60 percent for the representatives of the ruling parties versus 57 percent for the representatives of the opposition that went to the polls. Immediately after the end of the elections, the percentage of time in the role of the subject for the regime representatives increased to 82 percent, while it decreased for the representatives of the opposition that participated in the elections to 45 percent. Representatives of the opposition in the boycott were mostly represented in the role of the object, i.e. someone else commented on them or talked about them, and this percentage of the state of emergency increased to over 90 percent of the time in the role of the object (Chart 9).

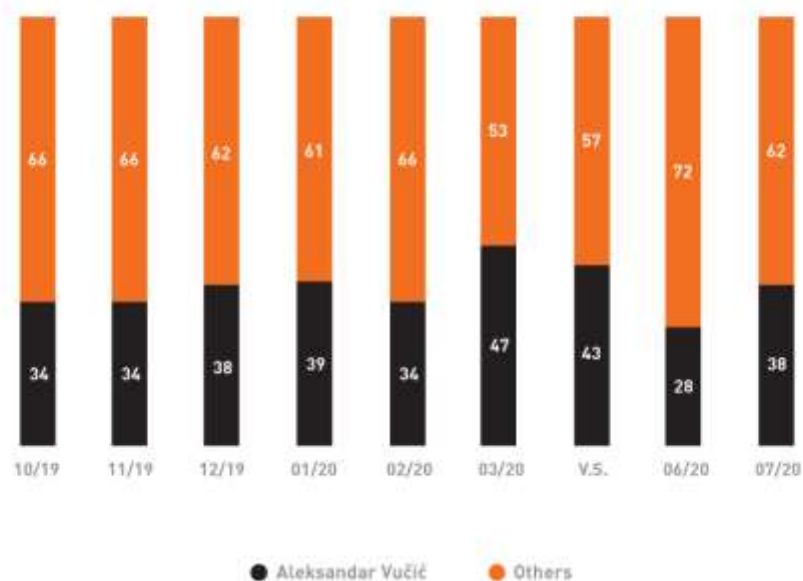
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Chart 9. Representation of political actors in the role of subject and object in programmes of televisions with national frequencies



Aleksandar Vučić was the most represented political actor in the period of the conducted media monitoring. It accounted for an average of 37 percent of the total time devoted to all political actors on televisions with national frequencies. During the first part of the election campaign when the COVID-19 crisis occurred, as well as during the state of emergency, Aleksandar Vučić occupied 47, i.e. 43 percent of the total time intended for all political actors (Graph 10).

Chart 10. Representation of political actors in programmes of televisions with national frequencies



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Figure 6. An overview of pseudo-events that were broadcast live on television in the period from May 20th to June 21st

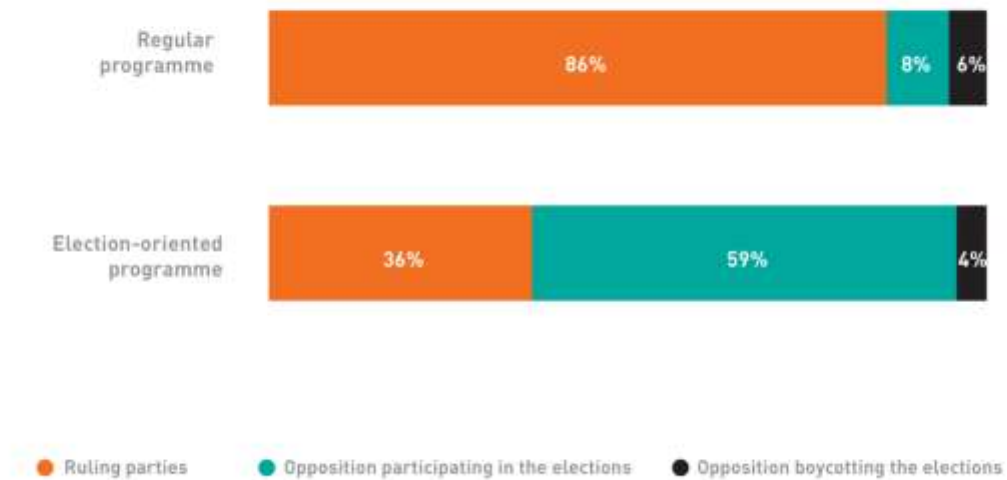
Event	Date
President Vučić visiting the works on the reconstruction of the building of the Health Centre in Prokuplje	20.05.2020.
President Vučić at the ceremony of laying the foundation stone of the “Kyungshin Cable” plant	27.05.2020.
President of Serbia opening works on the Belgrade-Budapest railway in Stara Pazova	30.05.2020.
Vučić attended the commencement of works on the construction of the Karajukić Bunari-Rasno road in Novi Pazar	03.06.2020.
Vučić in Loznica attended the opening of a new plant in the factory “Adient”	04.06.2020.
Opening of the Science and Technology Park in Niš	09.06.2020.
Opening of the factory “Budimka”	12.06.2020.
Tour of the works on the Belgrade Tower in the Belgrade Waterfront	15.06.2020.
Visit to the Science and Technology Park in Čačak	16.06.2020.
Aleksandar Vučić attended the commencement of works on the construction of the Iverak-Lajkovac road	17.06.2020.

According to the data obtained by monitoring the media in the extended prime-time (from 5.30 pm to midnight), the representation of Aleksandar Vučić in the second part of the campaign dropped to 28% of the total time intended for political actors. Nonetheless, the data on live coverage of pseudo-events on TV Pink such as the opening of public works, the laying of the foundation stone, the tour of public works show that his representation was far greater. A pseudo-event is an event that seems to be public, but its real purpose is to promote a political actor. This type of event is another means in a series intended for attracting additional media attention to government officials during the election campaign and represents the definition of a public officials’ campaigning. In the period from May 20th to June 21st, the CRTA observation mission recorded at least ten of such events, which were broadcast live on Pink TV (Chart 6).

During the election campaign, different political actors occupied different slots within the regular and election-oriented part of the programme. Representatives of the ruling parties dominated the regular parts of programmes on televisions with national frequencies – 86 percent of the total time devoted to political actors. This part of the programme on televisions with national frequencies accounted for 58 percent of the total monitored programme during the election campaign. Representatives of the opposition that participated in the elections were far more represented in the election-oriented parts of the television programme (59 percent compared to 8 percent in the regular parts). While the opposition that advocated boycott was far less represented in both the regular and special parts of the programmes, 6 in the regular and 4 in the election-oriented part of the programme. During the election campaign, election-oriented programmes accounted for 42 percent of the total time in extended prime-time (Chart 11).

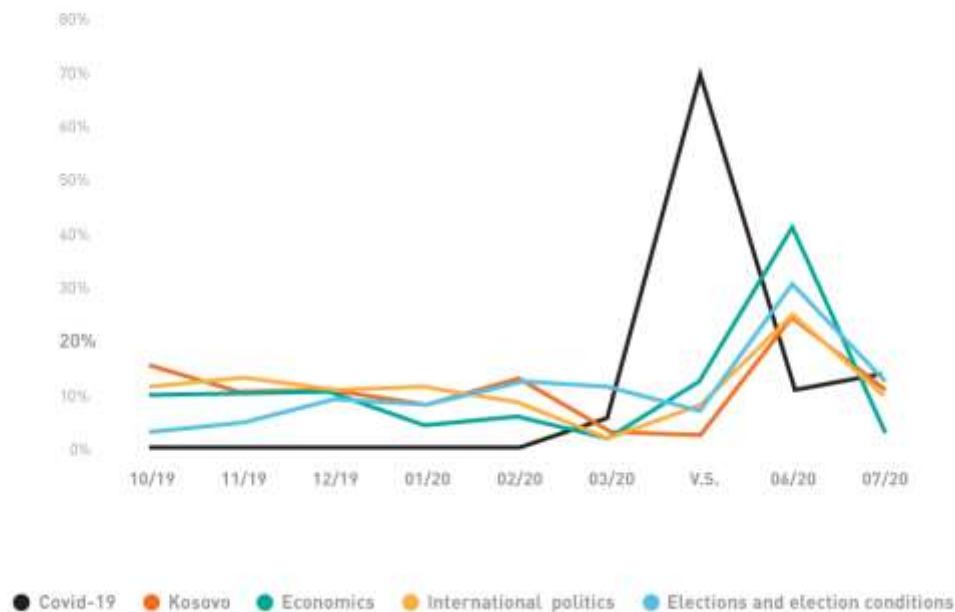
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Chart 11. Representation of political actors during the campaign in the election-oriented and regular parts of programmes of televisions with national frequencies



Three topics dominated on televisions with national frequencies in the period before the state of emergency: Kosovo, international relations, and the economics. Nevertheless, since March, the topic related to COVID-19 has dominated and played the only role. During the second part of the COVID-19 campaign, “it falls into oblivion”, and the leading place in this period was taken by the topic of economics. However, immediately after the elections, the situation caused by COVID-19 crisis became once again the most important topic (Chart 12).

Chart 12. Representation of actor’s current topics on television programmes with national frequencies



6.2.2.b. Reporting on the Radio-Television of Serbia

The trend in representation of three groups of actors: 1. the ruling party, 2. the opposition participating in the elections and 3. the opposition boycotting the elections is different on the First Channel of the public media service of the Radio Television of Serbia (RTS 1). In the period before the parliamentary elections in the Republic of Serbia, the ruling parties had a stable trend in representation, which amounted to between 73 and 85 percent, with a slight decline in February when it was 64 percent. The parties that participated in the elections, in February 2020, just before the elections were called, began to gain a higher representation on RTS 1, so it increased from seven to 23 percent. On the other hand, the representation of the opposition in the boycott on RTS 1, in the period from October 2019 to March 2020, recorded a relatively stable trend in representation, which amounted to between 10 and 16 percent, depending on the month.

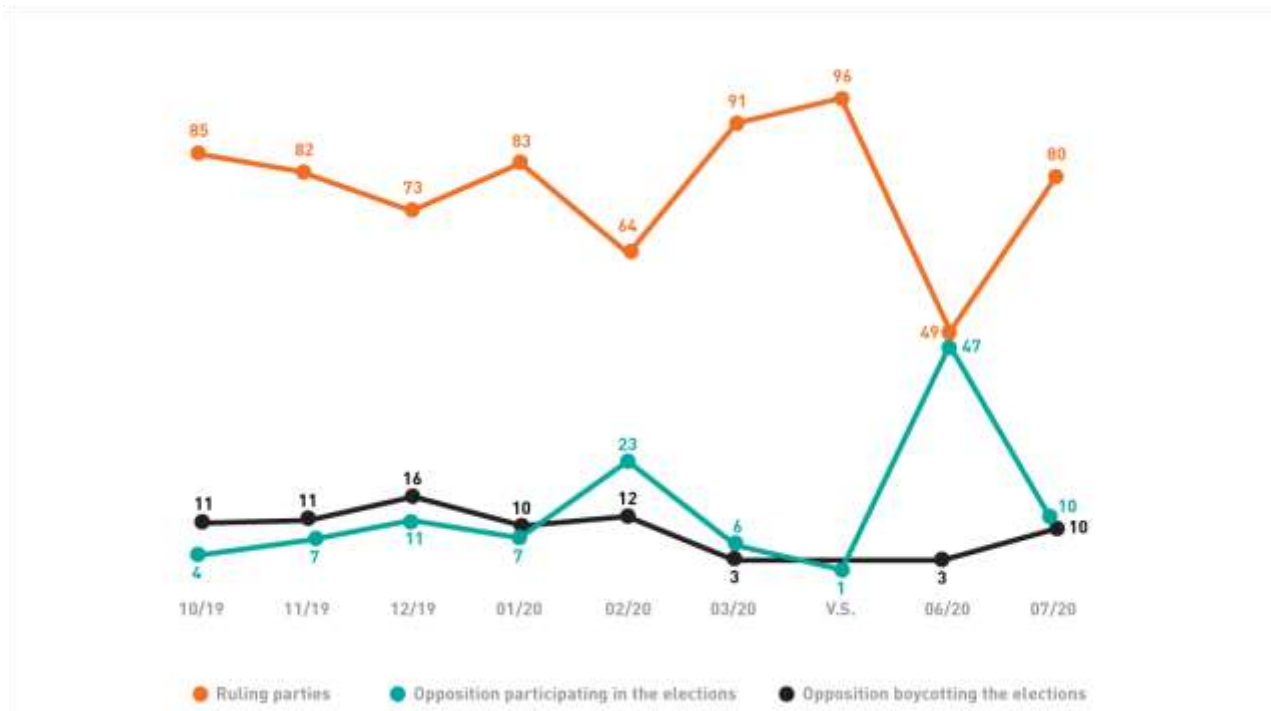
In the first part of the election campaign, which was interrupted due to the COVID-19 crisis that led to the declaration of the state of emergency, as well as during the state of emergency itself, all three groups of political actors had an equal representation on the Public Media Service. Representatives of the ruling parties dominated, representing 91 to 96 percent of the total time devoted to political actors. While all opposition representatives together, regardless of whether they participated or boycotted the parliamentary elections, had a cumulative representation of between four and nine percent on the Public Media Service.

In the second part of the campaign, which continued after the lifting of the state of emergency, from May 12th to June 21st, the trend of equal representation of political actors was quite striking on the public media service. The representation of the ruling parties and the opposition that participated in the elections was almost identical, 49 percent of the representation belonged to the representatives of the ruling parties, and an additional 47 percent to the representatives of the opposition that participated in the elections. The remaining four percent went to the opposition, which boycotted the elections.

Similarly to other televisions with national frequency, after the end of the elections, the Public Media Service returned to the trend of representation that was recorded in the pre-election period. In the post-election period, from June 22nd June to July 12th, the representation of political actors returned to the same level recorded before the elections. This means that after the elections, the representatives of the ruling parties regained 80 percent of the representation, and the opposition that went to the polls, as well as the opposition that boycotted the elections to 10 percent for each group individually (Chart 13).

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Chart 13. Representation of ruling parties, opposition and opposition boycotting the elections in the programmes of the Public Media Service



In the period from October 2019 to July 2020, the representatives of the parties in power were on average reported mostly neutrally, 54 percent, and then positively 48 percent. The opposition that participated in the elections was also most often reported neutrally, 71, and then positively, 20 percent, while the opposition in the boycott was most often reported neutrally, 54 percent, and then negatively, 37 percent. During the election campaign, a neutral tone of reporting on representatives of all political groups dominated. Nevertheless, the representatives of the ruling parties and the opposition that participated in the elections were presented more in a positive tone, compared to the negative one, while the representatives of the opposition in the boycott were presented more in a negative than in a positive tone (Chart 14).

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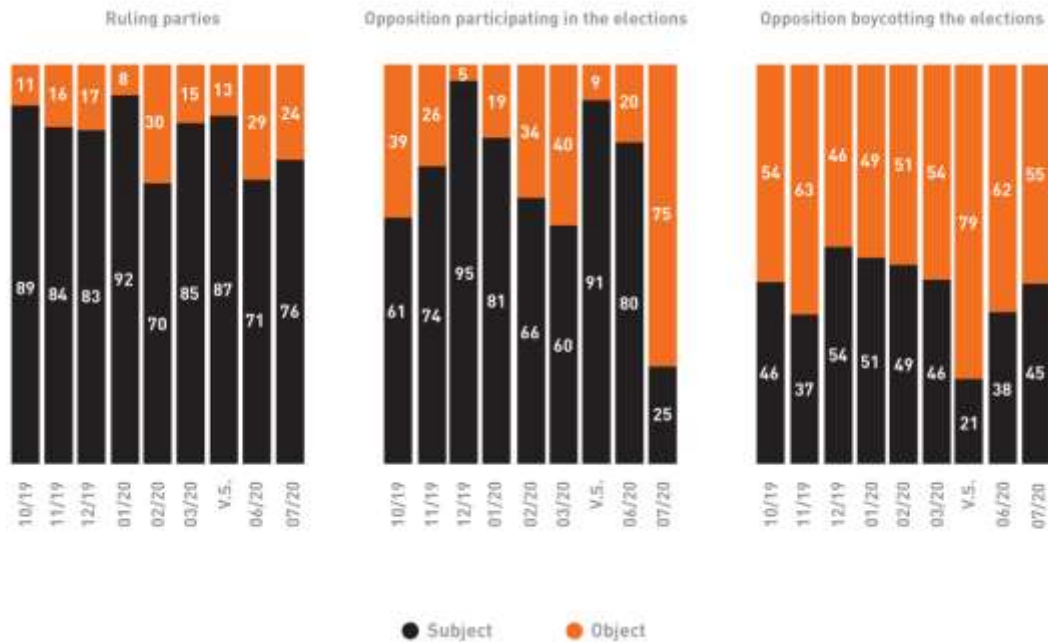
Chart 14. Tone of representation of political actors according to their party affiliation in the programmes of the Public Media Service



On the Public Media Service, the representatives of the ruling parties had the most opportunities to be represented in the role of the subject during the entire period of the conducted media monitoring, on average in 82% of the total time dedicated to political actors. Representatives of the opposition that participated in the elections were slightly less represented than the representatives of the ruling parties in the role of the subject, on average in 70 percent of the total time dedicated to political actors. Representatives of the opposition in the boycott, on the other hand, were more often represented in the role of the object than in the role of the subject, on average in 57 percent of the total time dedicated to political actors. The same trend existed during the election campaign, when representatives of the ruling parties were represented on average in the role of the subject in 78 percent, representatives of the opposition who participated in the elections in 70 percent, and representatives of the opposition in the boycott in 42 percent of the total time devoted to political actors (Chart 15).

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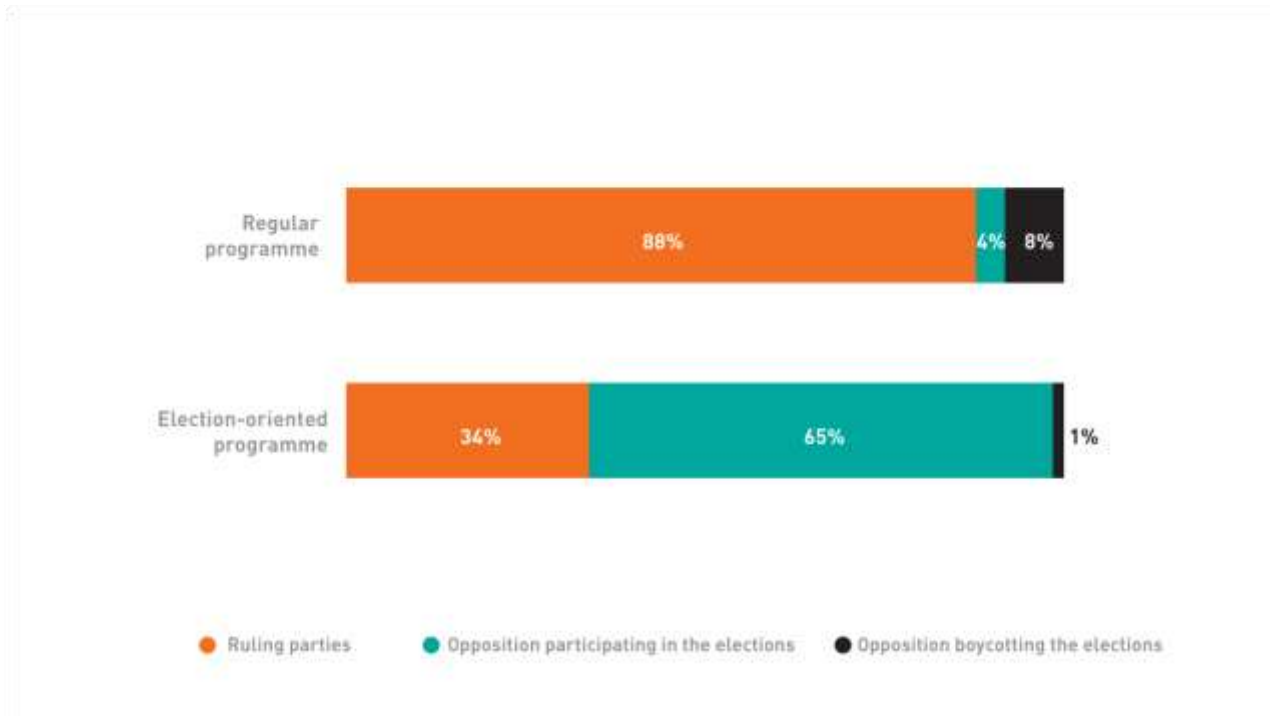
Chart 15. Representation of political actors in the role of subject and object in programmes of the Public Media Service



During the election campaign, different political actors occupied different time slots within the regular and election-oriented part of the Public Media Service programme. Representatives of the ruling parties dominated the regular parts of the programme in 88% of the total time allocated to political actors. Representatives of the opposition that participated in the elections were exclusively represented in the election-oriented parts of the programme (65 percent) and almost nowhere outside the election-oriented part of the programme (4 percent in the regular parts of the programme). Representatives of the opposition that boycotted the elections occupied a far smaller portion of the programme with 8 percent in the regular and 1 percent in the election-oriented part of the programme during the campaign (Graph 16).

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Chart 16. Representation of political actors during the campaign in the election-oriented and regular parts of programmes of in programmes of the Public Media Service



6.3. Political actors on social networks

6.3.1. Methodology

At the beginning of March 2020, the CRTA observation mission officially started monitoring the activities of political actors on social networks, with the aim of providing insight into the scope and trends of political actors' activities, the type of content they share on social networks, and the reach and engagement of followers. Observers, trained to the highest international standards for observation of the media in the election process, monitored activities on these profiles until the final results of the parliamentary elections were announced. The goal of monitoring activities on social networks is also an insight into the level of professionalism in the election campaign, i.e. the degree of adherence to the rules of good practice in the activities of political actors on social networks.

The focus of this segment of monitoring the election campaign are the activities of relevant political actors on three social networks: Facebook, Twitter and Instagram. For the purposes of the analysis, a combination of quantitative and qualitative methods in data collection and processing was used. In the first step, data was collected and systematised using the SentiOne platform for systematic monitoring and collection of data from social networks.⁹⁹ A qualitative analysis of the data was then conducted by our team of observers. The activities of political actors were analysed on the basis of posts collected from a sample of relevant profiles of political parties and their leaders selected on the basis of three criteria: political parties or organisations that won a mandate in the XI convocation of the National Assembly of the Republic of Serbia, political parties or organisations that won more than 1% of the vote and gained visibility at the national level, as well as those that, according to opinion polls, were to win more than 1% in the upcoming parliamentary elections. The sample of profiles or accounts included in the analysis of activities on social networks includes over 300 official accounts of political parties and their representatives.

⁹⁹ sentione.com

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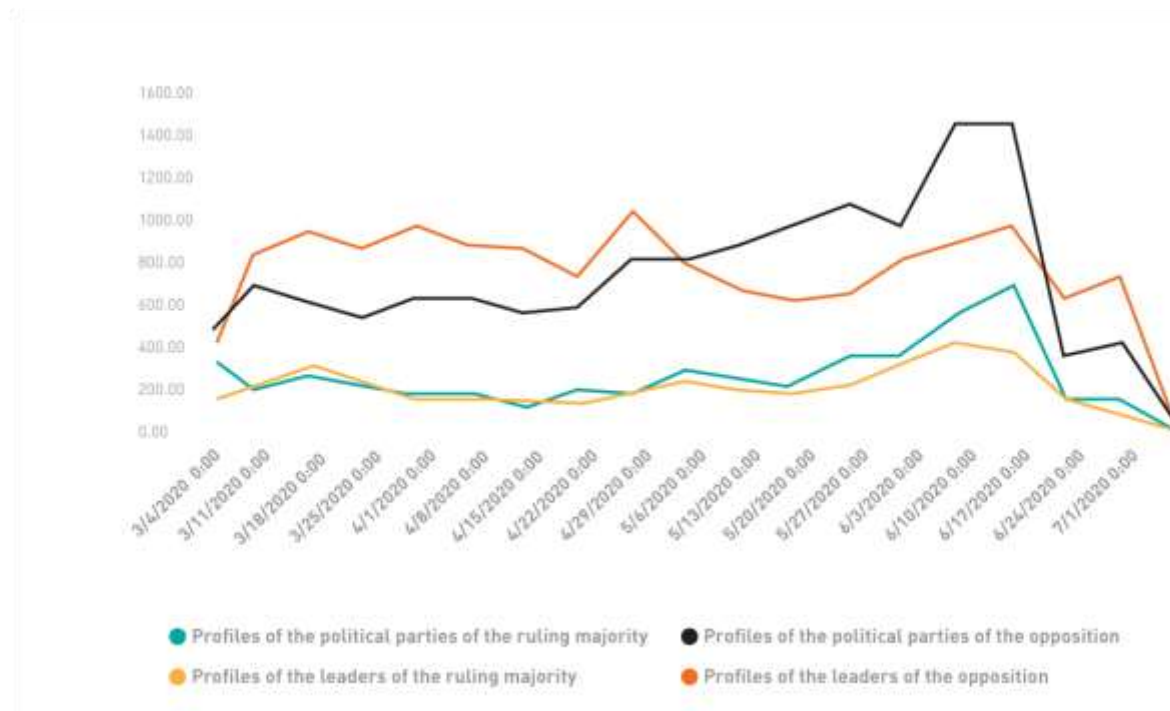
The focus of the observation are uniquely official accounts of political parties and party leaders, both the ruling majority and the opposition, including the part of the opposition that announced a boycott of the upcoming elections. One quarter of the sample of party profiles consists of profiles of the ruling majority, while the rest are profiles of the opposition that participated and the opposition that boycotted the 2020 parliamentary elections. In addition to active political parties, observation of the profiles of political parties included in the sample comprises also other active political organisations that are not registered as political parties (movements, citizens' associations, initiatives, etc.). The profiles of the party leaders of the ruling parties include the official profiles of the highest state officials (president, prime minister and ministers, mayors, etc.). This report includes posts from the profiles from the sample that have been active since the beginning of March 2020.

6.3.2. Findings

Findings of the analysis are presented below, and include almost 36,000 posts on the profiles of political actors in the reporting period. Bearing in mind that the election campaign was interrupted by the declaration of the state of emergency and the suspension of all election activities, the main findings were presented in two separate campaign periods: (1) in the period before the declaration of the state of emergency, from March 4th to 15th; (2) in the period during state of emergency, from March 16th to May 6th; (3) in the period after the state of emergency when election activities continued, from May 12th to June 21st; and (4) in the period after the Election Day until the announcement of the official results, From June 22nd to July 5th, 2020.

The analysis of posts on official accounts of political actors during the election campaign showed that actors who do not belong to the ruling majority were significantly more active on social networks. This datum indicates the attempt of the opposition to compensate for the lack of media space through communication with citizens via social networks (Chart 17).

Chart 17. Trend in the number of posts noted on the profiles of political actors

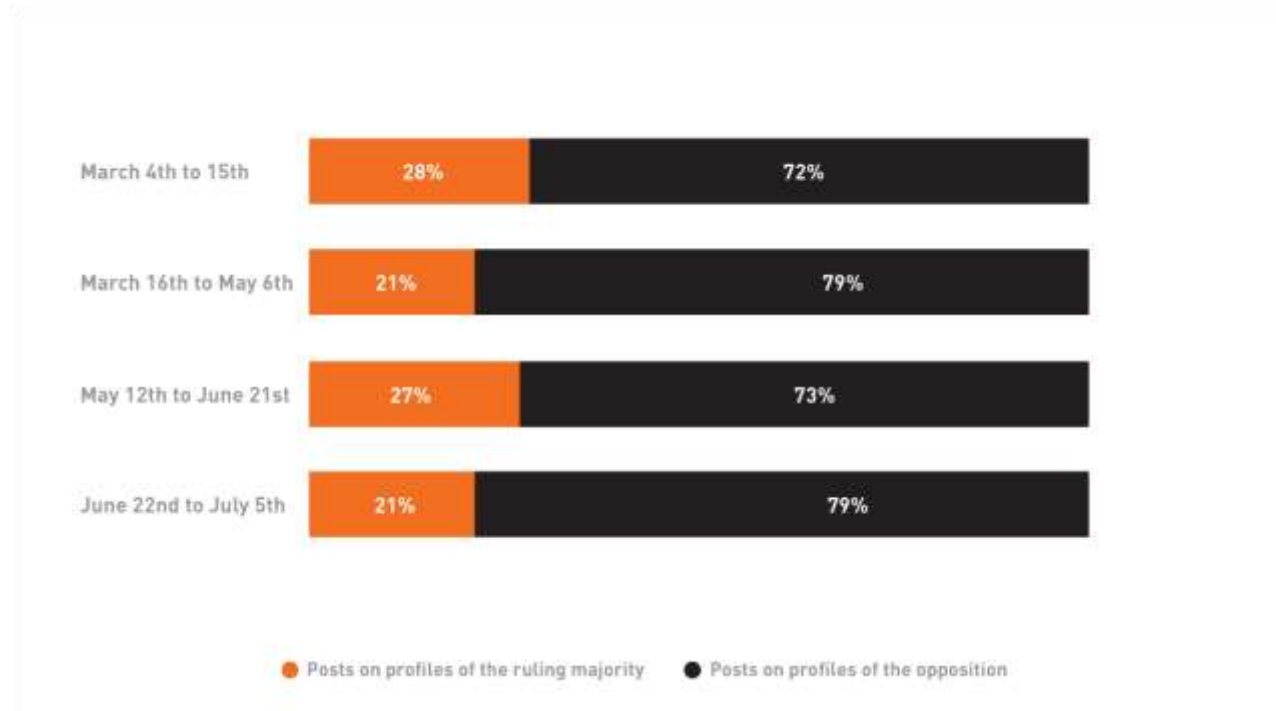


In all the four observed periods, from calling of the elections on March 4th until the announcement of official results within the observed sample, the profiles of political parties and leaders – including both those that participated in the elections and those that boycotted them, had three times more posts than the profiles of parties and officials of

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the ruling majority (Chart 18). The difference in the dynamics of activities was even more pronounced during the state of emergency, as well as after the Election Day, when opposition political parties and their leaders were almost four times more active.

Chart 18. Portion of posts of political actors in the observed periods

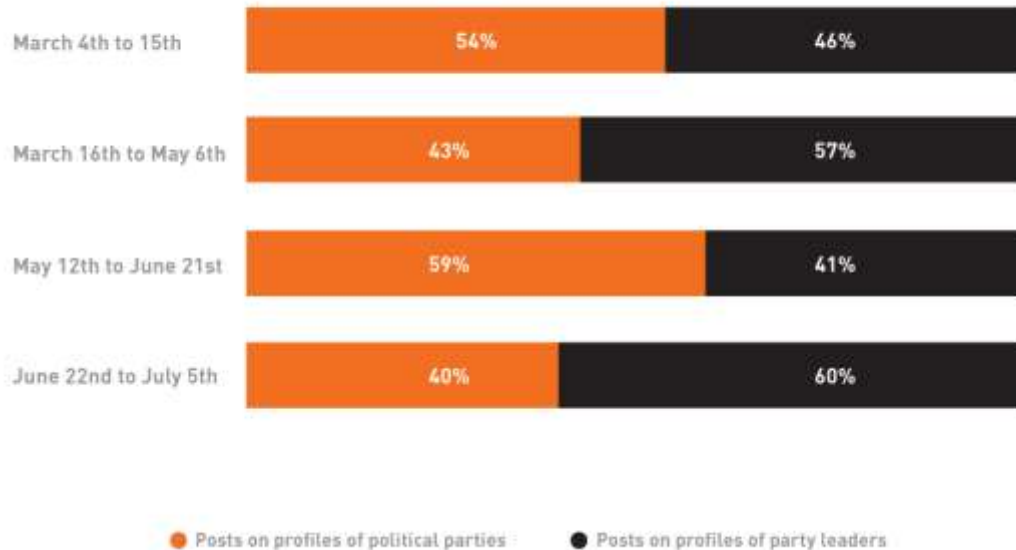


The trend of increased activity of political actors who are not a part of the ruling majority was noted both with party profiles and leader profiles of this group.

However, there is a noticeable difference in the dynamics of activities between the profile of political parties and the profile of party leaders, both the ruling majority and the opposition. In the periods of the election campaign, greater activity was recorded on the profiles of political parties, while during the state of emergency and in the period after the Election Day, greater activity was recorded on the profiles of party leaders (Chart 19).

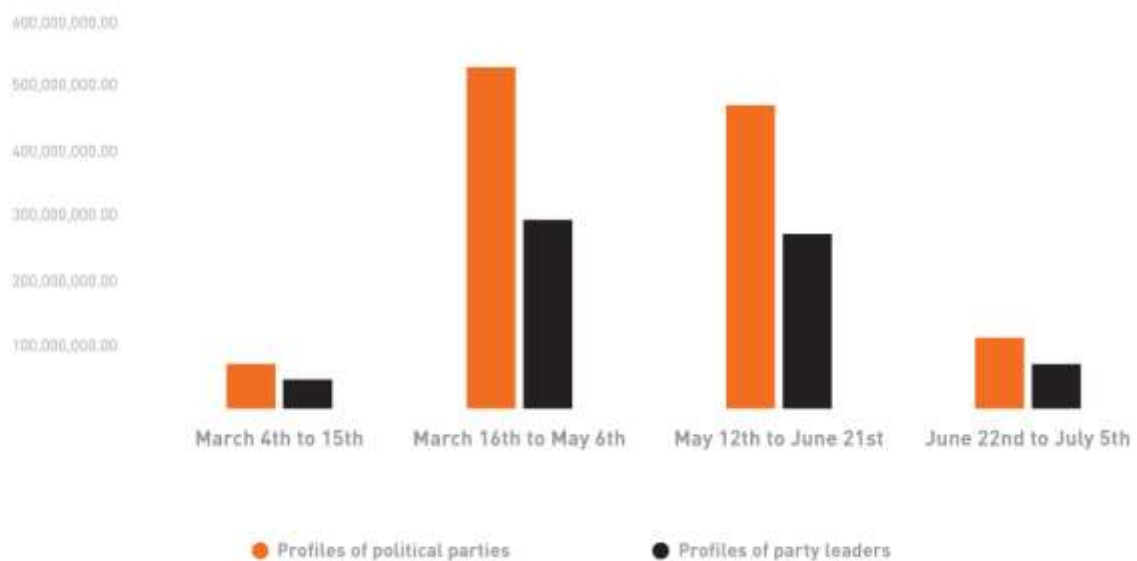
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Chart 19. Portion of posts on profiles of political parties and individual political leaders



The analysis of the posts of political actors also showed that political parties had been more active on Facebook than on Twitter in the entire period of the election campaign, while party leaders had been more active on Twitter. The analysis of the reach of political actors, based on the number of impressions, showed that the profiles of political parties had almost twice the reach of the profiles of individuals, i.e. leaders of parties of the ruling majority and the opposition (Chart 20).

Chart 20. Assessment of reach on party profiles and party leaders of all political actors

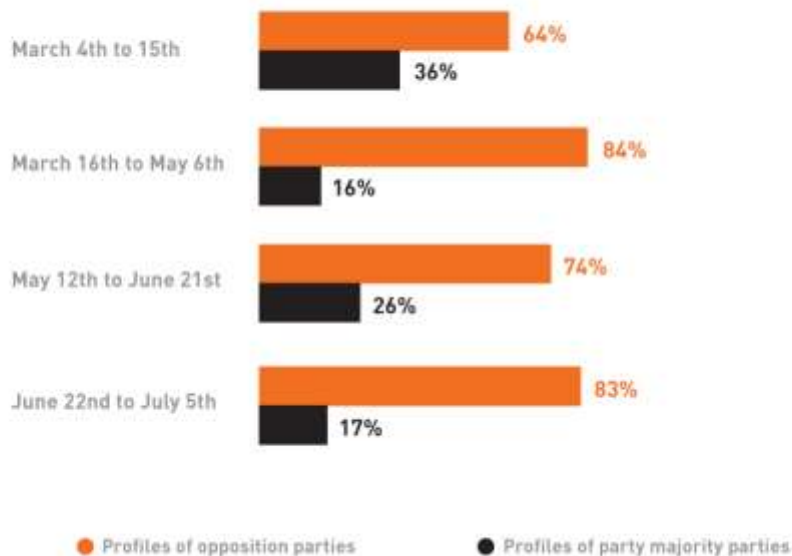


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There was an increase in the total reach of posts from the opposition profiles, when it comes to the profiles of political parties but also of opposition party leaders, during the state of emergency and during the continuation of the election campaign after the state of emergency, all the way until the Election Day. It is estimated that the posts from the profiles of political parties in the first period of the election campaign, before the declaration of the state of emergency, recorded almost 69 million views, while in the continuation of the campaign after the state of emergency was lifted they reached more than 469 million views. The posts of the opposition parties, both those that participated in the elections and those that boycotted the elections, recorded twice as many views in the first part of the election campaign, while after that they recorded as many as three times more views (Chart 21).

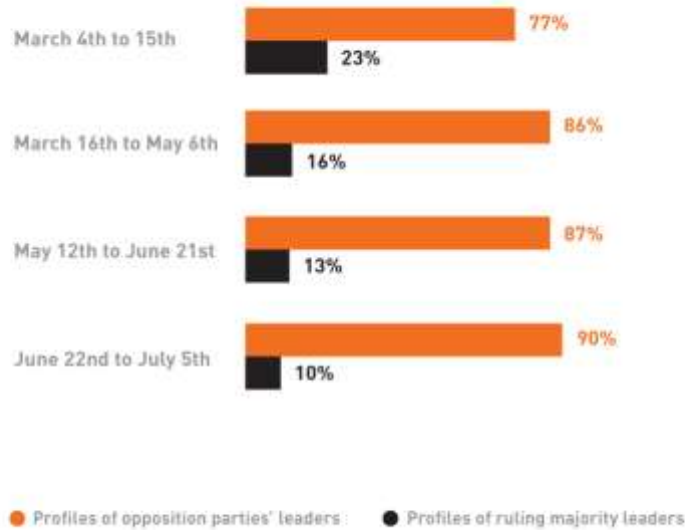
On the other hand, the posts from the profiles of opposition party leaders recorded slightly more than 43 million views in the first part of the election campaign, compared to over 270 million views in the continuation of the campaign. The significant increase in the reach of posts of the opposition in the period after the declaration of the state of emergency is even more pronounced when it comes to the difference in the reach of the posts from the profiles of opposition party leaders and the ruling majority (Chart 22).

Chart 21. Assessment of the reach of posts on the profiles of political parties



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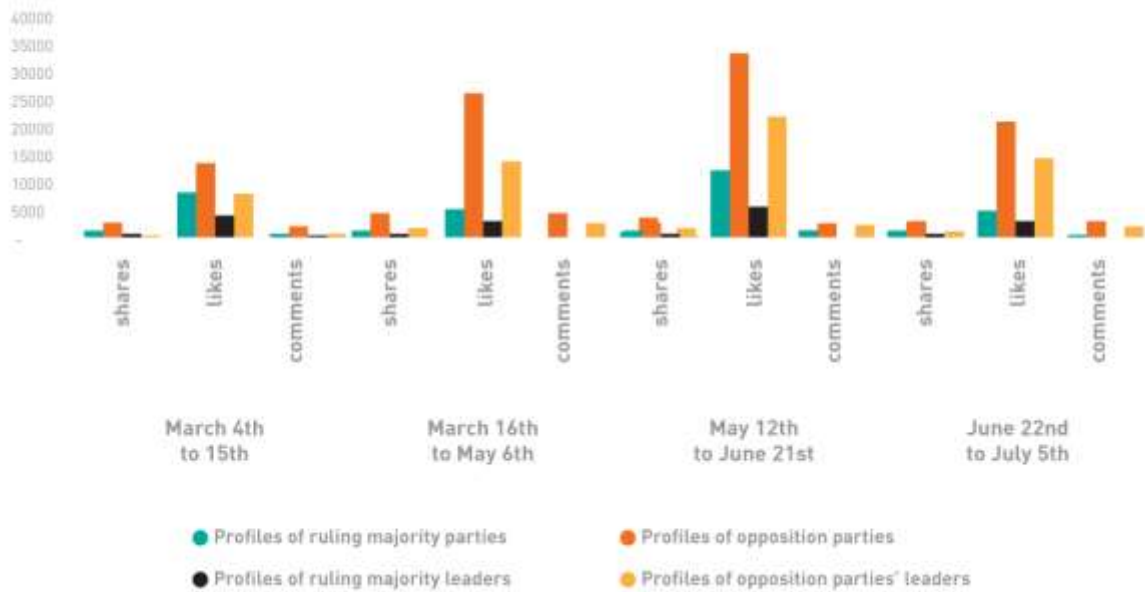
Chart 22. Assessment of the reach of posts on the profiles of party leaders



When it comes to the overall engagement of followers, during the entire period of observation on Facebook, we noticed a greater engagement of the opposition profile followers than the ruling majority profile followers (Chart 23). Regarding the differences in the dynamics of engagement between the observed periods, there was a significant increase in the number of likes of posts from the profiles of opposition parties, as well as posts from the profiles of opposition leaders, during the state of emergency and after the election campaign. The increase is especially noticeable in the period of the continuation of the election campaign in May, when a larger number of posts from these profiles was recorded. In the period after the Election Day, the average engagement of followers on the pages of political parties and party leaders of the ruling majority dropped significantly, falling below the level attained in the first part of the election campaign. On the other hand, although a decline in the engagement of followers was also noted in the profiles of opposition parties and leaders, the average level of engagement of their followers remained close to the level reached during the state of emergency.

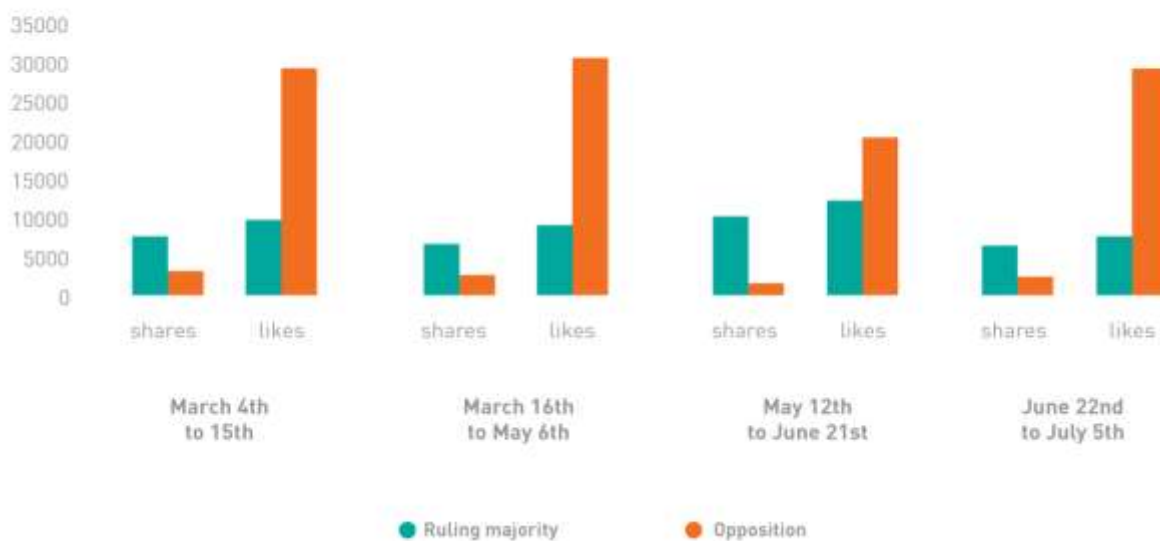
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Chart 23. Overview of the average engagement of followers on Facebook profiles by type of political actors



Regarding the engagement of followers on Twitter, during the entire observed period, the largest number of likes was recorded on the posts from the profiles of opposition parties' leaders (Chart 24). The largest share in the number of these likes pertains to the posts of opposition leaders who advocated a boycott of the elections. However, in terms of sharing posts by followers, the profiles of parties and leaders of the ruling majority are convincingly leading.

Chart 24. Overview of the average engagement of followers on the Twitter profiles of political actors and the ruling majority



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The analysis especially pointed to the increase in the number of content sharing from the profile of the political parties of the ruling majority on Twitter, in the continuation of the election campaign after the state of emergency was lifted. In addition, there are noticeable differences in the way in which the followers of the profiles of parties and party leaders of the opposition and the ruling majority are engaged. Overall, there were on average two to three times more likes of the posts of opposition actors on Twitter, compared to the posts from the profiles of parties and leaders from the ranks of the ruling majority. However, the posts from the profile of the ruling majority were shared almost five times more than those from the profiles of the opposition. Given that sharing posts is the most desirable type of engagement because it is one of the key factors that can contribute to increasing the reach of profile posts, it can be assumed that the followers of the ruling majority profiles contributed to greater visibility and reach of posts. On the other hand, sponsorship of posts also contributes to greater reach, but the impact achieved by political advertising of posts on social networks cannot be assessed given that the new binding policy of Facebook advertising transparency was not extended to Serbia in the observed period despite announcements. Therefore, data on the number and reach of advertised posts of political actors in the observed period are not available in the Facebook ad library for most of the observed profiles.¹⁰⁰

When it comes to the tone in the posts of political actors on social networks, the posts were dominated by a neutral tone. Negative tone was most often recorded in the posts of party leaders who are not part of the ruling majority, while posts dominated by positive tone were recorded to a much greater extent on the profiles of political parties and leaders from the ruling majority (Chart 25).

Chart 25. Overview of the ratio in the tonality of announcements on the profiles of political actors in the observed period



¹⁰⁰ Facebook Ad Library. bit.ly/33leP8t

7. ELECTION DAY

7.1. Key findings

The elections for MPs of the National Assembly of the Republic of Serbia were held in Serbia as one constituency on June 21st, 2020, by applying the proportional electoral system. The distribution of mandates has been done between the lists that crossed the electoral threshold of three percent of all votes, by applying the system of the highest quotient. The elections for MPs were held in parallel with the elections for councillors of the assemblies of cities and municipalities, as well as for MPs in the Assembly of the Autonomous Province of Vojvodina, which were not the subject of observation of this observation mission. 6,584,376 voters registered in the Voters' Registers had the possibility to exercise their voting right at 8433 polling stations in the country and abroad.

The CRTA observation mission monitored the quality of the elections on the basis of information collected from more than 1,700 accredited and trained short-term observers, which were distributed in a random and representative sample of 500 polling stations. Observers monitored the Election Day from the preparation and opening of polling stations to their closing and the announcement of election results. In addition to observing elections within polling stations, some observers deployed in 150 mobile teams monitored events in front of and around polling stations, while especially trained teams of our observers for the first time systematically observed voting outside polling stations.

The analysis shows that the Election Day was on the verge of regularity, having in mind the number, seriousness and territorial distribution of irregularities that can affect the election results, which were recorded in 8 to 10 percent of polling stations. The percentage of polling stations with serious irregularities and incidents is twice or three times higher in comparison to the 2016 and 2017 election days. In the remaining 90 to 92 per cent of polling stations, the Election Day was largely in line with the legislative framework, with sporadic irregularities.

Based on the results collected on a sample of 500 polling stations, 49 percent of voters registered to vote (+/- 1.2 percent) voted, which has been the lowest turnout since the 2000 parliamentary elections. Out of 21 declared electoral lists, only three non-minority lists passed the threshold, the list Aleksandar Vučić – For Our Children with 60.41 percent of votes, the list Ivica Dačić (Socialist Party of Serbia – United Serbia) with 10.32 percent of votes, and the list Aleksandar Šapić – Victory for Serbia with 3.95 percent of the vote, as well as four minority lists. The percentage of invalid ballots of 3.85 percent has been the highest since the 2012 elections.

The quality of the election process did not call into question the election results, but that it did affect the voter turnout. Taking into account the type of irregularities and their spread throughout the country, it is estimated that without their impact, the turnout would have been lower by about four percentage points, while the results by lists would have remained the same, indicating that the observed irregularities were aimed at increasing turnout, but did not affect the final distribution of votes

The most common irregularities, which were recorded at the polling station and outside them: violating the secrecy of voting, keeping parallel Voters' Registers, pressure on voters, vote buying, voting without IDs and without a UV lamp check, etc. The CRTA observers recorded three cases of corruption in the election process, known as the "Bulgarian train". Physical incidents were also recorded at two polling stations. There were also cases where voters could not vote because they were not registered, or the polling committees could not find their data in the Voters' Register.

The opening of polling stations in the parliamentary elections, as well as their closing, took place mainly in accordance with the prescribed procedures. Our observers were able to monitor the voting process without interruption at

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almost all polling stations in the sample. At three polling stations, they were denied access upon arrival at the polling station at the beginning of the Election Day, while at five polling stations they were denied to monitor voting during the day. Verbal attacks and attempts to intimidate our observers were reported at two polling stations.

As due to the epidemiological situation, voters were given a longer period to register to vote outside the polling station, the percentage of voters who demanded to vote from home was 3.3 percent of the total number of voters who casted their ballots, which is twice as much as in previous parliamentary elections in 2016 (1.5 percent). Despite the increased number of voters who voted outside the polling station, preliminary findings indicate that this process, with isolated procedural shortcomings, went according to legal procedures.

Although, in line with measures to prevent the spread of the coronavirus, 97 percent of polling stations were provided with protective equipment, delivered at the beginning of the Election Day, along with the election material, the CRTA observers noted that committee members and voters did not use it consistently, especially later in the day.

7.2. Methodology

The preliminary report on the Election Day drafted by the CRTA observation mission refers primarily to the quality of the process during the Election Day and is based on information gathered from more than 1,700 accredited and trained short-term observers, who were deployed in a random and representative sample of 500 polling stations. Our observers monitored the Election Day from the preparation and opening of polling stations to their closure and the announcement of the election results at observed polling stations. In addition to observing elections within polling stations, some observers deployed in 150 mobile teams monitored events in front of and around polling stations, while especially trained teams of our observers for the first time systematically observed voting outside polling stations. Although local and provincial elections were held at the same time on the Election Day, the CRTA observed only the parliamentary election process, and the findings on the course of the election process refer only to the elections for the National Assembly of the Republic of Serbia.

7.3. Turnout and results

The REC decision on determining and announcing the final number of voters in the Republic of Serbia, adopted at its 33rd session, held on June 19th, 2020, determined that 6,584,376 voters in a total of 8,433 polling stations in the country and abroad had the right to vote in the 2020 parliamentary elections. Based on the results collected from 500 polling stations from a random representative sample of polling stations on the territory of Serbia (excluding polling stations in Kosovo and Metohija, abroad and institutions for the execution of criminal sanctions), in the parliamentary elections on June 21st, 2020, 49 percent of voters registered to vote casted their ballot, with an error margin of 1.2 percent.

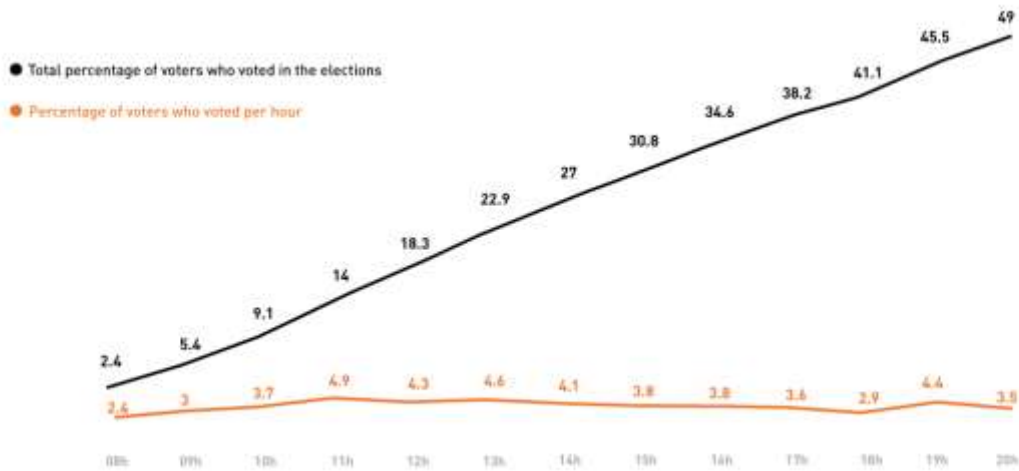
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Chart 26. Election Day turnout



Turnout was 7.07 percentage points lower than in the 2016 parliamentary elections (56.07 percent) and 4.09 percent lower than in the 2014 parliamentary elections (53.09 percent). At the same time, this turnout has been the lowest one recorded since the 2000 parliamentary elections. It is necessary that in the upcoming period low turnout be the subject of a detailed analysis, which would take into account the specific circumstances of these elections (boycott and epidemic), as well as longer-term trends of depopulation and electoral abstinence.

Chart 27. Movement of total voter turnout and voter turnout by hours



The percentage of invalid ballots was 3.85 percent, with an error margin 0.18 percent. Based on the data from all polling stations from the sample, the projection of the election results based on observation of the CRTA is shown in the Chart 28.

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Chart 28. Projection of the parliamentary elections results on June 21st, 2020

1. Aleksandar Vučić - Za našu decu	60.41%	MoE: 0.15%
2. Ivica Dačić - SPS / JS	10.32%	MoE: 0.14%
3. Šapić - Pobjeda za Srbiju	3.95%	MoE: 0.76%
4. Za kraljevinu Srbiju	2.62%	MoE: 0.13%
5. Metla 2020	2.37%	MoE: 0.11%
6. Suverenisti	2.30%	MoE: 0.15%
7. Vojislav Šešelj - SRS	2.18%	MoE: 0.14%
8. Savez vojvodanskih Mađara	1.96%	MoE: 0.76%
9. Pokret slobodnih građana	1.67%	MoE: 0.12%
10. Srpska stranka Zavetnici	1.47%	MoE: 0.11%
11. Stamatović - Zdravo da pobjedi	1.18%	MoE: 0.32%
12. Ujedinjena demokratska Srbija	1.04%	MoE: 0.16%
13. Zukorlić - Samo pravo - SPP	0.88%	MoE: 0.43%
14. Albanska demokratska alternativa	0.77%	MoE: 0.81%
15. Pokret Levijatan	0.69%	MoE: 0.06%
16. 1 od 5 miliona	0.66%	MoE: 0.05%
17. SDA Sandžaka - dr Sulejman Ugljanin	0.63%	MoE: 0.35%
18. Čedomir Jovanović - Koalicija za mir	0.32%	MoE: 0.36%
19. Zelena stranka - Nova stranka	0.26%	MoE: 0.04%
20. Ruska stranka	0.24%	MoE: 0.04%
21. Narodni blok	0.22%	MoE: 0.05%
INVALID BALLOTS	3.85%	GR: 0.18%

7.4. Opening of pools

The opening of polling stations for the parliamentary elections mostly went in accordance with the prescribed procedures. Our observers were allowed access to all polling stations. At three polling stations, observers were initially denied access, but were soon allowed to enter, following the intervention of the CRTA legal team.

A total of 80 per cent of polling stations were opened on time, seven per cent ahead of time, while 13 per cent were opened late. In 99 per cent of polling stations, the bag with election material was sealed by a security lock at the reception of the election material. Together with the election material, at 97 per cent of polling stations, members of committees received from the Republic Electoral Commission protective equipment (masks, gloves, and the like), in accordance with the measures undertaken by the Republic of Serbia against the spread of coronavirus infection.

Four per cent of polling stations in Serbia were not prepared in accordance with the prescribed procedures, mainly in Belgrade. In 10 per cent of polling stations, not all activities were recorded in the Minutes on the work of the polling station committee. In 10 per cent of polling stations, not all members of the permanent composition of the polling board were present at the opening. In 97% of polling stations, the control ballot was inserted into the ballot box at the beginning of the voting.

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Chart 29. Opening of polls (1)



A total of 56 per cent of polling stations were not accessible to people with disabilities. This datum also indicates that since the 2017 presidential elections, when the same percentage was recorded, there has been no improvement in the infrastructure that would provide citizens with an unobstructed entry into the premises intended for voting.

Chart 30. Opening of polls (2)



7.5. Voting process

Our preliminary analysis indicates that the Election Day was on the verge of regularity, given the number, severity and territorial distribution of irregularities that may have affected the election results, and that were recorded in 8 to 10 per cent of polling stations. The percentage of polling stations with serious irregularities and incidents is two or three times higher than on the election days in 2016 and 2017. Such an increase is bothersome and indicates the need for a systemic and substantial solution to the problem that should be found in the period between election cycles. In the remaining 90 to 92 per cent of polling stations, the Election Day went mostly in accordance with the legislative framework, with sporadic irregularities.

In a preliminary analysis of irregularities at polling stations where serious problems and incidents were identified, we separated these polling stations from the sample and compared the obtained values to the full sample, and determined that without these irregularities the voting results would have remained mostly unchanged, but that the turnout would have been lower there. The total turnout in this case would have been lower by about four percentage points (45 per cent compared to the obtained 49 per cent).

There were several types of irregularities detected by the analysis. On the Election Day, there were cases of problems with voters who could not be found in the Voters' Register, which happened in previous elections. In 24 per cent of

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polling stations, sporadic cases of voters whose names were not found in the Voters' Register were recorded, while in one per cent of polling stations this phenomenon was more frequent. Sporadic voting of persons who were not subscribed in the Voters' Register was recorded in two per cent of polling stations. At polling station 139 of the elementary school "Vlada Obradović Kameni" in Belgrade, it was recorded that more than 10 persons who were not registered to vote actually voted.

In five per cent of polling stations, sporadic cases of voting without valid documents were recorded, whilst in two per cent of polling stations, more cases of voting without an ID card or passport were recorded. In nine per cent of polling stations, there were individual cases of voting on behalf of another person.

At five per cent of polling stations, members of polling station committees did not follow the established order of voting equally with every voter (the use of a UV lamp to check whether a person had already voted, spray.) In 15% of polling stations, there were individual cases of a member of the polling committee helping a voter to cast their ballot.

The presence of unauthorised persons was recorded at two per cent of polling stations while the voting was underway.

In two per cent of polling stations, the president of the polling station committee did not follow the procedure foreseen for opening of sealed envelopes with the votes of persons who had voted outside the polling stations and for putting them in the ballot box.

On the Election Day, there were five isolated cases in which the CRTA observers were prevented from monitoring the voting process, but these problems were solved after the intervention of the CRTA observation mission legal team.

Persons with disabilities voted at 48 polling stations. In isolated cases they were not provided with voting assistance.

Election propaganda material was seen at three per cent of polling stations, at the polling station and/or less than 50 meters away from the polling station.

During the day, the CRTA reported to the police three cases of voting with previously filled in ballots, the so-called "Bulgarian train" at polling station number 15 in Zrenjanin and polling station number 25 in Požarevac, while in front of polling station 48 in Zrenjanin there were actions indicating possible vote buying. These events were reported to the police administrations in Zrenjanin and Požarevac.

Our observers also noted physical incidents at two polling stations. At the polling station number 139 in New Belgrade, where one CRTA observer was present, a group of young men burst in and started filming everything by phone. The case was reported to the police. At the polling station 80 in Čačak, there was a fight at the polling station during the counting of votes.

On the Election Day, individual cases of verbal attacks on the CRTA observers present at polling stations were recorded on two occasions. At polling station number 24 in Novi Sad, members of the polling station committee told our observer that her presence hindered their work and that they would call the police, but this did not happen. At polling station no. 8 in Šabac, our observer was verbally assaulted twice as a part of the polling committee tried to intimidate her and deter her from further observation stating that "they were afraid that the polling station would be disqualified because of irregularities in the conduct of the vote."

On the Election Day, there were inconsistencies in the use of protective equipment at the polling stations, and this applies to both members of polling stations and voters. During the afternoon, the percentage of polling stations where members of polling stations used protective equipment (masks and gloves) decreased from 71 per cent, recorded at 2 p.m., to 65 per cent, recorded at 6 p.m. Protective equipment was sporadically used by members of

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polling stations in 25, i.e. 29 per cent of polling stations. When it comes to voters, there was also a decline in consistency in the use of protective equipment, from 53 per cent to 49 per cent of polling stations, with sporadic use in 44 and 46 per cent of polling stations, respectively.

7.6. Process of voting outside the polling station

One of the novelties in the 2020 elections, caused by the coronavirus situation, was a longer period awarded to voter to register to vote outside the polling station, i.e. from home. The percentage of voters who demanded to vote from home was 3.3 per cent of the total number of voters, which is twice as much as in the previous parliamentary elections in 2016 (1.5 per cent). Except in sporadic cases, our observers were allowed to observe voting outside the polling station.

Voting outside the polling station went mostly in accordance with regulations, with isolated procedural shortcomings.

In four per cent of cases, polling station members did not verify the identity of voters who voted outside the polling station, while in 13 per cent of cases, the polling committee did not use a UV lamp to determine if a person had already voted.

In six per cent of cases, the secrecy of the vote was not ensured. In sporadic cases confidants suggested citizens for whom to vote. In seven per cent of cases, the filled in ballot and the signed statement were not placed in the envelope which was supposed to be sealed afterwards. In four per cent of cases, the certificate of voting outside the polling station was not signed by the president of the polling station committee; the same percentage of certificates remained unsigned by voters. In two per cent of cases, the president of the polling station committee did not protect the secrecy of the ballot when inserting the ballots into the ballot box at the polling station.

In eight per cent of voting outside the polling station, members of the polling station committee did not use equipment in accordance with measures to prevent the spread of the coronavirus. In 10 cases they used it sporadically, and in 82 per cent, members used full protection.

A total of 23 per cent of voters did not use protective equipment in accordance with measures to prevent coronavirus during voting outside the polling station. Sporadically, 27 per cent of voters used protective measures, while 50 per cent used full protection.

7.7. Process of closing polling stations and counting votes

The closing of polling stations after the end of voting in the parliamentary elections in Serbia went mainly in accordance with the prescribed procedures, although there were irregularities in two per cent of polling stations, primarily regarding logical-computational operations. An incident happened at polling station 80 in Čačak, when the determination of the results was interrupted due to a fight between the members of the polling station, which caused the intervention of the police.

At four polling stations, a copy of the minutes of the work of polling station committees was not displayed in a visible spot.

At two per cent of polling stations, members of polling stations filed official objections to the minutes of the work of polling stations committees, which was the case also in 2016.

7.8. Work of the Republic Electoral Commission during the Election Day

During the Election Day, the Republic Electoral Commission (REC) periodically organised press conferences, at 11a.m.,

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1p.m., 3.p.m., 5 p.m. and 7 p.m., at which it informed the public about the turnout data made at 10 a.m., noon, 2 p.m., 4 p.m. and 6 p.m. At the press conference held at 10 p.m., the Republic Electoral Commission announced that the results from 2.32 per cent of polling stations were processed, which represents 0.85 per cent of the total electorate. On that occasion, preliminary results for each individual list,¹⁰¹ were presented, while it was stated that the REC did not receive information about any serious irregularities at the polling stations.

¹⁰¹ Republic Electoral Commission, Press Conference at 22.00. bit.ly/2HGyJcd

8. POST-ELECTION PERIOD

8.1. Key findings

The post-election period was marked by repeated elections at 234 polling stations, as well as electoral protection proceedings before the REC, i.e. the Administrative Court, in which both instances faced thousands of complaints that were formally submitted by voters, but were also part of the political performance of the “Enough is Enough” list. Analysing the observed period, the CRTA observation mission concludes that despite the trainings held for potential members of polling stations, the problem of incorrectly and illegibly filled in minutes of work at a significant number of polling stations is still present. The publication of the minutes of the work of polling stations on the REC website further clarified this problem, as well as the decision of the REC to repeat the elections at 234 polling stations due to incorrectly filled in minutes (repeating at the largest number of polling stations since 2000).

Publishing the minutes of the work of polling station committees on the REC website,¹⁰² as well as introducing online tools for registering voters who want to check the excerpt from the Voters’ Register,¹⁰³ is one step ahead towards greater transparency of the election process and the voters’ confidence in the work of the REC. However, the minutes of the work of the polling station committees were published on the REC website untimely (no minutes were published until the expiration of the deadline for complaints) and the process lasted several weeks, which indicates the need to strengthen the capacity of the REC professional service during the election period.

The process of dealing with complaints after the Election Day shows that the deadlines for filing complaints and deciding on complaints do not meet the basic purpose – efficient protection of electoral rights, and that, for the first time in the electoral process on this scale, the institute of protection of the electoral right (mis)used by a political actor for the sake of their positioning in the political arena. The REC, also for the first time, rejected the complaints without prior determination of the facts, by a simple vote, which was assessed by the Administrative Court as illegal. Despite thousands of complaints, repeated elections due to the adopted complaint of voters were recorded in only one case, which also speaks in favour of making the procedure of protection of the right to vote meaningless.

In this election procedure as well, allegations of irregularities from complaints submitted by members of the CRTA observation mission were considered by the REC in the repeated procedure, following the rulings of the Administrative Court, and on that occasion the minutes of polling stations were inspected. As there were no objections to the minutes in the work of the polling station committees, the REC took the position that the allegations in the complaint were unfounded. In this context, the CRTA reiterates the recommendation that the REC introduce the consideration of other means of evidence in the practice of deciding on complaints.

The lack of determination of provisional election results by the REC in the post-election period contributed to an additional increase in voter distrust in the election process itself, as well as the fact that the REC adopted the report on the final election results on July 5th, 2020 while the procedures for the protection of the right to vote were still underway.

The REC’s sudden decision to change the rules of procedure and introduce electronic sessions as a way of decision-making, distanced the public from the decision-making process, at an important moment of deciding on voters’ complaints and adopting reports on final voting results. Since the method of decision-making in electronic sessions was not in line with the best standards that provide conditions for discussion and public presence, the CRTA recommends that the holding of electronic sessions of the REC be improved, through the use of available video communication platforms.

¹⁰² www.rik.parlament.gov.rs/zapisnici/8799

¹⁰³ bit.ly/3if5KC1

8.2. Announcement of final results before the end of the procedure for protection of the electoral right

The final results of the elections for MPs of the National Assembly were announced at the 172nd electronic session of the Republic Electoral Commission (REC) held on July 5th, 2020 through the adoption of the Report on the final results of elections of MPs of the National Assembly (Report) which was then published in the Official Gazette of Republic of Serbia.¹⁰⁴ At the time of the announcement of the final election results, the procedure for the protection of the right to vote was not completed in 34 proceedings initiated by complaints of voters – representatives of the CRTA, as well as in 2700 proceedings initiated by complaints of other voters.

The election results were announced, therefore, while the complainants still had the right to appeal the decisions of the REC, due to which they could not become final or irrevocable. Representatives of the CRTA filed a complaint with the REC against the decision to adopt the Report on the final election results, for the following reasons:

- in case there are complaints and/or appeals submitted, the election procedure is in progress as long as the procedure of protection of the electoral right is in progress as an inseparable part of the election process, and for that reason the deadlines for announcing election results are provided in articles 78 and 86 of the Law on the Election of MPs cannot be considered binding;
- by prematurely adopting and publishing the Report, the constitutional and legal right of voters to a legal remedy (complaint and appeals) were made meaningless, because it is questionable what formal and substantial impact on the outcome of already announced election results any adopted complaints and/or complaints of voters might have.

According to the outcome of the submitted complaints, and then the appeals, the conclusion is that the position of the Republic Electoral Commission, which was confirmed by the decision of the Administrative Court on the basis of appeals filed by the CRTA, is such that during the adoption of the Report on the final election results, the Republic Electoral Commission is not conditioned by the final results of all polling stations where voting took place in the elections, but that it can and must fulfil its legal obligation according to the legal situation established on the day when the deadline for determining and publishing the final election results expired, which is 96 hours after the end of voting, in this case after repeated voting at certain polling stations, regardless of the ongoing procedures for the protection of the right to vote.

Neither in this verdict, nor in its previous practice, did the Administrative Court give an answer to the question of what would have happened if the Administrative Court had made a decision on appeals against invalid decisions of the Republic Electoral Commission and imposed repeating of the elections in certain polling stations after the adoption of the Report on final results of the elections. What further complicates this situation is the fact that the deadlines for undertaking some electoral actions run exactly from the moment of announcing the overall (final) election results – the deadline for constituting a new convocation of the National Assembly.

8.2.1. Protection of the right to vote until the announcement of the final election results

In the procedures for the protection of the right to vote initiated on the basis of the complaints of the CRTA representatives, the Republic Electoral Commission rejected the complaints as unfounded. In the appeals

¹⁰⁴ The deadline of 96 hours for publishing the overall election results foreseen in articles 78 and 86 of the Law on the Election of members of the Parliament expired on July 5th, 2020 at 8 pm, since the polling stations at 234 polling stations where the elections were repeated were closed on July 1st at 8 pm.

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proceedings, the Administrative Court annulled the decisions of the REC and returned the cases to this body for retrial and decision-making. In 33 repeated proceedings, the REC decided at the sessions of July 3rd, 4th and 5th, 2020, while in one case, the REC decided only on July 7th, 2020. The deadline for appealing to the Administrative Court, which in accordance with the provision of article 97, paragraph 2 of the Law on the Election of members of the Parliament begins to run 48 hours from the moment when the complainant receives the REC decision, has not expired in any of the proceedings, and in most cases did not even start before the adoption of the Report, since the decisions of the REC were delivered to the complainants only after the adoption of the Report on the final election results. Regarding the procedure decided upon on July 7th, the situation is even clearer – the REC declared the final election results without deciding on all complaints in the electoral protection procedure.

Consequently, the election results were announced while the complainants still had the right to make appeals against the decisions of the REC, due to which these decisions could not become final or irrevocable. Starting from the fact that, in case there are legal remedies, the election procedure is ongoing as long as the procedure of protection of the electoral right is in progress as an inseparable part of the election process, and that for that reason the deadlines for announcing the election results provided in articles 78 and 86 of the Law on the Election of Members of the Parliament cannot be considered preclusive, and finally, considering that the early adoption and publication of the Report makes the constitutional and legal right of voters to a legal remedy meaningless, the representatives of the CRTA filed an appeal against the decision to adopt the Report.

The REC rejected the complaints as unfounded, taking the position that the deadline for determining and publishing the election results, in the manner defined in articles 78 and 86 of the Law on Election of Members of the Parliament may not be extended, except in cases foreseen in article 90, paragraph 3 of the same Law, i.e. in the case of repeated voting at a polling station. The Republic Electoral Commission concluded that “in the execution of the legal obligation in question, the decision was not conditioned by the finality of the results from all polling stations where voting took place in the elections for members of the parliament of the National Assembly on June 21st and July 1st, 2020, but that it could and had to fulfil its legal obligation the situation ascertained on the day when the deadline for determining and publishing the final election results expired.”

Acting on the complaints of the complainants against the decision of the REC, the Administrative Court took the same position as the Republic Electoral Commission and rejected the complaints. The position of the Administrative Court is that from the provisions of articles 78 and 86 of the Law on the Election of Members of the Parliament it unequivocally follows that, in case of repeated elections, either at all or at individual polling stations, the election result is determined no later than 96 hours after voting.

The Administrative Court concluded that the circumstance that for some decisions, made on complaints, the deadline for filing an appeal to the Administrative Court had not yet expired, i.e. that at the time of the adoption of the Report on the final election results, proceedings were underway before the Administrative Court. The Republic Election Commission cannot influence the fulfilment of the legal obligation of the Republic Electoral Commission to determine and publish the election results no later than 96 hours from the end of the repeated voting, as well as to deny the complainant the right to legal remedies in the protection of electoral rights.

To wrap it up, the position of the Republic Electoral Commission, which was confirmed by the decision of the Administrative Court, is such that the Republic Electoral Commission, when adopting the Report on the final election results, is not conditioned by the validity of results from all polling stations where voting took place and may and must perform its legal obligation according to the legal situation ascertained on the day when the deadline for determining and publishing the final election results expired, which is 96 hours after the end of voting, in this case after repeated voting at certain polling stations.

Neither in this verdict, nor in its previous practice, did the Administrative Court give an answer to the question of what would have happened if the Administrative Court had made a decision on appeals against invalid decisions of

the Republic Electoral Commission and imposed repeating of the elections in certain polling stations after the adoption of the Report on final results of the elections. What further complicates this situation is the fact that the deadlines for undertaking some electoral actions run exactly from the moment of announcing the overall (final) election results.

8.3. Work of the election administration

After June 21st, when the elections took place, the Republic Electoral Commission held 24 sessions, out of which nine under regular circumstances, i.e. in the Hall of the Republic Electoral Commission, and 15 electronically. As a matter of fact, on June 29th, when the 163rd session was held, the Decision on Amendments to the Rules of Procedure of the Republic Electoral Commission was adopted stipulating (only two days before the repeated elections at 234 polling stations) that due to the epidemiological situation, the next sessions of the REC will be held electronically. In this way, domestic and foreign observers, as well as the media, were prevented from directly monitoring the work of this body, although the proposals of the agenda of the sessions were submitted to accredited observers electronically. After the sessions held in this way, observers, members of the Republic Electoral Commission and accredited media representatives had the opportunity to inspect the material from the electronic sessions held in the premises of the Professional Services of the REC.

As already mentioned, the Instructions for Conducting Elections for MPs of the National Assembly stipulate that, as soon as they receive election material from polling stations, the polling station committees are obliged to scan the Minutes of the Polling Station Committee and submit them to the Republic Electoral Commission. The REC publishes all Minutes on its website.¹⁰⁵ This is another novelty in the election process prescribed by the aforementioned Instructions, but in practice the publication of Minutes was delayed, i.e. the Minutes were published successively over a period of several days, which had or could have affected public confidence in the election results, on the one hand, while on the other, the legal deadlines for submitting complaints to possible irregularities during the Election Day, which could be noticed by inspecting the Minutes, have expired. In this way, despite the REC's intention to strengthen citizens' trust in the election process and ensure transparency of election results, by publishing the Minutes, the delay in their publication had the opposite effect, especially given that the publication of election results was delayed and a large number of Minutes were disorderly.

8.4. Repeating the elections

At the session held on June 26th, the Republic Electoral Commission passed a Decision on the repetition of voting at polling stations where voting was annulled and where the repetition of voting in the elections for MPs was ordered. In accordance with the said decision, voting was repeated on July 1st at 234 polling stations, which included 203,012 voters. Due to the worsening of the epidemiological situation and the increase in the number of infected people on the territory of Serbia, the CRTA observation mission did not observe the repeated voting¹⁰⁶, taking into account the fact that no response was received from the competent institutions, i.e. the Government of the Republic of Serbia, the Crisis Response Staff and the Republic Electoral Commission, on the conditions for holding a repeated vote. The Republic Electoral Commission adopted Decisions on the repetition of voting on the basis of the report of the Statistical Office of the Republic of Serbia on the disputed minutes of the polling stations, i.e. due to the impossibility of determining the voting results.

Statistical data processing includes entering the voting results from the Minutes of the work of polling station committees into the database of overall election results, logical-computational control of the results entered in the Minutes of the work of polling station committees, preparation of reports for the Republic Electoral Commission and preparation of provisional and final election results. The type of error that was the basis for annulling the voting

¹⁰⁵ bit.ly/2ZCsxkO

¹⁰⁶ bit.ly/32ucmrM

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results is that the number of voters who voted is inferior to the number of ballots in the ballot box. The Statistical Office of the Republic of Serbia works uniquely on the basis of the Minutes on the work of polling stations committees according to a strict procedure which implies double entry of data and numbers entered by the polling station committees in the Minutes. On the basis of these numbers, it was determined that a computational-logical error had been made and that it was not the result of an obvious error that could be corrected and that the election results could not be determined in these places.

In accordance with article 87 of the Instructions for Conducting the Elections for MPs, when it is not possible to determine the will of voters on the basis of the Minutes of the work of polling station committees, the Republic Electoral Commission states that voting results cannot be determined and orders repeated voting. Based on the report of the Statistical Office of the Republic of Serbia, the Republic Electoral Commission annulled the voting at 117 polling stations on June 25th and at 110 polling stations on June 26th, and the voting was repeated at six polling stations because the Minutes on the work of polling station committees were not received after the Election Day June 21st, while at one polling station the voting was repeated due to the adopted complaint of the voters.

8.5. Final election results – comparison REC vs. CRTA

The projections of the final results made by the CRTA on the basis of a sample of 500 observed polling stations on the Election Day are given in column 1, and with a margin of error (95% confidence interval) in column 2. As the CRTA did not observe the repeat elections on July 1st, elections in Kosovo, abroad and in penitentiary facilities, the results of the elections at the remaining polling stations are presented in column 3, while the final results of the elections at all polling stations are in column 4. The difference between the results published by the CRTA on the Election Day and the REC results at the appropriate polling stations (the difference between column 1 and column 3) are shown in the last column. As can be seen, all final results of the REC are within the margin of error associated with the projection of the CRTA based on the sample of observed polling stations on the Election Day (Figure 7).

Figure 7. Comparison of the election results: CRTA vs. REC

Lists	The CRTA results (%)		The REC results (%)		5. Difference CRTA vs REC (1. - 3.)
	1. CRTA's sample	2. Margin of error	3. Polls except repeated, Kosovo, abroad, prisons	4. All polls	
Aleksandar Vučić – For Our Children	60.41	1.10	60.20	60.65	+0.21
Ivica Dačić – Socialist party of Serbia (SPS), Dragan Marković Palma – United Serbia (JS)	10.32	0.46	10.43	10.38	-0.11
Aleksandar Šapić – Victory for Serbia	3.95	0.34	3.93	3.83	+0.02
For Kingdom of Serbia (Movement for the Restoration of the Kingdom of Serbia, Monarchist Front) – Gojko Živković	2.62	0.15	2.67	2.67	-0.05
Broom 2020	2.37	0.17	2.29	2.24	+0.08
The Souverainists	2.30	0.15	2.37	2.30	-0.07
Dr Vojislav Šešelj – Serbian Radical Party	2.18	0.14	2.07	2.05	+0.11
Alliance of Vojvodina Hungarians – Ištvan Pastor	1.96	0.76	2.29	2.23	-0.33
Sergej Trifunović – Movement of Free Citizens	1.67	0.13	1.62	1.58	+0.05
Milica Đurđević Stamenkovski – Serbian Party Oathkeepers	1.47	0.11	1.45	1.43	+0.02

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Milan Stamatović – May the Health Win – Dragan Jovanović – Better Serbia – Healthy Serbia	1.18	0.33	1.07	1.04	+0.11
United Democratic Serbia	1.04	0.16	0.98	0.95	+0.06
Akademik Muamer Zukorlić – Justice and Reconciliation Party (SPP) – Democratic Party of Macedonians (DPM)	0.88	0.43	0.89	1.00	-0.01
Albanian Democratic Alternative – United Valley	0.77	0.81	0.82	0.82	-0.05
Leviathan Movement – I live for Serbia	0.69	0.06	0.73	0.70	-0.04
Group of Citizens: 1 in 5 Million	0.66	0.05	0.65	0.63	+0.01
Party of Democratic Action of Sandžak – dr Sulejman Ugljanin	0.63	0.35	0.67	0.77	-0.04
Čedomir Jovanović – Coalition for Peace	0.32	0.06	0.32	0.32	0.00
Let the Masks Fall – Green Party – New Party	0.26	0.04	0.25	0.24	+0.01
Russian Party – Slobodan Nikolić	0.24	0.04	0.20	0.20	+0.04
People’s Block – Velimir Ilić – general Momir Stojanović	0.22	0.05	0.25	0.24	-0.03
<i>INVALID BALLOTS</i>	3.85	0.18	3.75	3.67	+0.10
<i>NUMBER OF VOTES</i>	49	1.20	49.29	48.93	-0.29

8.6. Complaints after the Election Day

After the Election Day, the REC acted upon approximately 3200 complaints, out of which only a few were sustained, while all the others were overruled as unfounded. Most of the complaints were not decided individually, but the REC consolidated the debate and decided on the complaints of individual submitters (for example: one submitter submitted complaints to the work of polling stations at several polling stations). In this way, the REC did not enter into the determination of the legal and factual state of each individual complaint, as a result of which the decisions on rejection of the complaint did not contain explanations regarding the legal grounds for the assessment that the complaints were unfounded.

The Administrative Court decided individually on appeals against decisions on rejection of complaints and adopted appeals by judgments and annulled the decisions rejecting the complaints as unfounded. According to the findings of the Administrative Court, referring the Republic Electoral Commission to the provision of the Rules of Procedure, which stipulates that if the proposal to adopt the complaint does not receive the required majority of votes, the complaint will be considered rejected, does not affect the Court’s different assessment of the legality of the appealed decision. This is because the provisions of the Rules of Procedure of the Republic Electoral Commission regulate the manner of decision-making of the Republic Electoral Commission in the complaint procedure, which the acting electoral authority does not release from the obligation to assess all allegations of complaints that are important for proper resolution of the election matter, with a previously correctly and fully established factual situation, which affects the legality of the decision. As in this particular case, the abovementioned procedure was not acted upon, it is reasonably indicated that the appealed decision violated the law and denied the protection of the right to vote.

According to the judgments of the Administrative Court, in repeated proceedings, the Republic Electoral Commission decided individually on each complaint and, after the voting, adopted decisions rejecting the complaints as unfounded. The mentioned decisions explain the legal and factual basis, i.e. explain the reasons for the adopted decisions. In some complaints, the procedure was suspended due to the fact that, before resolving the complaint, the Republic Electoral Commission made decisions on repeating the voting for MPs at certain polling stations to which the complaint referred.

8.7. Decision-making of the Administrative Court after the Election Day

The Administrative Court decided individually on appeals against decisions on rejection of complaints and adopted appeals by judgments and annulled the decisions rejecting the complaints as unfounded. According to the findings of the Administrative Court, referring the Republic Electoral Commission to the provision of the Rules of Procedure, which stipulates that if the proposal to adopt the complaint does not receive the required majority of votes, the complaint will be considered rejected, does not affect the Court's different assessment of the legality of the appealed decision. This is because the provisions of the Rules of Procedure of the Republic Electoral Commission regulate the manner of decision-making of the Republic Electoral Commission in the complaint procedure, which the acting electoral authority does not release from the obligation to assess all allegations of complaints that are important for proper resolution of the election matter, with a previously correctly and fully established factual situation, which affects the legality of the decision. As in this particular case, the abovementioned procedure was not acted upon, it is reasonably indicated that the appealed decision violated the law and denied the protection of the right to vote.

8.8. Decision-making of the Republic Election Commission and the Administrative Court in relation to the complaints of the movement "Enough is enough"

In the period after the Election Day, the public's attention was drawn to the appearance of thousands of complaints filed with the same content – a description of irregularities filed for thousands of polling stations. Formally signed by voters, these complaints were, as the public was informed, filed by members and activists of the "Enough is Enough" movement. The main characteristic of this group of complaints is that each individual complaint in its allegations gives the same description of the irregularity that is alleged to have occurred at different polling stations. The REC rejected the stated complaints without a legally valid explanation (determination of the factual situation), which is in contradiction with the provisions of the Law on Administrative Procedure, which determines the obligatory parts of the decision if the administrative act. Due to the mentioned omission, after appeals to the Administrative Court, the Administrative Court issued verdicts in all 2700 cases by which the complaints were returned to the REC.

"Enough is Enough" movement characterised the said decision passed by the Administrative Court as a proof of the irregularity of the elections, claiming that the elections were "invalidated", although the Administrative Court did not assess the allegations in the judgments at all, rejecting complaints due to the formal shortcomings already described. In further proceedings before the REC, all complaints were again rejected, with legally valid decisions, which were again challenged before the Administrative Court. Since the Administrative Court finally rejected the complaints during the retrial, the applicants lodged a constitutional complaint with the Constitutional Court.

Bearing in mind that the entire decision-making process on this group of complaints has attracted public attention and different interpretations of political actors, a more detailed analysis of the procedure itself will be presented below.

8.8.1. Allegations of complaints

2700 voter complaints were submitted to the Republic Electoral Commission in a timely manner. In the stated complaints, in each individual complaint it is indicated that at a specific polling station (2700 polling stations) there were logical calculation errors during the determination of the results at the polling stations. According to the applicants, that is the reason for repeating the elections at the polling stations. The characteristic of this "group" of complaints is that the same description of logical calculation errors is given for all polling stations:

- the number of ballots on which the electoral list "SOVERAINISTES" is circled is higher than the number of votes for the electoral list "SOVERAINISTES" which are listed in the Minutes from the respective polling station;

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- at the polling station in question, the number of unused ballots physically put in the bag does not correspond to the number of unused ballots listed in the Minutes;

- the total number of ballots (unused ballots plus all valid ballots and invalid ballots) physically in the bag is greater than the official number of ballots allocated to the polling station before the start of the voting process; the total number of ballots in the bag on which the electoral list “Aleksandar Vučić – For Our Children” was circled is inferior to the number of ballots on which the electoral list was circled, and the number of signatures of voters who signed when accessing the ballot, is different from the total number of used ballots (all valid ballots plus all invalid ballots) at the polling station in question.

Due to the above, considering that the polling station committee at the time of compiling the Minutes, made the Minutes against the law to the detriment of all voters, and erroneously determined the election results, and having in mind that the polling station members violated the rules on determining the election results, it is proposed that after the inspection of the election material, and the recount of ballots from the polling station in question, the complaints be adopted and the voting for the elections for MPs at the specified polling stations be annulled.

These complaints, “grouped” by a common, identical description of irregularities at polling stations, were signed by voters, activists of the “Enough is Enough” movement, while at the same time representatives of this movement publicly commented on the procedure and provided different interpretations of the procedure.

8.8.2. The manner of decision-making of the Republic Election Commission

According to the CRTA observation mission, the REC decided on this group of complaints in a timely manner, but not in accordance with the provisions of the Law on General Administrative Procedure, because the factual situation on the allegations from the complaints was not determined during the decision-making. In the repeated procedure after the judgments rendered by the Administrative Court, the REC made decisions on the rejection of the complaint in a timely manner and in accordance with the Law on General Administrative Procedure and legally decided in that sense. The reasons why the REC decided in the first part of the procedure without establishing the factual situation, for the first time in its work, remain unknown to our mission. The fact is, however, that deciding on 2700 complaints within 24 hours from the moment of receipt was a challenge in terms of preparation of materials and explanations, and an additional burden for the professional service of the REC, which was “borrowed” from the National Assembly of the Republic of Serbia for election purposes.

Therefore, deciding on these complaints, the REC consolidated the discussion on all complaints without adhering to the obligation to assess all allegations of complaints that are important for the proper resolution of the electoral matter in the pre-decision procedure, with previously correct and fully established factual situation that may influence the legality of the decision in accordance with article 102, paragraph 1 of the Law on General Administrative Procedure, nor did it explain any of its decisions in the manner prescribed by article 141, paragraph 4 of the Law on General Administrative Procedure. In practice, it means that the decisions on the rejection of the complaint were not formally legally made in accordance with the provisions of the Law on Administrative Procedure, which determine the contents of the decision as an administrative act. The contents of the complaints were not read at the session of the REC, but the polling stations to which the complaints referred to were read during the decision-making. It was proceeded to the vote on the unified item of the agenda. In the repeated decision-making procedure after the judgments of the Administrative Court, the REC complied with the form and content of the decision prescribed by the provisions of the Law on General Administrative Procedure. It must also be noted that the decision-making in the repeated procedure took place through electronic sessions of the REC, which additionally made impossible for observers to assess the quality and manner of deciding on these complaints.

8.8.3. Decision-making of the Administrative Court

The verdicts, that have been available on the website of the Administrative Court so far, accepted almost all the appeals, while several of them were rejected as untimely. The Court accepted the appeals because of substantial procedural violations committed by the REC. As a matter of fact, the Court found that the REC issued the appellate decisions with a significant violation of the provisions of article 102 paragraph 1 and 141 paragraph 4 of the Law on General Administrative Procedure. In point of fact, in the procedure of deciding on the complaint, the REC failed to assess all allegations of complaints that are important for the proper resolution of the electoral matter, with a previously correct and fully established factual situation that affects the legality of the decision. In addition, the explanations of the REC decision do not contain decisive reasons regarding the legal basis for the assessment of the body that the complaint is unfounded, as well as allegations of the established factual situation on which the decision was based, and the decision to annul the REC decisions rejecting the applicants' complaints. The Court, therefore, did not annul the voting at the specific polling stations to which the complaints relate, but annulled the acts (decisions) of the REC rejecting each individual complaint.

It convenes to note that the Administrative Court decides on the appeal accordingly by applying the provisions of the law governing the procedure in administrative disputes article 97, paragraph 4 of the Law on the Election of Members of the Parliament).

In accordance with the Law on Administrative Disputes, if it accepts the appeal, the court has the possibility to either annul the disputed administrative act in whole or in part and return the case to the competent body for retrial (article 42, paragraph 1) or to decide in the so-called dispute of full jurisdiction (article 43 of the Law on Administrative Disputes) – when it finds that the disputed administrative act should be annulled, the court will resolve the administrative matter by a judgment, if the nature of the matter allows it and if the established factual situation provides a reliable basis for it. Such a judgement in all respects replaces the annulled act.

Nevertheless, judgments rendered on the subject appeals were not rendered in a dispute of full jurisdiction. If this were the case, in addition to annulling the REC decisions, the court would in each case first accept the applicant's appeal, and further in the wording of the judgment, accept the objection filed by the REC, annul the elections at each individual polling station, dissolve polling station committees and ordered a repeat voting at those polling stations (which should be conducted within 10 days in accordance with article 97, paragraph 7 of the Law on the Election of Members of the Parliament).

In the case of judgments available on the Administrative Court's website, in no case did the Court resolve the dispute in full jurisdiction, but only annulled the REC's decisions and returned them to this body for reconsideration so that the REC, applying the provisions of the Law on General Administrative Procedure, established the factual situation and made reasoned decisions.

8.8.4. Decision of the Republic Electoral Commission in the repeated procedure

At the electronic session, the REC again decided on the complaints that it had decided upon previously, but which decisions the Administrative Court annulled. The REC established the factual situation by inspecting the Minutes on the work of the polling station committees, but not by accessing the electoral material (the REC did not open the bags and did not count the ballots in order to determine whether the allegations of the complaint were grounded). In no judgment did the Administrative Court order the REC to inspect the electoral material submitted by the polling station committee from each individual polling station. The Administrative Court had previously taken the position that if the complaint indicated irregularities during the conduct of the elections at the polling station or in its vicinity on the Election Day, and no statement or complaint in that sense had been entered in the Minutes of the polling station committees, it would be justified that the Republic Electoral Commission refuse such a complaint as

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unfounded (number: Už 318/16). In practice, it has been shown that this attitude greatly limits the possibility of proving the illegal conduct of elections by other means (statements of observers, etc.) Nonetheless, if changes have been made to the Minutes, there is a basis to inspect the electoral material in order to assess the merits of the allegations. Based on the voter's complaint, a member of the 2017 CRTA observation mission (Už 21/17), indicating that changes in the Minutes were made outside the polling station, the Court ordered the REC to establish the facts by counting the votes. This does not mean that the REC determines the election results (because according to the law only the Polling Station Committee can do that), but that in this way it determines the merits of the complaint. If the complaint is founded, the elections will be repeated at that polling station.

Therefore, according to the judgments of the Administrative Court, the Republic Electoral Commission, in repeated proceedings, decided individually on each complaint and, after the voting, adopted decisions rejecting the complaints as unfounded. The mentioned decisions explain the legal and factual basis, i.e., the reasons for the adopted decisions are explained. Regarding some complaints, the procedure was suspended due to the fact that the Republic Electoral Commission made decisions on repeating the voting for MPs at the polling stations to which the complaint referred before deciding on the complaint.

8.8.5. New proceedings before the Administrative Court

After the REC rejected the decision in the repeated procedure, the complainants were left with the possibility to address the Administrative Court again through the appellate procedure. According to the information available on the website of the Administrative Court, the complainants used this opportunity and re-filed appeals against the decisions that the REC had rejected. Assessing the allegations of the appeal, the Administrative Court stated in all appeals that the decisions on rejection were legally valid and rejected all the filed appeals. In this way, the complaint procedure was terminated, i.e. the complaints were, in the legal sense, irrevocably rejected.

According to media reports, representatives of the "Enough is Enough" movement announced the initiation of a dispute before the Constitutional Court, while they also filed constitutional complaints due to the manner in which the REC decided¹⁰⁷ and determined the cumulative election results.¹⁰⁸ Until the printing of this Report, the proceeding before the Constitutional Court have not been completed.

9. ACTING UPON THE CRTA'S COMPLAINTS

9.1. Key findings

By observing the election campaign, the Election Day and all election activities until the announcement of the final election results, the CRTA observation mission submitted a total of 75 complaints based on recorded potential irregularities and abuses committed by political actors, state authorities or individuals.

The complaints, depending on the type of irregularity, were submitted to the Anti-Corruption Agency, the Regulatory Authority of Electronic Media, the Republic Electoral Commission, the competent inspections and prosecutor's offices. Table 8 shows the number of complaints submitted to the competent institutions in the period from March 4th to June 21st, 2020.

¹⁰⁷ bit.ly/2GcS1i6

¹⁰⁸ bit.ly/33hrWrc

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Figure 8. Complaints filed by the CRTA to the competent institutions

Institution	Number of complaints
Anti-Corruption Agency	22
Regulatory Authority of Electronic Media	12
Republic Electoral Commission	36
Public Prosecutors' Office	3
Ministry of Economy	2

In addition to the complaints submitted by the CRTA during the election period, 13 more complaints on irregularities were recorded outside the election campaign, taking into account the CRTA's activities aimed at monitoring the atmosphere ahead of the election and the state of emergency. Ten were submitted to the Agency, two to the Regulatory Authority of Electronic Media, and one to the Education Inspectorate of the Municipality of Alibunar.

Reports to the Agency submitted by the CRTA include 18 cases in which a total of four political parties violated the law – Serbian Progressive Party, Socialist Party of Serbia, Serbian Patriotic Alliance and Together for Serbia, and 28 cases in which public officials and holders of public authority were potentially involved in violations.

Figure 9. Review of the status of the complaints to the Anti-Corruption Agency in relation to the actors against whom they were filed

Actors	Infraction	Accepted	Rejected	Pending
Political parties	18	6	12	0
Mayors and presidents of municipalities	10	2	6	2
Other local public officials	7	0	6	1
Directors of public enterprises and organisations	7	2	2	3
Ministers and state secretaries	2	0	2	0
Speaker of the Assembly	2	0	2	0

All complaints submitted by the CRTA observation mission on the basis of the findings of the observation of activities immediately before the calling of the elections and during the 2020 elections, as well as the responses of the competent institutions, are publicly available on the CRTA's website.¹⁰⁹

In the continuation of the section, we will present the situations we noticed during the election process, which were the subject of complaints submitted to the competent institutions, as well as the responses of the institutions until the conclusion of the final report.

¹⁰⁹ CRTA, CRTA's complaints. crt.rs/crtine-prijave

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9.2. Anti-Corruption Agency

Complaint 1

Event:	The political party Serbian Patriotic Alliance whose president is Aleksandar Šapić, who is at the same time president of the City Municipality Novi Beograd, organised the collection of signatures in support of the electoral list in the official premises of the City Municipality. The CRTA filed the complaint on the basis of suspicion that Aleksandar Šapić, as the President of the Municipality, also participated in the decision-making, in order to give the premises to the political party Serbian Patriotic Alliance, which would present a conflict of interest in that case.
Irregularity:	Misuse of public resources Conflict of interests
Legal grounds:	Law on Financing Political Activities (article 23) Anti-Corruption Agency Act (articles 27 and 32)
Actor:	Political party Serbian Patriotic Alliance Aleksandar Šapić, president of the City Municipality Novi Beograd
Outcome:	REJECTED in relation to the Law on Financing Political Activities PENDING in relation to the Anti-Corruption Agency Act
Measure:	None.

Complaint 2

Event:	Mayor of Kruševac, Jasmina Palurović, in her televised address on local television in the capacity of a public officer, on the occasion of Women's Day, she promoted the Serbian Progressive Party, by stating that the party has 40 percent of women on its electoral list.
Irregularity:	Misuse of public resources
Legal grounds:	Anti-Corruption Agency Act (article 29)
Actor:	Mayor of Kruševac
Outcome:	REJECTED
Measure:	None.

Complaint 3

Event:	Serbian Progressive Party Temerin posted the following content on the Facebook profile: "The President of the Municipal Board of the Serbian Progressive Party, Temerin, visited, together with his associates, the works on the Čenej Road and, on that occasion, addressed his fellow citizens." The video of this event includes statements of Đuro Žiga, President of the Municipality of Temerin, also President of the Municipal Board of the Serbian Progressive Party in Temerin, as well as Dragan Bjeljic, President of the Traffic Safety Council of the Municipality of Temerin, also President of the Municipal Safety Board of the Serbian Progressive Party in Temerin. During their address, officials Đuro Žiga and Dragan Bjeljic did not unequivocally present to the public whether they stated the position of the body in which they perform a public function or the position of the political party of which they are members. At one point, Đuro Žiga called on the citizens to vote for the Serbian Progressive Party in the upcoming elections. These statements promoted the Serbian Progressive Party, whose registered members these officials are. In addition, on the basis of the footage, it can be concluded with certainty that it was created during the working hours of the said officials, which significantly jeopardised the performance of their public functions. Moreover, in addition to the promotion of the Serbian Progressive Party, the statements of two officials show that the infrastructural works on the rehabilitation of
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	roads in the Municipality of Temerin were financed by the Serbian Progressive Party, which is misuse of funds intended for regular work of the political entity and violation of the Law on Financing Political Activities.
Irregularity:	Misuse of public resources Misuse of public office Improper spending of funds intended for the regular work of a political party
Legal grounds:	Anti-Corruption Agency Act (article 29) Law on Financing Political Activities (article 19)
Actor:	President of the Municipality of Temerin, Đuro Žiga Local official, Dragan Bjeljac Serbian Progressive Party
Outcome:	REJECTED
Measure:	None

Complaint 4

Event:	In a guest appearance on TV Pink in the capacity of the Speaker of the National Assembly, Maja Gojković promoted the Serbian Progressive Party and discredited political opponents. "Citizens of Serbia never make mistakes. In the elections, they will vote for Aleksandar Vučić, for the Serbian Progressive Party, because we have a program for what Serbia should look like in the future. And all because of the future of our children and their children..."
Irregularity:	Misuse of public resources
Legal grounds:	Anti-Corruption Agency Act (article 29)
Actor:	Maja Gojković, Speaker of the National Assembly of the Republic of Serbia
Outcome:	REJECTED
Measure:	None

Complaint 5

Event:	In a feature on RTV Pančevo, Srđan Nenek, the head of the Emergency Medical Service of the Kovin Health Centre, stated that the ambulance was donated to the Emergency centre by the Serbian Progressive Party. It can be clearly seen from the remainder of the feature that this information is not accurate, as the vehicle was purchased from the funds of the budget of the AP Vojvodina.
Irregularity:	Misuse of public resources
Legal grounds:	Law on Financing Political Activities (article 23)
Actor:	Serbian Progressive Party
Outcome:	REJECTED
Measure:	None

Complaint 6

Event:	On the Facebook page of the Municipal Board of the Socialist Party of Serbia in Zvezdara, Belgrade, footages of the official activities of the members of the council of the City Municipality of Zvezdara, Violeta Filip, Dušan Ignjatović and Robert Milićević, were published. Announcements on their official activities represent a misuse of public resources for the purpose of promoting the SPS.
Irregularity:	Misuse of public resources
Legal grounds:	Law on Financing Political Activities (article 23) Anti-Corruption Agency Act (article 29)

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Actor:	Socialist Party of Serbia Deputy president of the City Municipality Zvezdara, Violeta Filip Member of the City Council of the City Municipality Zvezdara, Dušan Ignjatović Member of the City Council of the City Municipality Zvezdara, Dušan Ignjatović
Outcome:	REJECTED
Measure:	None

Complaint 7

Event:	On the Facebook page of the Municipal Board of the Socialist Party of Serbia in Zvezdara, Belgrade, footages of the official activities of the members of the council of the City Municipality of Zvezdara, Violeta Filip, Dušan Ignjatović and Robert Milićević, were published. Announcements on their official activities represent a misuse of public resources for the purpose of promoting the SPS.
Irregularity:	Misuse of public resources
Legal grounds:	Law on Financing Political Activities (article 23) Anti-Corruption Agency Act(article 29)
Actor:	Socialist Party of Serbia Deputy president of the City Municipality Zvezdara, Violeta Filip Member of the City Council of the City Municipality Zvezdara, Dušan Ignjatović Member of the City Council of the City Municipality Zvezdara, Dušan Ignjatović
Outcome:	REJECTED
Measure:	None

Complaint 8

Event:	Zoran Đorđević, Minister of Labour, Employment, Veteran and Social Policy, used his appearance in a TV show on "RTV Šumadija," in his capacity of Minister to promote the Serbian Progressive Party and discredit political opponents.
Irregularity:	Misuse of public resources
Legal grounds:	Anti-Corruption Agency Act(article 29)
Actor:	Minister of Labour, Employment, Veteran and Social Policy, Zoran Đorđević
Outcome:	REJECTED
Measure:	None

Complaint 9

Event:	The president of the Municipality of Novi Kneževac, Radovan Uverić, in an interview published on the official webpage of the Municipality of Novi Kneževac, promoted the Serbian Progressive Party. He is also a member of the said party.
Irregularity:	Misuse of public resources
Legal grounds:	Law on Financing Political Activities (article 23) Anti-Corruption Agency Act(article 29)
Actor:	Serbian Progressive Party President of the Municipality of Novi Kneževac, Radovan Uverić
Outcome:	REJECTED in relation to the Law on Financing Political Activities ACCEPTED in relation to the Anti-Corruption Agency Act
Measure:	Measure of a public announcement of a recommendation to dismiss the public official Radovan Uverić.

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Complaint 10

Event:	In a video report published on the official Facebook page of Goran Vesić, the deputy mayor of Belgrade, on the occasion of the opening of a public parking lot in the Belleville neighbourhood in Belgrade, Vesić promoted the Serbian Progressive Party in his official statement.
Irregularity:	Misuse of public resources Misuse of public office
Legal grounds:	Anti-Corruption Agency Act(article 29)
Actor:	Deputy mayor of Belgrade, Goran Vesić
Outcome:	PENDING
Measure:	None.

Complaint 11

Event:	In the promotional video of the Socialist Party of Serbia in the local elections in Valjevo, the director of the public enterprise Waterworks (Vodovod) Valjevo, Đorđe Milanović, who is at the same time the SPS candidate for mayor, abused the official premises of local public utility companies in Valjevo to shoot the video.
Irregularity:	Misuse of public resources Misuse of public office
Legal grounds:	Law on Financing Political Activities (article 23) Anti-Corruption Agency Act (article 29)
Actor:	Socialist Party of Serbia Director of the public enterprise Waterworks (Vodovod) Valjevo, Đorđe Milanović
Outcome:	ACCEPTED
Measure:	Request for initiating misdemeanour proceedings to the Misdemeanour Court in Valjevo against the Socialist Party of Serbia and the responsible person in that party. Measure of a public announcement of a recommendation to dismiss the public official Đorđe Milanović, director of the public enterprise Waterworks (Vodovod) Valjevo. Measure of a public announcement of a recommendation to dismiss the public official Zoran Stepanović, director of the public enterprise Toplana Valjevo.

Complaint 12

Event:	The official website of the Municipality of Gornji Milanovac published the news about the official visit of Maja Gojković to the President of the Municipality of Gornji Milanovac, Dejan Kovačević, during which, inter alia, the Serbian Progressive Party was promoted.
Irregularity:	Misuse of public resources Misuse of public office
Legal grounds:	Law on Financing Political Activities (article 23) Anti-Corruption Agency Act(article 29)
Actor:	Serbian Progressive Party Speaker of the National Assembly of the Republic of Serbia, Maja Gojković President of the Municipality of Gornji Milanovac, Dejan Kovačević
Outcome:	REJECTED
Measure:	None

Complaint 13

Event:	Photos and videos of Milosav Miličković, who is the State Secretary of the Ministry of the Interior, president of the Municipal Board of the Serbian Progressive Party Rakovica and the first candidate on the electoral list of the Serbian Progressive Party in Rakovica are
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	published on the official Facebook account of the City Municipality Rakovica, Belgrade. Besides, his personal Facebook account is linked to these pages.
Irregularity:	Misuse of public resources Misuse of public office
Legal grounds:	Law on Financing Political Activities (article 23) Anti-Corruption Agency Act (article 29)
Actor:	Serbian Progressive Party State Secretary of the Ministry of the Interior, Milosav Miličković
Outcome:	REJECTED
Measure:	None

Complaint 14

Event:	A television report on the humanitarian action – construction of an access ramp for the resident of Trstenik – was broadcast on RTV Kruševac. The action was attended by a large number of people wearing the insignia of the Serbian Progressive Party, statements were given by officials of the Serbian Progressive Party, and at the beginning of the report, a statement was given by Aleksandar Ćirić, too, who is the Mayor of Trstenik. He used this opportunity to promote the Serbian Progressive Party in capacity of its member and the president of the Municipal Board Trstenik.
Irregularity:	Misuse of public resources Misuse of public office
Legal grounds:	Law on Financing Political Activities (article 23) Anti-Corruption Agency Act (article 29)
Actor:	Serbian Progressive Party President of the Municipality of Trstenik, Aleksandar Ćirić
Outcome:	REJECTED
Measure:	None

Complaint 15

Event:	During the opening of the National Museum in Veliko Gradište (project of the Ministry of Culture), the previous results of the mayor and the Serbian Progressive Party were promoted, i.e. of the coalition that would participate in the local elections (Deputy President of the Municipality). The Deputy President of the Municipality explicitly mentioned that they were starting the campaign from the National Museum in Veliko Gradište and called for voting for the Serbian Progressive Party. Complaint was also filed against the director of the museum because he allowed the use of the museum for a political gathering.
Irregularity:	Misuse of public resources Misuse of public office
Legal grounds:	Law on Financing Political Activities (article 23) Anti-Corruption Agency Act (article 29)
Actor:	Serbian Progressive Party President of the Municipality of Veliko Gradište, Dragan Milić, Deputy President of the Municipality, Vladimir Štrbac Director of the National Museum in Veliko Gradište, Dragan Bogičić
Outcome:	REJECTED
Measure:	None

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Complaint 16

Event:	On the social network Facebook, on the page of the user “Darko Bulatović”, there is a large number of posts, including posts promoting the Serbian Progressive Party. Darko Bulatović is third on the announced electoral list “Aleksandar Vučić – For our Children” for the elections for councillors of the City Assembly of Niš.
Irregularity:	Misuse of public resources Possible misuse of public office
Legal grounds:	Law on Financing Political Activities (article 23) Anti-Corruption Agency Act (article 29)
Actor:	Serbian Progressive Party, Mayor of Niš, Darko Bulatović
Outcome:	REJECTED in relation to the Law on Financing Political Activities PENDING in relation to the Anti-Corruption Agency Act
Measure:	None

Complaint 17

Event:	Nebojša Zelenović shot a promotional political video for his electoral list “Nebojša Zelenović – Šabac is ours,” at the city swimming pool in Šabac, which is a public-private partnership. He also promoted the results of the local government and mentioned a part of the name of the list that he is the holder of: “Šabac is ours.”
Irregularity:	Misuse of public resources Possible misuse of public office
Legal grounds:	Law on Financing Political Activities (article 23) Anti-Corruption Agency Act (article 29)
Actor:	Together for Serbia, Nebojša Zelenović, President of the party and Mayor of Šabac
Outcome:	ACCEPTED
Measure:	Request for initiating misdemeanour proceedings to the Misdemeanour Court against Together for Serbia and the responsible person in that party. Measure of a public announcement of a recommendation to dismiss the public official of the mayor of the City of Šabac.

Complaint 18

Event:	Serbian Progressive Party shot a video on the open-cut mining of the Mining Basin “Kolubara” – branch of the Public Utility Power Company showing the machines working on the mines, and also employees in the Mining Basin Kolubara in uniforms with a clearly visible insignia of the Public Utility Power Company. A complaint was filed against the director Grčić because he made this shooting possible and misused public resources for the promotion of the political party of which he is a member.
Irregularity:	Misuse of public resources Possible misuse of public office
Legal grounds:	Law on Financing Political Activities (article 23) Anti-Corruption Agency Act(article 29)
Actor:	Serbian Progressive Party, Milorad Grčić, director of the Public Utility Power Company
Outcome:	ACCEPTED in relation to the Law on Financing Political Activities REJECTED in relation to the Anti-Corruption Agency Act

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Measure:	Measure of warning to the Serbian Progressive Party for violation of provisions of article 23, paragraph 3 of the Law on Financing Political Activities.
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Complaint 19

Event:	Aleksandar Šapić, as the president of the City Board New Belgrade, distributed leaflets to all citizens of New Belgrade, in which he promoted his previous results. He mentioned the upcoming elections and the possibility for the citizens to give him their vote once again. Along with the leaflet, a family card for the pool "April 11" was distributed.
Irregularity:	Misuse of public resources Misuse of public office
Legal grounds:	Law on Financing Political Activities (article 23) Anti-Corruption Agency Act (article 29)
Actor:	Aleksandar Šapić, president of the Main Board New Belgrade, Political party Serbian Patriotic Alliance
Outcome:	REJECTED
Measure:	None

Complaint 20

Event:	The Serbian Progressive Party shot a promotional video in the official premises of the company "Krušik-Plastika" a.d. Osečina. Employees and the director of that company appear in the video. The director promotes the Serbian Progressive Party with his statement. This company is majority state-owned, and the director is a public official.
Irregularity:	Misuse of public resources Misuse of public office
Legal grounds:	Law on Financing Political Activities (article 23) Anti-Corruption Agency Act (article 29)
Actor:	Serbian Progressive Party, Zoran Urošević, director of the company "Krušik-Plastika" a.d. Osečina
Outcome:	ACCEPTED in relation to the Law on Financing Political Activities PENDING in relation to the Anti-Corruption Agency Act
Measure:	Warning measure to the Serbian Progressive Party for violation of the provision of article 23, paragraph 3 of the Law on Financing Political Activities

Complaint 21

Event:	The Serbian Progressive Party shot a promotional video featuring a volunteer of the City Board GO Voždovac with a clearly visible coat of arms of the City Municipality. The video shows footages of the COVID-19 hospital in the Belgrade Fair. Teodora Beljić Živković appears in a doctor's coat.
Irregularity:	Misuse of public resources
Legal grounds:	Law on Financing Political Activities (article 23)
Actor:	Serbian Progressive Party
Outcome:	REJECTED
Measure:	None

Complaint 22

Event:	Goran Vesić, Deputy Mayor of Belgrade, promoted his party, the Serbian Progressive Party and Aleksandar Vučić, and discredited political opponents, specifically Dragan Đilas, while appearing at the manifestation of socialising with pensioners organised and financed by the City Municipality Surčin.
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Irregularity:	Misuse of public resources Misuse of public office
Legal grounds:	Law on Financing Political Activities (article 23) Anti-Corruption Agency Act(article 29)
Actor:	Serbian Progressive Party Deputy Mayor of the City of Belgrade, Goran Vesić
Outcome:	ACCEPTED in relation to the Law on Financing Political Activities REJECTED in relation to the Anti-Corruption Agency Act
Measure:	Request for initiating misdemeanour proceedings to the Misdemeanour Court against the Serbian Progressive Party and the responsible person in that party.

9.3. Regulatory Authority of Electronic media

Complaint 1

Event:	On May 16 th , 2020, in the programme of Happy TV, in the show <i>Good Morning, Serbia</i> (Dobro jutro Srbijo), an election programme was broadcast, which was separated from the rest of the programme by a text label. A feature was broadcast reporting on activities of Aleksandar Vučić and Aleksandar Vulin. By broadcasting this feature within the election programme, the media service provider misled voters that the activities of public authorities represent the election activities of the parties whose presidents are Vučić and Vulin. In this way, the media service provider awarded a privileged position during the election campaign to parties whose representatives are the aforementioned officials, i.e. are candidates on the electoral list "Aleksandar Vučić – For Our Children."
Irregularity:	Providing privileged position to public officials – promotional mention outside the election programme.
Legal grounds:	Law on Electronic Media (article 47)
Actor:	TV Happy
Outcome:	UNKNOWN
Measure:	None

Complaint 2

Event:	Maja Gojković's guest appearance was broadcast during the campaign. Maja Gojković is the second candidate on the list "Aleksandar Vučić – For Our Children". Her appearance was not staged in a special show dedicated to the elections nor was the part in which she appeared marked as election programme. The presenter of the programme announced the guest as the "Speaker of the Parliament." Despite that, during her appearance, Gojković, in her official capacity, made a promotional reference to the Serbian Progressive Party and the electoral list on which she is a candidate. In the news programme, outside the programme related to the election campaign, the media service provider informed about current events and activities of state bodies and officials in a way that contains a special promotional reference to the submitter of electoral lists, candidates from electoral lists or their activities, ideas or political attitudes, contrary to the Recommendation to commercial media service providers on ensuring representation of registered political parties, coalitions and candidates without discrimination during the election campaign.
Irregularity:	Providing privileged position to public officials – promotional mention outside the election programme.

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Legal grounds:	Law on Electronic Media (article 47)
Actor:	TV Pink
Outcome:	REJECTED
Measure:	None

Complaint 3

Event:	During the election programme, a feature about the installation of a sewerage network in the settlement of Velje Polje in Tutin was broadcast, which is financed from the budget. The tour of the works by the director of the public utility company Gradac Tutin Erdžan Bahtijarević was also shown. By broadcasting this feature as part of the election programme, the media service provider misled voters that the activities of public authorities represent the election activities of the party of which Bahtijarević is a prominent representative. Having in mind the fact that Erdžan Bahtijarević is a member of the Main Board of the Party of Democratic Action of Sandžak, the media service provider provided a privileged position during the election campaign to the party whose representative is the aforementioned official.
Irregularity:	Providing privileged position to public officials
Legal grounds:	Law on Electronic Media (article 47)
Actor:	TV Novi Pazar
Outcome:	PROCEDURE SUSPENDED
Measure:	None

Complaint 4

Event:	During the election programme, it was reported on the rehabilitation of the local road in the village of Dolovo in Tutin, which is financed from the budget, and on a tour of the works by the mayor of Tutin, Kenan Hot. By broadcasting this feature as part of the election programme, the media service provider misled voters that the activities of public authorities represent the election activities of the Party of Democratic Action of Sandžak of which Hot is a prominent representative. In this way, the media service provider provided a privileged position during the election campaign to the party whose representative is the aforementioned official.
Irregularity:	Providing privileged position to public officials
Legal grounds:	Law on Electronic Media (article 47)
Actor:	TV Novi Pazar
Outcome:	PROCEDURE SUSPENDED
Measure:	None

Complaint 5

Event:	During the election campaign, Studio B TV broadcast in the News Programme (Dnevnik) on May 14 th , 2020, outside the election programme statements given by Aleksandar Marković, member of the Main Board of the Serbian Progressive Party, Aleksandar Jovičić, a member of the Serbian Progressive Party presidency, Aleksandar Mirković, head of the Parliamentary Group of the Serbian Progressive Party in the Assembly of Belgrade and Vladimir Orlić, a member of the Serbian Progressive Party presidency. All broadcast statements referred to Marinika Tepić and Dragan Đilas and their alleged friends, family, godfathers and party connexions linked to smuggling or possession of narcotics. These statements referred to Đilas's earlier statement which, unlike the
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	statements of the representatives of the ruling party, was not quoted in its original version.
Irregularity:	Biased reporting Providing privileged position to public officials
Legal grounds:	Law on Electronic Media (article 47)
Actor:	RTV Studio B
Outcome:	ACCEPTED
Measure:	Remonstrance

Complaint 6

Event:	On TV Pančevo on May 12 th , 2020, a feature was broadcast reporting on the activities of Ministers Jadranka Joksimović and Zorana Mihajlović who signed the Donation Agreement for the realisation of the Belgrade metro project between the Government of Serbia and the Government of France. By broadcasting this feature as a part of the election programme, the media service provider misled voters that the activities of public authorities represent the election activities of the party of which Joksimović and Mihajlović are prominent representatives. Having in mind the fact that Zorana Mihajlović is a member of the Presidency of the Serbian Progressive Party, and that Jadranka Joksimović performs the function of international secretary of the same party, the media service provider provided a privileged position during the election campaign to the party that the aforementioned officials are members of, i.e. are on the electoral list "Aleksandar Vučić – For Our Children."
Irregularity:	Providing privileged position to public officials
Legal grounds:	Law on Electronic Media (article 47)
Actor:	TV Pančevo
Outcome:	ACCEPTED
Measure:	Warning

Complaint 7

Event:	On TV Pančevo on May 18 th , 2020, at 19:11h, within the news programme (Vesti), a feature was broadcast on the donation of an ambulance to the Health Centre in Kovin from the budget. The feature was broadcast in the news programme outside the election programme. Speaking of this donation, Srđan Nenek, head of the Emergency Medical Service of the Health Centre in Kovin and the third candidate on the electoral list "Aleksandar Vučić – For Our Children" for the elections for councillors in the Municipal Assembly of Kovin, said that three vehicles were allocated by the governing structure and Serbian Progressive Party.
Irregularity:	Providing privileged position to public officials – promotional mention outside the election programme.
Legal grounds:	Law on Electronic Media (article 47)
Actor:	TV Pančevo
Outcome:	ACCEPTED
Measure:	Warning

Complaint 8

Event:	During the election campaign, the political advertising message of the electoral list "Aleksandar Vučić – For Our Children" was noticed in the programmes of several media service providers. The video was shot on the open-cut mining of the Mining Basin
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	“Kolubara” – branch of the Public Utility Power Company, showing an employee in the Mining Basin Kolubara in a uniform with a clearly visible insignia of the Public Utility Power Company who was promoting the said electoral list.
Irregularity:	Misleading advertising
Legal grounds:	Law on Advertising (article 6, article 11)
Actor:	Several media service providers
Outcome:	REJECTED
Measure:	None

Complaint 9

Event:	During the election campaign, the political advertising message of the electoral list “Aleksandar Vučić – For Our Children” was noticed in the programmes of several media service providers. The video was shot in front of the building of the Medical Centre “Zvezdara” with the participation of prof. Beljić Živković PhD, who works as the head of the clinical department for endocrinology, diabetes and metabolic diseases at the Medical Centre “Zvezdara”. Beljić Živković is wearing a medical uniform for the needs of political advertising of the electoral list she advertises – the doctor’s coat of the institution where she is employed, on which the logo of the Medical Centre Zvezdara is placed.
Irregularity:	Misleading advertising
Legal grounds:	Law on Advertising (article 6, article 11)
Actor:	Several media service providers
Outcome:	REJECTED
Measure:	None

Complaint 10

Event:	On May 16 th , 2020 at 9:10 pm and on May 25 th , 2020 at 9:30 pm, TV Pink enabled the election advertising of the electoral list “Aleksandar Vučić – For Our Children” proposed by the Serbian Progressive Party within a rented term which lasted uninterruptedly for 23, i.e. 21 minutes thus exceeding the permitted advertising time within an hour as foreseen by article 35 of the Law on Advertising.
Irregularity:	Advertising lasting longer than permitted
Legal grounds:	Law on Electronic Media (article 47) Law on Advertising (article 35)
Actor:	TV Pink
Outcome:	PARTIALLY ACCEPTED
Measure:	Procedure for imposing a measure is initiated

Complaint 11

Event:	During the election campaign, in the news programme Vesti, outside the election programme, on June 2 nd , 2020, TV B92 broadcast a feature informing about current events and activities of the Minister of Defence Aleksandar Vulin, his visit to Pirot and the return of the Serbian Army to Pirot. The statement of Minister Vulin, who was in the premises of the Serbian Progressive Party in Pirot, was broadcast, so the Serbian Progressive Party insignia were clearly visible throughout Vulin’s address.
Irregularity:	Promotional mention outside the election programme by a public official
Legal grounds:	Law on Electronic Media (article 47)
Actor:	TV B92
Outcome:	UNKNOWN

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Measure:	None
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Complaint 12

Event:	In three editions of the show Fokus, TV B92 broadcast content in which officials (Ana Brnabić, Siniša Mali, Milan Krkobabić) were enabled to promote the party in the part of the informative programme that does not refer to reporting on election activities.
Irregularity:	Promotional mention outside the election programme by a public official
Legal grounds:	Law on Electronic Media (article 47)
Actor:	TV B92
Outcome:	Unknown
Measure:	None

9.4. Republic Electoral Commission

The CRTA filed 36 complaints, two against the work of the Republic Electoral Commission, and 34 due to irregularities recorded by observers at polling stations, which were reflected in the violation of the secrecy of voting, non-verification of personal documents, voting with invalid documents, without verification of voter identity, selective use of UV lamps, campaigning within 50 meters from the polling station, keeping parallel lists by unknown persons in front of polling stations, and collective voting. The Republic Electoral Commission held a joint debate on these complaints, too, and decided without establishing the factual situation on each complaint and rejected them as unfounded. According to the judgments of the Administrative Court annulling the decisions of the Electoral Commission, decisions were made individually at the REC sessions in compliance with the provisions of the Law on General Administrative Procedure, but the outcome was the same, the complaints were rejected. (Figure 10).

Figure 10. CRTA's complaints to the Republic Electoral Commission

Complaint	Municipality/City	Number of the polling station	Name of the polling station
1	Republic Electoral Commission	<i>Complaints against the REC for violation of the right to vote during the elections and irregularities in the procedure of conducting, determining and publishing the election results.</i>	
2			
3	Požega	24	House of Rada Vučićevića, Dražinovići
4	Brus	3	Primary school, Brzeće
5	Šabac	8	Primary school "Nata Jeličić"
6	Voždovac	9	Primary school "Bora Stanković"
7	Mionica	9	Community centre, Vrtiglav
8	Sremska Mitrovica	10	Primary school "Branko Radičević," Kuzmin
9	Rekovac	11	Primary school, Kavadar
10	Alibunar	12	Primary school, Vladimirovac

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11	Odžaci	16	Primary school, Ratkovo
12	Kula	18	Sole trade business Točak, Crvenka
13	Pančevo	22	MK Omoljica
14	Ljubovija	23	House of Gajić Novak, Vrhpolje
15	Valjevo	25	Local community office Nada Purić
16	Mionica	26	Seoski dom, Paštrić
17	Ćuprija	29	Local community office Paljane
18	Zvezdara	29	Kindergarten Duga, Beograd
19	Sombor	31	Hall of the local office Stara Selenča – local community office
20	Nova Varoš	37	Premises of the Electric power utility company
21	Požega	41	Primary school Prilipac
22	Petrovac na Mlavi	42	Local community office Stamnica
23	Kraljevo	46	Local community office Leševo
24	Vršac	51	Local community office Kuštilj
25	Prijepolje	55	Primary school "Milosav Stiković Kolovrat"
26	Novi Beograd	73	Primary school "20. oktobar"
27	Voždovac	74	Primary school "Vuk Karadžić" class in Prnjavor
28	Čačak	80	Community centre, Rajac
29	Leskovac	85	Primary school, Turekovac
30	Novi Beograd	90	Local community office Sava – Big hall
31	Novi Beograd	122	Primary school "Dragan Lukić"
32	Kragujevac	132	Local community Rogojevac – local office
33	Novi Beograd	139	Primary school "Vlada Obradović - Kameni"
34	Leskovac	35	Local community office Hisar

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35	Novi Sad	172	Primary school "Sonja Marinković"
36	Prokuplje	81	Primary school Bresničić

9.5. Public Prosecutors

The CRTA also filed two criminal charges with the higher public prosecutor's office due to the suspicion that certain actions were committed in violation of the secrecy of the ballot, violation of the right to vote and giving and receiving bribes in connection with voting. Until the preparation of this report, it remains unknown how the Higher Public Prosecutor's Office acted upon the said charges.

Analysing the information that appeared in public, as well as the recording of election irregularities¹¹⁰ at an unknown polling station, the CRTA concluded that there were grounds for filing criminal charges against several unidentified persons. The video made at the polling station shows an unidentified female person staying at that polling station for a longer period of time, approaching a larger number of voters who went in the polling booth (serving to ascertain the secrecy of ballot) and telling them which list to circle on the ballot. She repeatedly took ballots from voters, inspected them and then inserted them in the ballot box. This unidentified female person undertook all the above actions publicly, without hiding, in front of all members of the polling station committee, and no one warned her that her acts were contrary to the regulations. Criminal charges were filed against several unidentified persons suspected of committing the following criminal offences: violation of the secrecy of the vote under article 160 of the Criminal Code (CC), violation of the right to vote under article 155 of the CC, giving and receiving bribes in connection with voting under article 156, paragraph 1 of the CC. The data collected by the CRTA observers indicate that the events seen in the recording (insertion of ballots by an unauthorised person into the ballot box, collective voting, etc.) took place at polling station no. 49, in the Municipality of Ub. The actions of the Higher Public Prosecutor's Office on these charges remain unknown until the closing of this report.

The second criminal charge filed by the CRTA refers to the case of destruction of election material. As a matter of fact, by inspecting the official material from the 159th session of the REC held on June 26th, 2020, the CRTA observation mission came to the information that the Statistical Office of the Republic of Serbia informed the REC that the minutes of the work of polling station committees were not received for statistical data processing from six polling stations. These are polling stations: Bujanovac 31, Vranje 62, Gornji Milanovac 25, Kragujevac 83, Sjenica 30, Novi Sad 68. In practice, this means that the results from these polling stations could not be entered into statistical processing, because the minutes were not physically submitted to the REC. The REC, applying the provisions of the Instructions for Conducting the the Elections, made a decision to order repeated voting at the mentioned polling stations, for which new polling station committees were formed. Voting at these polling stations was repeated on July 1st, 2020.

Based on all of the above, it can be concluded that an unidentified person destroyed or confiscated or concealed the minutes of the work of polling stations at the specified polling stations. Having in mind the regulations that regulate the circle of persons who have access to the minutes of the work of the polling station committee, there is a suspicion that the perpetrator is a member of the polling station committee or another person performing some duty related to voting. The CRTA observation mission concluded that in this case the criminal offense of Destruction of Voting Documents under article 162 of the Criminal Code occurred and therefore it filed criminal charges, in order for the Prosecution to investigate this case and determine whether the minutes of polling stations were destroyed or not, or whether another crime was committed.

¹¹⁰ bit.ly/2GiW1xo

9.6. Ministry of Economy

Two charges were filed with the Ministry of Economy, against Đorđe Milanović, director of the public enterprise Waterworks (Vodovod) Valjevo, as well as against Zoran Stepanović, acting director the public enterprise “Toplana Valjevo” because they used the property, activities, name and visual identity of the public company in the promotional video in capacity of the Socialist Party of Serbia candidates in the local elections in Valjevo. The Ministry of Economy sent both cases to the city of Valjevo, to the founder of public enterprise “Toplana Valjevo” and the public enterprise Waterworks “Vodovod Valjevo”, in order to carry out further activities. Until the day of concluding this report, the city of Valjevo had not informed the complainant about the outcome of its actions.

10. THE CRTA'S RECOMMENDATIONS FOR THE IMPROVEMENT OF THE ELECTORAL PROCESS

10.1. Key findings

This part of the Report provides an overview of the previous recommendations proposed by the CRTA observation mission, as well as an assessment of their fulfilment. Out of a total of 62 recommendations put forward by the CRTA on the basis of the findings of the monitoring process of previous election cycles, according to our assessment, 27 recommendations were fulfilled (12 completely and 15 partially), while the remaining 35 were not fulfilled. Throughout 2019, the CRTA advocated a narrowed set of 32 recommendations that were expected to be fulfilled until the elections without major obstacles. Out of these recommendations, 9 were fully met, 11 partially, while 12 recommendations remained completely unfulfilled.

The analysis of the fulfilment of all recommendations shows that the focus of competent institutions was mainly put to fulfilment of recommendations that the CRTA advocated before the 2020 elections, but that mostly simpler recommendations were fulfilled, which did not interfere with systemic changes and did not require legal changes, except in the area of preventing the misuse of public resources. Almost half of all fulfilled recommendations (12 partially or entirely fulfilled recommendations) fall into the area of the Voters' Register editing, i.e. of the process transparency and data availability. Therefore, it can be concluded that the greatest focus on fulfilling the recommendations was on those that raise the transparency of the process, encourage voters' confidence, increase capacities and efficiency of the election administration. Recommendations to prevent the misuse of public resources, ensure equality of participants and equal media representation, and ensure legal certainty and protection of the right to vote, have not been adopted.

This report provides a detailed overview of all the individual changes as well as a statistical overview of the fulfilment of the existing recommendations. On the basis of the observation of the entire election process in 2020, in this report the CRTA presents 18 new recommendations. In the upcoming period, thanks to the fulfilment of some of the recommendations, the introduction of new ones, and the need for their systematisation, the CRTA will start revising the recommendations for the improvement of the electoral process and will inform the public about it.

10.2. Old recommendations

The CRTA systematically observed the elections and made recommendations for the improvement of the election conditions after the extraordinary parliamentary elections in 2016, the presidential elections in 2017 and the elections for the Belgrade City Assembly in 2018. Until the elections held in 2020, the CRTA had made 62 detailed recommendations available at crt.rs/recommendations. Out of these 62 recommendations, only one was filed as fulfilled before the 2020 election process. Recommendation #16 on sending complaints electronically has been implemented since 2018, while the remaining 61 recommendations have not been fulfilled until this reporting period.

During the dialogue on the improvement of the electoral conditions in 2019, the CRTA advocated a narrowed list of 32 recommendations which were expected to be implemented by the 2020 parliamentary elections, with the political will and mutual understanding of relevant actors, and without major legal interventions. Their fulfilment would have been an important start for the systematic and complete improvement of the quality of the election process. These recommendations are highlighted in a special document "The CRTA recommendations for the improvement of the electoral conditions by 2020."

In the table, the recommendations that the CRTA advocated for the 2020 elections are shaded, while the degree of their fulfilment is marked with "traffic lights" colours.

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Figure 11. CRTA's recommendations until 2020 elections

No.	Recommendation	Fulfilment
#1	SYSTEMATISE THE ELECTORAL LEGAL MATTER THROUGH A UNIQUE ELECTION LAW	unfulfilled
#2	REORGANISE THE ELECTION ADMINISTRATION SYSTEM	unfulfilled
#3	REFORM THE REC WITHIN A WIDER SET OF REFORMS OF THE ELECTION LAW	unfulfilled
#4	SEPARATE THE PROCESS OF THE ELECTORAL LISTS SUBMISSION AND THE OFFICIAL COMMENCEMENT OF THE ELECTION CAMPAIGN	unfulfilled
#5	MEMBERS OF LOCAL ELECTORAL COMMISSIONS CAN BE ONLY JURISTS	unfulfilled
#6	INTRODUCE THE OBLIGATION THAT THE HOLDER OF THE LIST BE A CANDIDATE IN THE LOCAL ELECTIONS	unfulfilled
#7	EQUALISE DEADLINES PROVIDED FOR THE ANNOUNCEMENT OF FINAL ELECTION RESULTS	unfulfilled
#8	REGULATE BY THE LAW THE INSPECTION OF BAGS CONTAINING THE ELECTION MATERIAL	unfulfilled
#9	INTRODUCE COMPULSORY TRAININGS AND TESTS FOR ALL MEMBERS OF THE POLLING STATION COMMITTEES	partially fulfilled
#10	ADOPT A RULEBOOK FOR EDUCATORS PROVIDING TRAININGS FOR ALL MEMBERS OF THE POLLING STATION COMMITTEES	fulfilled
#11	REORGANISE THE COMPOSITION OF THE POLLING STATION COMMITTEES – PARTIES THAT DO NOT HAVE MEMBERS IN THE PERMANENT COMPOSITION CANNOT HAVE MEMBERS IN THE EXTENDED COMPOSITION	unfulfilled
#12	PUBLISH SCANNED MINUTES OF THE WORK OF THE POLLING STATION COMMITTEES ON THE ELECTORAL COMMISSIONS' WEBSITES ON TIME	fulfilled

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#13	PUBLISH ALL DOCUMENTS FROM PLENARY AND WORK GROUPS SESSIONS ON THE REC WEBSITE ON TIME	partially fulfilled
#14	BROADCAST ALL REC SESSIONS LIVE, PUBLISH STENOGRAPHIC NOTES AND RESULTS OF THE VOTE AT THE ELECTORAL COMMISSION SESSIONS ON TIME	partially fulfilled
#15	ENSURE THAT PERSONAL DATA IS CHECKED UPON THE VOTER'S REQUEST	partially fulfilled
#16	ENABLE SENDING COMPLAINTS ELECTRONICALLY	fulfilled (2018)
#17	UPDATE THE VOTERS' REGISTER	partially fulfilled
#18	ORGANISE CONTINUOUS TRAININGS FOR PERSONS IN CHARGE OF UPDATING THE VOTERS' REGISTER	fulfilled
#19	IMPROVE OVERSIGHT OVER THE WORK OF PERSONS HANDLING THE VOTERS' REGISTER	fulfilled
#20	IMPROVE THE COORDINATION BETWEEN THE OFFICE OF VITAL RECORDS AND SERVICES IN CHARGE OF THE VOTERS' REGISTER	fulfilled
#21	FACILITATE CITIZENS' PROCEDURES FOR UPDATING DATA IN THE VOTERS' REGISTER	partially fulfilled
#22	CLARIFY THE CONCEPT OF PUBLIC RESOURCES AND ADEQUATE SANCTIONS IN THE ANTI-CORRUPTION AGENCY ACT	fulfilled
#23	DEFINE WHICH ACTIVITIES CAN BE INCLUDED IN THE COST OF THE ELECTION CAMPAIGN	fulfilled
#24	INTRODUCE A SANCTION FOR THE MISUSE OF PROPERTY, NAMES AND ACTIVITIES OF PUBLIC COMPANIES FOR POLITICAL PURPOSES	fulfilled

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#25	PROHIBIT ALL PUBLIC SERVANTS AND OFFICIALS OF ALL LEVELS TO APPEAR AT PUBLIC EVENTS IN THE ELECTION CAMPAIGN WHICH PROMOTE THE PLANS OR RESULTS OF THE WORK OF PUBLIC BODIES, ORGANISATIONS AND PUBLIC SERVICES	unfulfilled
#26	THE AGENCY SHALL USE STATUTORY POWERS EX OFFICIO IN ORDER TO PROTECT THE PUBLIC INTEREST	unfulfilled
#27	BAN ON THE EXTRAORDINARY ALLOCATION OF BUDGET AND OTHER PUBLIC FUNDS DURING THE ELECTION CAMPAIGN, AS WELL AS IN THE PERIOD OF 30 DAYS BEFORE AND AFTER THE CAMPAIGN	unfulfilled
#28	FORBID THE USE OF FUNDS FOR THE REGULAR OPERATION OF POLITICAL ENTITIES FOR THE PURPOSES OF THE ELECTION CAMPAIGN	unfulfilled
#29	MANDATORY SUBMISSION OF PROVISIONAL REPORTS ON THE COST OF THE ELECTION CAMPAIGN DURING THE VERY CAMPAIGN	unfulfilled
#30	REGULATE BY LAW AND BY A SPECIAL CHAPTER IN THE LAW, THE POSITION OF THE OBSERVERS AND THEIR AUTHORITY IN ACCORDANCE WITH INTERNATIONAL STANDARDS	partially fulfilled
#31	AWARD AUTHORITY TO OBSERVERS TO ENTER COMPLAINTS TO THE MINUTES ON THE WORK OF THE POLLING STATION COMMITTEES	unfulfilled
#32	DEFINING THE MANNER AND DEADLINES FOR AWARDED ACCREDITATIONS TO OBSERVERS	partially fulfilled
#33	DEFINE THE CONDITIONS WHICH ORGANISATIONS AND ASSOCIATIONS MUST FULFILL IN ORDER TO OBSERVE THE ELECTION PROCESS	unfulfilled
#34	PRECISELY DEFINE THE TIME OF THE OBSERVATION PERIOD FOR WHICH ACCREDITATION IS ISSUED	unfulfilled
#35	OBLIGE THE REM TO REPORT TO THE PUBLIC ON THE WORK OF BROADCASTERS DURING AND AFTER THE ELECTION CAMPAIGN	partially fulfilled

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#36	INTRODUCE THE OBLIGATION TO WRITE A REASONING ACCOMPANYING THE DECISIONS REGARDING VIOLATIONS OF THE GENERAL INTEREST	unfulfilled
#37	INTRODUCE THE OBLIGATION TO INCLUDE IN THE REASONING REPORTS FROM THE ADMINISTRATIVE AND PROFESSIONAL SERVICE FOR MONITORING AND ANALYSIS	unfulfilled
#38	INTRODUCE CLEAR INDICATORS FOR THE EVALUATION OF THE WORK OF THE REM COUNCIL	unfulfilled
#39	EXTEND THE DEADLINE FOR MAKING DECISIONS AND SUBMITTING OBJECTIONS	unfulfilled
#40	EXTEND THE DEADLINE FOR FILING COMPLAINTS TO THE ADMINISTRATIVE COURT	unfulfilled
#41	EXPAND THE POSSIBILITIES OF THE ELECTORAL COMMISSIONS AND OF THE ADMINISTRATIVE COURT TO CONSIDER THE PROPOSED EVIDENCE ATTACHED TO THE OBJECTION	unfulfilled
#42	COMPULSORY REPEAT THE ELECTIONS AT A POLLING STATION WHENEVER THERE IS A DISCREPANCY BETWEEN THE MINUTES ON THE WORK OF THE POLLING STATION COMMITTEE AND THE FACTUAL STATE DETERMINED BY THE REC/CEC/ADMINISTRATIVE COURT	partially fulfilled
#43	IDENTIFY CASES WHERE THE ELECTORAL COMMISSIONS ARE ALLOWED TO ACT EX OFFICIO	unfulfilled
#44	TIMELY PUBLISH PRELIMINARY AND FINAL RESULTS OF THE ELECTIONS BY POLLING STATIONS ON THE ELECTORAL COMMISSIONS' WEBSITES	unfulfilled
#45	INTRODUCE LEGAL PROHIBITION TO COERCE PRESSURES ON EMPLOYEES IN PUBLIC COMPANIES AND PUBLIC ADMINISTRATION	partially fulfilled
#46	IMPROVE THE PROTECTION OF PERSONAL DATA OF CITIZENS IN ORDER TO PREVENT ELECTORAL PRESSURE	unfulfilled
#47	INTRODUCE SHORT DEADLINES FOR DECISION-MAKING BY THE AGENCY AND THE REM UPON OBJECTIONS	partially fulfilled
#48	DIRECTLY PROHIBIT BY THE LAW PARALLEL EVIDENCE AT THE POLLING STATION AS THEY JEOPARDISE THE SECRECY OF VOTING	unfulfilled

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#49	SET UP STANDARDS FOR VOTING OF BLIND AND VISUALLY IMPAIRED PERSONS	fulfilled
#50	CONDUCT ELECTIONS IN KOSOVO IN ACCORDANCE WITH THE LAW AND DECISIONS OF THE CONSTITUTIONAL COURT	unfulfilled
#51	EQUALISE DEADLINES FOR CONDUCTING ELECTIONS	unfulfilled
#52	OBLIGATE THE CONSTITUTIONAL COURT TO DECIDE ON CASES PERTAINING TO THE ELECTIONS WITHIN 5 DAYS	unfulfilled
#53	PUBLISH INFORMATION ABOUT THE VOTERS' REGISTER UPDATE PROCESS ON THE WEBSITE OF THE MINISTRY OF PUBLIC ADMINISTRATION AND LOCAL SELF-GOVERNMENT	fulfilled
#54	PROHIBIT SUBSEQUENT MODIFICATIONS TO THE MINUTES ON THE WORK OF POLLING STATION COMMITTEES	fulfilled
#55	LIBERALISE THE CONDITION FOR OPENING OF POLLING STATIONS ABROAD	unfulfilled
#56	DEFINE THE METHOD OF SUBMITTING VOTING NOTIFICATION	unfulfilled
#57	DEFINE MORE CLEARLY THE POSITION OF NATIONAL MINORITY PARTIES	unfulfilled
#58	EXPAND THE SCOPE OF OFFENSES AGAINST ELECTORAL RIGHTS IN THE LAW ON CRIMINAL PROCEEDINGS	unfulfilled
#59	EXPAND THE RANGE OF PENALTIES IMPOSED BY THE REM TO BROADCASTERS WHO DO NOT FOLLOW THE RULES DURING THE CAMPAIGN	unfulfilled
#60	INTRODUCE EDUCATIONAL CAMPAIGN FOR CITIZENS ABOUT ELECTION RULES AND PROCEDURES	partially fulfilled
#61	OPEN A PUBLIC HEARING IN THE PREPARATION OF A NEW RULEBOOK ON THE OBLIGATIONS OF MEDIA SERVICE PROVIDERS DURING THE ELECTION CAMPAIGN	partially fulfilled

<p>ANNOUNCE A PUBLIC CALL FOR PROPOSING CANDIDATES FOR VACANCIES IN THE COUNCIL AND #62 INITIATE THE PROCEDURE FOR REVIEWING RESPONSIBILITIES IN THE WORK OF THE REM COUNCIL MEMBERS</p>	<p>partially fulfilled</p>
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10.3. Fulfilment of old recommendations

Out of the total of 62 recommendations formulated by the CRTA from 2016 to 2019, including the election process completed in June 2020, according to the CRTA, 12 recommendations were fulfilled in their entirety, and 15 recommendations were partially fulfilled, while most of them, i.e. the remaining 35 recommendations were not fulfilled.

Of the narrower set of 32 recommendations that the the CRTA specifically advocated during 2019, a total of 20, i.e. 62.5 percent were fulfilled or partially fulfilled, while the partial or complete fulfilment of other recommendations was only 23.3 percent. We should remind once again that these recommendations were advocated because there were no major obstacles to their fulfilment in the period up to the 2020 elections, and in that sense the statistics of fulfilment of recommendations show the election administration’s focus on the most politically prominent recommendations that could have optimally been fulfilled in less than a year.

Figure 12: Fulfilment of recommendations by their status

Status of the recommendation	Degree of fulfilment	Frequency	Percentage	Cumulative percentage
Advocated for 2020	Fulfilled	9	28.1	28.1
	Partially fulfilled	11	34.4	62.5
	Unfulfilled	12	37.5	100
	<i>Total</i>	<i>32</i>	<i>100</i>	
Other	Fulfilled	3	10	10
	Partially fulfilled	4	13.3	23.3
	Unfulfilled	23	76.7	100

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	<i>Total</i>	<i>30</i>	<i>100</i>	
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On the other hand, the statistics of fulfilment of recommendations by the complexity of their fulfilment show a different picture. The degree of complexity in fulfilling the recommendations was assessed depending on the degree of systemic changes that needed to be made in the election practice and the legal provisions that needed to be changed for that purpose. The data show that complete fulfilment occurred mainly with less exigent recommendations, while not a single more complex recommendation was adopted. The highest percentage of partial or complete fulfilment was recorded with the least complex recommendations (62.5%).

Figure 13: Fulfilment of recommendations by complexity

Complexity of the recommendation	Degree of fulfilment	Frequency	Percentage	Cumulative percentage
Very complex	Fulfilled	0	0	0
	Partially fulfilled	5	38.5	38.5
	Unfulfilled	8	61.5	100
	<i>Total</i>	<i>13</i>	<i>100</i>	
Averagely complex	Fulfilled	3	12	12
	Partially fulfilled	4	16	28
	Unfulfilled	18	72	100
	<i>Total</i>	<i>25</i>	<i>100</i>	
Less complex	Fulfilled	9	37.5	37.5
	Partially fulfilled	6	25	62.5

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	Unfulfilled	9	37.5	100
	<i>Total</i>	24	100	

If we consider the fulfilment of recommendations by areas of the election process they cover, it is noticeable that the highest fulfilment of recommendations (both complete and partial) occurred in the area of the Voters' Registers (100%), followed by recommendations aimed at encouraging transparency of the election process and data availability (85.7%). Recommendations in all other areas were completely or partially fulfilled in less than 50% of cases, and the least in the areas of protection of the right to vote, the Election Day elections and the election legislation and election administration (only 20%).

Figure 14: Fulfilment of recommendations by area

Area of the recommendation	Degree of fulfilment	Frequency	Percentage
Voters' Register	Fulfilled, partially fulfilled	6	100
	Unfulfilled	0	0
	<i>Total</i>	6	100
Transparency of the election process and data availability	Fulfilled, partially fulfilled	6	85.7
	Unfulfilled	1	14.3
	<i>Total</i>	7	100
Media	Fulfilled, partially fulfilled	3	42.9
	Unfulfilled	4	57.1

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	<i>Total</i>	7	100
Observers' position	Fulfilled, partially fulfilled	2	40
	Unfulfilled	3	60
	<i>Total</i>	5	100
Behaviour of campaign actors	Fulfilled, partially fulfilled	3	37.5
	Unfulfilled	5	62.5
	<i>Total</i>	8	100
Objections; complaints and protection of the right to vote	Fulfilled, partially fulfilled	3	30
	Unfulfilled	7	70
	<i>Total</i>	10	100
Election Day	Fulfilled, partially fulfilled	1	25
	Unfulfilled	3	75
	<i>Total</i>	4	100
Electoral legislation and electoral administration	Fulfilled, partially fulfilled	3	20

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	Unfulfilled	12	80
	<i>Total</i>	15	100

Consequently, it does not come as a surprise that the recommendations aimed at transparency of the process and voter confidence were the most fulfilled, with 50% of partially fulfilled and 22.2% of entirely fulfilled recommendations, accompanied by the capacity and efficiency of the election administration. Preventing the misuse of public resources is the next category, in which three recommendations have been fully implemented, while four have not. None of the recommendations in the field of equality of participants and equal media representation has been fully implemented, while the lowest fulfilment of recommendations was in those aimed at greater legal certainty and protection of the electoral right.

Figure 15: Fulfilment of recommendations by their goals

Goal of the recommendation	Degree of fulfilment	Frequency	Percentage	Cumulative percentage
Process transparency and voters' confidence	Fulfilled	4	22.2	22.2
	Partially fulfilled	9	50	72.2
	Unfulfilled	5	27.8	100
	<i>Total</i>	18	100	
Capacity and efficiency of the election administration	Fulfilled	3	37.5	37.5
	Partially fulfilled	1	12.5	50
	Unfulfilled	4	50	100
	<i>Total</i>	8	100	

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Preventing the misuse of public resources	Fulfilled	3	42.9	42.9
	Partially fulfilled	0	0	42.9
	Unfulfilled	4	57.1	100
	<i>Total</i>	<i>7</i>	<i>100</i>	
Equality of participants and equal media representation	Fulfilled	0	0	0
	Partially fulfilled	3	27.3	27.3
	Unfulfilled	8	72.7	100
	<i>Total</i>	<i>11</i>	<i>100</i>	
Legal security and protection of the electoral right	Fulfilled	2	11.1	11.1
	Partially fulfilled	2	11.1	22.2
	Unfulfilled	14	77.8	100
	<i>Total</i>	<i>18</i>	<i>100</i>	

Below is a description of the fulfilment of all individual recommendations, regardless of whether they are partially fulfilled or entirely fulfilled. A detailed classification of these recommendations can also be found on the CRTA website.

Figure 16: Description of fulfilment of old recommendations

PRESCRIBE BY THE LAW OBLIGATORY TRAININGS AND EXAMS FOR THE MEMBERS OF ELECTORAL COMMITTEES	
#9	Amend article 34 of the Law on the Election of Members of the Parliament and article 15 of the Law on Local Elections prescribing new competencies to the REC / MEC / CEC, to organise in the pre-election period, a compulsory training for all members of polling station committees about rules and procedures for the work of polling station committees. It is particularly important to establish an exam system for candidates for permanent composition of a polling station committee, as this should result in a larger capacities of polling station committees to conduct the elections.
partially fulfilled	It is foreseen by a Conclusion dated December 2 nd , 2020, i.e. a by-law, that trainings for work in polling stations should be held, while the process of organising and conducting trainings is specified by the Decision on organising and conducting trainings for work in the permanent composition of polling stations dated December 20 th , 2020. A training programme, a manual, a presentation accompanying the manual, as well as exercises to check the knowledge of the participants were conceived. The decision stipulates that the trainings be conducted in the period beginning on January 30 th , 2020. There are no data on the number of people who successfully completed the training. Since the obligation to train and test polling station members was implemented through a by-law, and since no obligation was introduced that only trained persons could be members of polling stations, this recommendation is considered to be only partially fulfilled.
ADOPT THE RULEBOOK FOR EDUCATORS FOR POLLING STATION COMMITTEES' MEMBERS TRAINING	
#10	It is necessary that all electoral commissions adopt, as a by-law, the Rulebook on procedures and criteria for selection and engagement of consultants, trainers and educators for polling stations committees' members training. The adoption of the said Rulebook is indispensable in order to conduct such training by independent experts in the field of electoral legislature.
fulfilled	Since the Decision on the organisation and implementation of trainings for work in the permanent composition of polling stations and the Training Programme were adopted by the REC on December 20 th , 2019, this recommendation can be considered fulfilled. There is no information that local electoral commissions have assumed this recommendation.
TIMELY PUBLISHING OF SCANNED MINUTES OF THE WORK OF POLLING STATION COMMITTEES ON THE REC WEB-SITE	

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#12	<p>The following regulation should be added to the section of the Instructions for Conducting the Elections “Statistical processing and announcement of the election results”: “After the announcement of preliminary results of the election and after the reception of the Minutes on the Work of Polling Station Committees from all polling stations, the Minutes are published on the web-site of the Republic Electoral Commission.”</p> <p>Published Minutes should have metadata, or otherwise allow the search of Minutes by polling station.</p>
fulfilled	<p>By adopting the Conclusion on measures for the improvement of the election process from December 2nd, 2020, the REC has formally undertaken the obligation to publish the Minutes on the Work of Polling Station Committees. The recommendation was implemented by publishing the Minutes on the Work of Polling Station Committees, which were published in their entirety, but not in a timely manner. The Minutes were published after the deadline for objections and were published in their entirety just over two weeks after the Election Day.</p>
TIMELY PUBLISHING OF ALL DOCUMENTS FROM PLENARY SESSIONS AND THE SESSIONS OF WORKING GROUPS ON THE REC WEB-SITE	
#13	<p>Change the practice of the republic, municipal and city electoral commissions so that all materials and documents from the REC plenary sessions and the meetings of the REC working groups would be published in the format which is appropriate for further use (e.g. CSV, DOC, XLS) on the corresponding web-site of the said commissions.</p>
partially fulfilled	<p>The REC started publishing the decisions on complaints as well as all adopted documents from the REC sessions. However, the draft working documents, the agenda, the report on voting from the sessions were not published during the 2020 election process.</p>
LIVE COVERAGE OF THE REC ASSEMBLIES AND TIMELY PUBLICATION OF SHORTHAND NOTES AND THE RESULTS OF THE VOTE AT THE COMMISSION SESSIONS	
#14	<p>Technical capacities and resources of the REC should be updated so that every assembly could be available in live edition on the REC web-site. Apart from the live Internet broadcast, it is necessary to provide an archive of recordings which will be available on the REC web-site. Besides, it is necessary to supplement the REC Rulebook with a regulation which anticipates publication of transcripts from every REC assembly on the REC web-site, as well as the results of the election in a format appropriate for further use (e.g. CSV, DOC, XLS). A necessary precondition for the implementation of this recommendation is the improvement of technical, informational and professional capacities of the Administrative and Professional Service of the National Assembly of the Republic of Serbia, as well as the general improvement of the internal system for submitting materials for sessions of republic, municipal and city electoral commissions.</p>

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partially fulfilled	The REC has adopted the practice of live coverage of plenary sessions and of the procedure for submitting electoral lists, as well as of publishing footages in the archives on the website. The results of the voting and the shorthand notes were not published in any way during the 2020 election process.
ENABLE VERIFICATION OF THE USE OF PERSONAL DATA UPON REQUESTS OF VOTERS	
#15	Change the REC practice so that voters are enabled, upon request, to gain an insight into the Voters' Register excerpt and/or other documents which contain citizens' personal data, in order to cast away any doubt that persons who are not entered into the Voters' Register voted, or persons who are entered in the Voters' Register but who have passed away or who have not lived in Serbia for a long time.
partially fulfilled	Voters were allowed to check the excerpt from the Voters' Register in two ways: to perform a direct inspection, and to ask the REC whether they had voted. The REC also responded to voters' inquiries regarding whether the voter had given a supporting signature to any of the lists. The recommendation is considered to be partially fulfilled due to the irregular response of the REC to voters' inquiries, i.e. the lack of a binding deadline for submitting the requested information.
ENABLE SENDING COMPLAINTS ELECTRONICALLY	
#16	Thanks to the application of the provisions of the new Law on General Administrative Procedure, the CEC allowed sending of complaints electronically.
fulfilled	In the previous period, thanks to the application of the provisions of the new Law on General Administrative Procedure, it was allowed to send complaints electronically, and therefore the CRTA, after the election for councillors of the Belgrade City Assembly, marked this recommendation as fulfilled. The CRTA has no information on whether in 2020 the REC acted on electronically signed submissions, nor whether such submissions were sent to the REC during the election process. The status of the recommendation will be changed if new findings become available.
UPDATE THE VOTERS' REGISTER	
#17	The implementation of this recommendation implies forming of an expert working group which would consist of all relevant participants with the aim of improving the mechanism for regular and comprehensive updating and revision of the Voters' Register. The aforementioned working group would aim to determine the best solutions that would enable a quality updating of the Voters' Register and a stable and regular communication between all relevant state institutions and services.

partially fulfilled	<p>Thanks to the electronic connection of birth and marriage registers with the Unified Voters' Register, its updating has been improved in terms of reducing the number of possible errors that occur when entering data. In order to improve the transparency of the Voters' Register update process and voters' confidence in the quality of the update, it would be useful to periodically publish changes by type of change (data change, registration, deletion, etc.) by local self-government units. The stated statistical presentation of changes could be published by the Ministry of Public Administration and Local Self-Government on the page of the site dedicated to the Voters' Register. We distinguish the process of updating the Voters' Register from the process of verification of the Voters' Register, which refers to the independent and systematic verification of data in the Voters' Register. The update process refers to the entry of data to the Voters' Register, while verification means checking the authenticity of already entered data. In terms of progress in the process of verifying the Voters' Register, on September 26th, 2019, the Government of Serbia made a decision on the formation of a working group for the verification of the Voters' Register. The working group, as well as the subgroups for legal issues and statistical support, held several meetings until the end of 2019, after which the Verification Methodology was sent to the Commissioner for an opinion. Since the Commissioner was not provided with an opinion on the Data Processing Impact Assessment, which is envisaged by the Government Decision as a step prior to the adoption of the Methodology, on December 24th, 2019 the Commissioner informed the working group that the conditions for determining the methodology had not been met. In May 2020, the Ministry of Public Administration and Local Self-Government prepared the Data Processing Impact Assessment within the process of verification of the Voters' Register, and submitted to the CRTA together with the latest version of the Draft Methodology. Until mid-September 2020, this document had not been submitted to the Commissioner for an opinion, because the members of the working group on the Assessment itself are still voting.</p>
ORGANISE A CONTINUOUS TRAINING FOR OFFICERS WHO UPDATE THE VOTERS' REGISTER	
#18	<p>Conceive and organise trainings for all employees of the Ministry of the Public Administration and the Local Self-Government and units of the local self-government who update the Unified Voters' Register so that potential problems during the updating or revision of the Voters' Register would be avoided.</p>
fulfilled	<p>In the period from September 18th, 2019 to October 17th, 2019, the Ministry of Public Administration and Local Self-Government held several training sessions for employees keeping and updating the Unified Voters' Register, as well as trainings related to the Unified Voters' Register for registrars. The Manual for the implementation of the Law on Unified Voters' Register was published in December.</p>
IMPROVE SURVEILLANCE OF THE WORK OF PERSONS MANAGING THE VOTERS' REGISTER	
#19	<p>Improve the work of the Administrative Inspectorate so that there is a regular and additional administrative surveillance of the work of employees who participate in the process of updating the Voters' Register.</p>

<p>fulfilled</p>	<p>The annual reports of the Administrative Inspectorate from 2018 and 2019 show that in 2018, there were a total of 24 inspections of the work on updating the Unified Voters' Register, and 94 measures were imposed. On the other hand, in 2019, 520 inspections were performed and 644 measures imposed. Although these data are not sufficient to talk about the improvement of the procedure, this does indicate an important change in practice, and this recommendation is therefore considered to be fulfilled.</p>
<p>IMPROVE THE COORDINATION BETWEEN REGISTRARS' OFFICES AND OFFICES IN CHARGE OF THE VOTERS' REGISTER</p>	
<p>#20</p>	<p>The implementation of this recommendation implies modifications in the work of competent services. A better coordination between registrar's offices and offices in charge of the Voters' Register is needed, as well as a consistent application of punitive regulations towards a responsible person within the institution in charge of updating the Voters' Register in case the roll is not accurate, up-to-date and in accordance with the Law on the Unified Voters' Register.</p>
<p>fulfilled</p>	<p>During 2019, the Ministry of Public Administration and Local Self-Government electronically connected the Register of marriages and the Register of deaths with the Unified Voters' Register, so that the registrar, after entering a death or a marriage in the registry books, ex officio, electronically sends all data to the employees who are working on the Voters' Register updating process. As part of the training for employees working on the Voters' Register, registrar trainings were also conducted.</p>
<p>FACILITATE CITIZENS' PROCEDURES FOR UPDATING DATA IN THE VOTERS' REGISTER</p>	
<p>#21</p>	<p>It is necessary that the Ministry of Public Administration and Local Self-Government, but also all local self-governments, publish the form for registration in the Voters' Register on their websites and inform the citizens about the possibilities to electronically send the completed form with a copy of a valid personal document.</p>
<p>partially fulfilled</p>	<p>Local self-governments units have shown an uneven practice of publishing forms for submitting requests for changes, both on their official portals and on the e-Government portal. Some local self-governments units did not publish their forms on both portals, and it was noticed that the forms differed in some cases.</p>
<p>CLEARLY DETERMINE THE NOTION OF PUBLIC RESOURCES AND ADEQUATE SANCTIONS IN THE ANTI-CORRUPTION AGENCY ACT</p>	

#22	<p>It is necessary to define more precisely the notion of public resources within the Anti-Corruption Agency Act. Such defined notion would also be in accordance with the best comparative practices in the context of preventing of the misuse of public resources and public functions. In this way, it would be possible to strictly implement article 29 of the Act, and, at the same time, there would be an adequate legal basis for imposing sanctions. In addition to the existing pecuniary fines, heavier fines should be considered the same as the increase in disciplinary action, which would also be possible if the Anti-Corruption Agency Act were amended.</p>
fulfilled	<p>Amendments to the Anti-Corruption Agency Act and the Law on Prevention of Corruption, adopted in December 2019, define the concept of public resources more precisely. In this way, this recommendation was fulfilled, which has, in combination with the introduction of short deadlines to undertake actions in the campaign, somewhat improved the Agency's actions on complaints. The interpretation of these provisions by the Agency remained controversial in certain proceedings against public officials. Another novelty is the stiffening of the minimum threatened fines for officials who abuse public resources from 50,000 to 100,000 dinars. The maximum fine still remains 150,000 dinars.</p>
<p>DEFINE WHICH ACTIVITIES CAN BE INTEGRATED INTO THE ELECTION CAMPAIGN COST</p>	
#23	<p>Amend article 23 of the Law on Financing of Political Activities with concrete cases that prescribe types of activities that can be introduced under electoral campaign costs. Having in mind that the Law prescribes types of costs relating to regular activities of a political entity, it is also necessary to standardise types of electoral campaign costs.</p>
fulfilled	<p>This recommendation was fulfilled by the adoption of the Law on Amendments to the Law on Financing Political Activities in December 2019. The law now lists the most important activities the costs of which are considered election campaign expenses, leaving room for some other activities that are not explicitly enumerated, but the costs of which are unequivocally related to the election campaign. Election campaign costs defined in this way, with a timeline that is still retained in the Law, will greatly facilitate the control of election campaign financing.</p>
<p>INTRODUCE SANCTIONS FOR MISUSE OF PROPERTY, NAMES AND ACTIVITIES OF PUBLIC COMPANIES IN POLITICAL PURPOSES</p>	
#24	<p>Provide, through an amendment to the Law on Public Companies, sanctions for political entities and accountable persons in public companies in case of violation of article 70 of the Law on Public Companies that prescribes the prohibition of the use of property, activity, name and visual identity of a public company in all activities related to political parties and electoral campaigns, as well as all other use of public companies for political purposes.</p>

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fulfilled	<p>This recommendation was adopted with the adoption of the Law on Amendments to the Law on Public Companies in December 2019. The responsibility of the director who uses the resources of the public company for the promotion of political parties, i.e. political entities, has been specified, which especially implies the use of official premises, vehicles and inventory of the public company free of charge. In addition, the director shall be dismissed if he is aware that his employees or otherwise employed personnel are abusing the public resources of the company for political and party purposes, and they do not take actions to prevent it.</p>
REGULATE THE STATUS OF OBSERVERS AND THEIR AUTHORITY BY THE LAW AND BY SPECIAL CHAPTERS IN THE LAW IN ACCORDANCE WITH INTERNATIONAL STANDARDS	
#30	<p>It is necessary to supplement the Law on the Election of Members of the Parliament by adding a special chapter that would, together with the amendments to the Law on Local Elections, be applied to the local elections as well, and would regulate the status and position of observers in accordance with the best international standards (for example: paragraph 8 of the OSCE Copenhagen Document adopted in 1990 and paragraph II 3.2 of the Code of Good Practice). The amendments to the law would contain an itemised list of electoral bodies' actions and activities that observers can monitor – i.e. their authorities. Besides, a separate chapter would explicitly prescribe the number of observers who can monitor the work of the electoral bodies. In accordance with the best international practices, the work of polling station committees and of electoral commissions should not be monitored by more than two observers simultaneously. Furthermore, a special chapter of the law would demarcate the notions of long-term and short-term observers. The notion of a short-term observer would imply a person who monitors uniquely the work of the polling station committee on the Election Day. On the other hand, the notion of a long-term observer would imply a person who monitors the entire election campaign and the work of the electoral commissions.</p>
partially fulfilled	<p>The status and position of observers, actions and activities of election bodies that observers can observe are more precisely prescribed by the Instructions for Conducting the Voting at the elections for MPs of the National Assembly scheduled for June 21st, 2020, however, these provisions were not included in the law.</p>
DEFINING THE MANNER AND DEADLINES FOR AWARDING ACCREDITATIONS TO OBSERVERS	
#32	<p>In the course of its work so far, the CRTA observation mission has faced a variety of actions in determining the fulfilment of the conditions for monitoring the elections and the process of accreditation itself. According to the best international practice, the decision on the allocation of accreditations and on the fulfilment of the conditions for observation of the elections should be made at the first following session or 5 days upon submission of the necessary registration documents at the latest. The full implementation of this recommendation implies amendments to the Law on the Election of members of the Parliament as follows: "The REC establishes that the applicant has fulfilled all conditions imposed for the election observation (domestic and/or international observers) at the first session following the submission of the necessary documents.</p>

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	The day following the establishing of fulfilment of all conditions, the competent service of the REC delivers to the applicant adequate accreditations for observing the work of the electoral bodies.”
partially fulfilled	In the Instructions for Conducting the Elections in the 2020 election cycle, the REC foresaw that the applications for observation would be considered at the session following the receipt of the application. Moreover, the Instructions stipulate that accreditations be granted to observers within 48 hours from the end of the session at which it was determined that the organisation that had submitted the application for observer status met all the conditions prescribed by the Instructions. Practice has shown that the prescribed deadline is effectively respected. The recommendation is considered partially fulfilled, because the proposed change was implemented at the level of a by-law, not a law.
OBLIGE THE REM TO INFORM THE PUBLIC ON THE WORK OF BROADCASTERS DURING AND AFTER THE ELECTION CAMPAIGN	
#35	Introduce an obligation to the REM to periodically, ideally once a fortnight, issue written reports about monitoring and analysis of the work of electronic media in the pre-election period. Those reports must contain findings of the competent service of the REM regarding the equal representation of candidates, i.e. electoral lists in the media, media reporting about the candidates’ activities, records of public appearances of stakeholders in their capacity of public officials and candidates, as well as other important aspects of media that may have an impact on an objective and comprehensive informing of citizens about the candidates and the election programmes. Furthermore, the REM must be obliged to publish the final report on the work of electronic media during the electoral campaign one month after the final results announcement at the latest.
partially fulfilled	The recommendation was partially fulfilled, because the REM monitored the programmes of media service providers and reported on a weekly basis on the quantitative representation of actors in the election programmes of the observed media service providers. On the other hand, the legal framework has not changed, and the REM still has no legal obligation to publish such reports.
COMPULSORY REPEAT THE ELECTIONS AT A POLLING STATION WHENEVER THERE IS A DISCREPANCY BETWEEN THE MINUTES ON THE WORK OF THE POLLING STATION COMMITTEE AND THE FACTUAL STATE DETERMINED BY THE REC/CEC/ADMINISTRATIVE COURT	
#42	Supplement the Law on the Election of Members of the Parliament and the Law on Local Elections towards mandatory repetition of elections at polling stations when the REC or the Administrative Court determine that the results from the Minutes on the Work of the polling station committees do not match the actual state of the election material. The electoral commission would be given authority to make the decision about repetition of elections.
partially fulfilled	The Instructions for Conducting the Elections in the 2020 election process foresees cases when elections are repeated due to incomplete minutes on the work of polling stations. Since the cases are not provided

	by the law, and they do not relate to the determination of results by inspecting the election material, this recommendation can be considered only partially fulfilled.
INTRODUCE LEGAL PROHIBITION OF PRESSURE ON EMPLOYEES IN PUBLIC COMPANIES AND PUBLIC ADMINISTRATION	
#45	Different types of pressure on voters by candidates/participants in the elections are a growing problem in the election process. In this regard, the recommendations of the Venice Commission stipulate that state authorities can make clear instructions that would foresee that no pressure on officials will be tolerated, that no one should fear for their employment because they support or do not support a particular candidate or a political party, and that officers must enjoy protection from any intimidation or pressure. It is necessary to amend the Law on Public Companies and the Law on Local Self-Government in order to forbid pressures on employees in public administration and public companies, as well as to oblige public administration and public companies to additionally prescribe sanctions for cases of pressure on employees by their internal acts.
partially fulfilled	Article 49, paragraph 4 of the Law on Public Companies has been amended by specifying that unscrupulous conduct of directors, which is the basis for dismissal, may also imply exerting pressure on employees and otherwise engaged personnel in a public company in connection with support to political entities or candidates in the elections. The amendments also include situations in which a director was aware that an employee or otherwise employed personnel used the resources of the public company to promote political parties or political entities, but took no action despite his/her competence to prevent it. Other cases of pressure have not been regulated, so that this recommendation can be considered only partially fulfilled.
INTRODUCING SHORT DEADLINES FOR THE AGENCY AND THE REM TO ACT ON COMPLAINTS	
#47	In order to make the control of the election campaign efficient, it is necessary to determine short deadlines that would enable the Anti-Corruption Agency and the REM to act on complaints during the campaign, which can be done by supplementing the Anti-Corruption Agency Act and the Law on Electronic Media.
partially fulfilled	This recommendation has only been partially fulfilled and just in the part related to the Anti-Corruption Agency. Amendments to the Anti-Corruption Agency Act (Law on Prevention of Corruption) and the Law on Financing Political Activities introduced short deadlines (three-day deadlines) for making decisions on complaints submitted due to violations of the law during the election campaign. Deadlines for the REM to act in electoral processes have not been specified.

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SET UP STANDARDS FOR VOTING OF BLIND AND VISUALLY IMPAIRED PERSONS

#49

In the previous practice of conducting the elections, by-laws and the accompanying regulations did not contain provisions on the implementation of standards that would allow voting of blind and visually impaired persons. In this respect, the adoption of by-laws (the Instructions for Conducting the Elections and the Rulebook on the Work of Polling Stations Committees) should include the aforementioned standards to ensure that blind and visually impaired persons exercise their voting rights appropriately.

fulfilled

The Rulebook on the Work of Polling Stations Committees have been supplemented with recommendations for the implementation of unhindered voting for persons with physical and sensory disabilities. The Ministry of Public Administration and Local Self-Government enabled both blind and visually impaired people to check the data in the Unified Voters' Register on the website.

PUBLISH INFORMATION RELATED TO THE UPDATING THE VOTERS REGISTER ON THE WEB-SITE OF THE MINISTRY OF PUBLIC ADMINISTRATION AND LOCAL SELF-GOVERNMENT

#53

It is necessary that the Ministry of Public Administration and Local Self-Government prepares a new page on its web-site in order to publish important information related to the process of maintaining and updating the Voters' Register. It is necessary that the Ministry of Public Administration and Local Self-Government publishes on its web-site information related to the process of entering changes, maintaining and updating the voters register, to the competences of those in charge of the voters register and citizens' rights in terms of reporting the change of data in the voters register, as well as the contact details of the person responsible for the Voters' Register in the Ministry of Public Administration and the Local Self-Government.

fulfilled

The Ministry of Public Administration and the Local Self-Government improved the web-site dedicated to the Voters' Register so that it now contains all information important to the citizens.

FORBID ULTERIOR MODIFICATIONS OF THE MINUTES ON THE WORK OF THE POLLING STATION COMMITTEES

#54

The implementation of this measure requires an amendment to the Rulebook on the Work of Polling Station Committees, which is to be adopted by the electoral commission (Republic or local electoral commissions) right after the calling of the elections. The following should be stated in the Instructions on the work of polling station committees: "Ulterior modifications of the Minutes on the work of polling station committees by the polling station committees' members are not allowed."

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fulfilled	<p>An explicit ban on subsequent changes to the Minutes of the Work of Polling Stations by the Polling Station Committees' members was not introduced, but the manner of checking the logical and computational correctness of the entered data was specified immediately upon handing over the election material from the polling station to the working body. If during the statistical processing, logical and computational irregularities are determined, the members of the Polling Station Committee shall be obliged to gather again at the invitation of the working body of the REC, inspect the voting material and verify the changes with their signatures. As subsequent amendments to the Minutes have not been regulated in any way so far, it can be considered that the recommendation has been adopted.</p>
EDUCATIONAL CAMPAIGN FOR CITIZENS ABOUT ELECTION RULES AND PROCEDURES	
#60	<p>It is necessary that all relevant institutions that organise and conduct the elections in Serbia launch a comprehensive campaign to inform citizens about the most important election rules and procedures that ensure the legality and integrity of the process, as well as voter rights and ways to protect voters' rights. Radio Television of Serbia, as a public broadcaster, should be included in the educational campaign.</p>
partially fulfilled	<p>The REC published 16 different guides for voters and members of election administration bodies before the start of the election campaign, while informative videos about voters' rights on the Election Day were shown on public TV stations. The recommendation is considered partially fulfilled because other institutions that have election-related powers (the REM, the Agency) have not conducted education campaigns for voters.</p>
OPEN A PUBLIC HEARING IN THE PREPARATION OF A NEW RULEBOOK ON THE OBLIGATIONS OF MEDIA SERVICE PROVIDERS DURING THE ELECTION CAMPAIGN	
#61	<p>It is necessary that the Rulebook on the obligations of media service providers during the election campaign, which was repealed on February 27th, 2019, be replaced by the adoption of a new one. The procedure for the adoption of the new Rulebook must commence as soon as possible and on the occasion of its adoption a public hearing must be held in accordance with article 40 of the Law on Electronic Media.</p>
partially fulfilled	<p>The REM has adopted a Rulebook regulating the obligations of public media services, while it has issued non-binding recommendations for commercial media. The Ministry of Culture and Information, which is responsible for giving opinions on the constitutionality and legality of the REM's general acts, pointed out that such an approach has no basis in law, stating that "obligations of media service providers, in terms of the provisions of the Law on Electronic media must apply to both public service media and all other media service providers."</p>

ANNOUNCE A PUBLIC CALL FOR PROPOSING CANDIDATES FOR VACANCIES IN THE COUNCIL AND INITIATE THE PROCEDURE FOR REVIEWING RESPONSIBILITIES IN THE WORK OF THE REM COUNCIL MEMBERS	
#62	<p>Since 2017, the REM Council has functioned with 6 out of 9 members. In order for the REM to finally work in its full composition, it is necessary for the National Assembly to announce a public call for nominating candidates for members of the Council whose authorised nominators are: the Culture and Information Committee; associations of film, stage and drama artists and associations of composers in the Republic of Serbia and national councils of national minorities. It is necessary to enable the proposal procedure to be transparent and to enable all relevant actors to participate in the proposal, where the Law provides for proposal by mutual agreement. The current number of members of the REM Council allows the members of the Council to be de facto immovable even in cases when they act obviously unscrupulously. As a matter of fact, the procedure of dismissal before the National Assembly initiated by MPs cannot be initiated unless the Council, by a majority of 5 members, has previously made a decision on initiating a procedure in which the relevant circumstances for initiating the procedure of dismissal are determined. In the current situation, this practically implies unanimity: all members except the one against whom the procedure is initiated should vote “in favour” in order for the procedure to be initiated.</p>
partially fulfilled	<p>The vacancy in the REM Council was filled on December 27th, 2019, when three new members were elected. In January 2019, two members elected in 2016 resigned, and they were replaced in February 2020. In the meantime, the mandate of one member, who had been elected in 2015 on the proposal of the Culture and Information Committee, expired on July 24th, 2020. The election of a new member has not been done so the REM is yet again functioning in an incomplete composition. On the other hand, no interventions have been made in the legislative framework that would result in the establishment of clear mechanisms for examining the responsibilities of the REM Council members.</p>

10.4. New recommendations

Once the observation of the 2020 elections was over, the CRTA observation mission formulated 18 new recommendations for the improvement of the election process so that in addition to 62 (unfulfilled, partially fulfilled and fulfilled) recommendations prepared during previous election cycles we are now putting forward a set of 80 recommendations. The goal of these recommendations is to amplify the previous recommendations, but also to respond to the new challenges that our mission has identified in this election process.

These new recommendations address all stages of the election process: pre-election period, the Election Day, and post-election processes. Their outcome should be to increase the capacity and efficiency of the election administration, ensure and restore process transparency and voters’ confidence, improve legal certainty and protection of the voters’ right, ensure equality of participants and equal media representation, prevent misuse of public resources. A complete overview of both previous and new recommendations is also available on the CRTA web-site.

#63 INTRODUCE A LEGAL OBLIGATION TO ISSUE LICENSES TO MEMBERS OF PERMANENT COMPOSITIONS OF POLLING STATION COMMITTEES

In order to achieve the necessary level of competence of members of polling station committees, it is necessary to amend the relevant provisions of the Law on Election of members of the Parliament and the Law on Local Elections and condition membership in the polling station committee with an appropriate license issued by the Republic Electoral Commission.

Competent authorities: Ministry of Justice, Ministry of Public Administration and Local Self-Government, National Assembly, Republic Electoral Commission. *The implementation of this recommendation implies amendments to the Law on the Election of members of the Parliament and the Law on Local Elections.*

#64 ANNOUNCE THE COMPOSITION OF POLLING STATION COMMITTEES IMMEDIATELY AFTER THE FORMATION OF A PERMANENT COMPOSITION, WITH INFORMATION ON TRAINING AND LICENSING

It is necessary to amend the Law on Election of members of the Parliament and the Law on Local Elections and oblige the electoral commissions to publish the Decision on the appointment of a permanent polling station committee on its website immediately after its adoption. The Decision should contain the names of members of all permanent polling station committee members and other information relevant for their appointment, including information on the acquired license to perform the duties of a member of the polling station committee. Since an objection to the improper composition of the polling station committee can be submitted to the electoral commission only within 24 hours from the time of the Decision on the appointment of the members of the polling station committee, the adoption of this recommendation would enable efficient use of this legal remedy.

Competent authorities: Ministry of Justice, Ministry of Public Administration and Local Self-Government, National Assembly. *The implementation of this recommendation implies amendments to the Law on the Election of members of the Parliament and the Law on Local Elections.*

#65 ENABLE FILING OF COMPLAINTS AFTER THE INSIGHT TO THE ELECTION MATERIAL

The current regulations stipulate that the representatives of the submitters of electoral lists and candidates may inspect the election material within five days from the Election Day, while the complaint to the electoral commission may be submitted within 24 hours from the hour when the decision was made, i.e. the action that the complainant considers incorrect occurred, i.e. from the hour when the omission was made. In order for the list submitters and candidates, who noticed irregularities in the conduct of the elections, to inspect the election material, and timely submit a complaint to the electoral commission regarding the observed irregularities, it is necessary to amend the Law on Election of Members of the Parliament and the Law on Local Elections in order to enable them to inspect the election material and to file an objection to the electoral commission within 24 hours from the hour when they inspected the election material.

Competent authorities: Ministry of Justice, Ministry of Public Administration and Local Self-Government, National Assembly. *The implementation of this recommendation implies amendments to the Law on the Election of members of the Parliament and the Law on Local Elections.*

#66 UNIFY ELECTION RULES ON HOLDING ELECTIONS ON NON-WORKING DAYS

In order to establish the obligation to hold parliamentary and local elections on non-working days (Saturdays and Sundays), it is necessary to amend the Law on the Election of members of the Parliament and the Law on Local Elections. This obligation in the current legal framework exists only in the provision of article 5, paragraph 2 of the Law on the Election of the President of the Republic.

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Competent authorities: Ministry of Justice, Ministry of Public Administration and Local Self-Government, National Assembly. *The implementation of this recommendation implies amendments to the Law on the Election of members of the Parliament and the Law on Local Elections.*

#67 PUBLISH MINUTES ON THE WORK OF POLLING STATION COMMITTEES IN A TIMELY MANNER

The Instructions for Conducting the Elections for MPs in the 2020 elections stipulate that the Minutes of the Work of the Polling Station Committees are taken over by the REC working body directly from the committees, which then scans and submits them to the REC, which publishes all Minutes on its website. However, in practice, during the elections, these minutes were being published for three or more days, i.e. after the deadlines foreseen for filing complaints to the elections actions or irregularities that may be the basis for repeated elections. Considering that in the case of irregular minutes or minutes containing serious errors that may be the basis for repeated elections and motivate the submission of complaints regarding the identified shortcomings, the REC should have a deadline for publishing of all minutes in a timely manner, as soon as possible, that is, immediately upon receipt of the Minutes scanned by the working body. Given that this action is prescribed by the Instructions for Conducting the Elections, which are subject to changes for each election cycle, it is recommended to amend articles 76 or 77 of the Law on Election of members of the Parliament which would determine the obligation of the REC to publish scanned Minutes on its website immediately upon receipt, for each polling station, and no later than within 12 hours from the closing of the polling stations. Published Minutes should have metadata, or otherwise allow the search of Minutes by polling station. The same provision should be implemented in the Law on Local Elections, which would apply to municipal/city electoral commissions.

Competent authorities: Ministry of Justice, National Assembly. *The implementation of this recommendation implies amendments to the Law on the Election of members of the Parliament and the Law on Local Elections.*

#68 HARMONISE ELECTION DEADLINES WITH DEADLINES FOR PROTECTION OF ELECTORAL RIGHT

Electoral laws should be amended in order to harmonise the deadlines for the protection of the right to vote with the deadlines for announcing the election results. Electoral commissions should determine the final results of the elections after the deadline for submitting objections and complaints, i.e. upon irrevocability or enforceability of decisions made on objections and complaints.

Competent authorities: Ministry of Justice, Ministry of Public Administration and Local Self-Government, National Assembly. *The implementation of this recommendation implies amendments to the Law on the Election of members of the Parliament, the Law on Local Elections and the Law on the Election of the President of the Republic.*

#69 ESTABLISH DEADLINES FOR SUBMITTING A RESPONSE TO VOTERS' REQUEST ABOUT THE USE OF PERSONAL DATA

The implementation of this recommendation requires that the Instruction for Conducting the next elections be supplemented with a provision that would define deadlines for submitting responses to voters' requests about the use of personal data.

Competent authority: Republic Electoral Commission. *The implementation of this recommendation implies amendments to the Instructions for Conducting the Elections for members of the Parliament of the National Assembly that the REC will adopt before the next parliamentary elections.*

#70 IMPROVE THE REGULATORY FRAMEWORK IN ORDER TO PREVENT DISCRIMINATION AGAINST CAMPAIGN PARTICIPANTS

It is necessary that the REM fulfils its legal obligation to regulate the obligations of all media service providers by a binding by-law, including those related to the representation of election participants without discrimination, and to adopt a new Rulebook on obligations of media service providers during the election campaign covering both public service media and commercial media service providers. It is crucial that the REM clarifies the notion of “representation without discrimination” in the new by-law, which would refer to the entire programme, and not only to parts marked as election programme, and that it adopts clear rules on media coverage of regular activities of public authorities in informative and other types of programmes, in order to prevent creating of a privileged position for the ruling parties and their electoral lists and candidates while reporting on their regular activities.

Competent authority: Regulatory Authority of Electronic media. *The implementation of this recommendation implies the adoption of a new by-law by the Regulatory Authority of Electronic media.*

#71 IMPROVE THE MECHANISM FOR REVIEWING THE RESPONSIBILITIES OF MEMBERS OF THE REGULATORY AUTHORITY OF ELECTRONIC MEDIA

In order to determine the responsibility of the REM Council members in a timely and efficient manner, it is necessary to amend the Law on Electronic Media in order to redefine the grounds for dismissal of REM Council members, to precisely determine the body responsible for conducting the dismissal procedure preceding the decision-making at a plenary session of the National Assembly and to clearly define deadlines for the implementation of all phases in the procedure of dismissal of members of the REM Council.

Competent authorities: Ministry of Culture and Information, National Assembly. *The implementation of this recommendation implies amendments to the Law on Electronic Media.*

#72 DEFINE THE STATUS OF PUBLIC SECTOR EMPLOYEES WHO ARE NOT PUBLIC OFFICIALS NOR CIVIL SERVANTS

The implementation of this recommendation requires the amendment of article 23, paragraph 2 of the Law on Financing Political Activities, in such a way that the prohibition of misuse of public resources by political entities would be extended to funds available to employees of public services established by the Republic of Serbia, an autonomous province, municipality, city or city municipality (for example: doctors), as well as to employees in public companies and companies established to perform activities in areas where public services are established (for example: employees in the Public Company *Electric Power Industry of Serbia*).

Competent authorities: Ministry of Finance, National Assembly. *It is necessary to adopt amendments to the Law on Financing Political Activities.*

#73 PUBLISH ALL DECISIONS OF THE ANTI-CORRUPTION AGENCY ON THE WEB-SITE

In order to achieve better transparency in the work of the Anti-Corruption Agency, it is necessary to publish all decisions on the Agency’s website. In that sense, it is necessary to amend the Law on Prevention of Corruption by introducing the obligation for the Agency to publish its decisions on the web-site within 24 hours during the election campaign when deciding on an objection related to the implementation of that Law in the election campaign. An identical obligation is already prescribed by the relevant provisions of the Law on Financing Political Activities.

Competent authorities: Ministry of Justice, National Assembly. *The implementation of this recommendation implies amendments to the Law on Prevention of Corruption.*

#74 VERIFY THE VOTERS' REGISTER

It is necessary that the Ministry of Public Administration and Local Self-Government, in a procedure that would include representatives of relevant institutions, political parties, civil society organisations, academic and international community after assessing the impact of data processing within the Voters' Register verification process on personal data protection, verify the Voters' Register on an appropriate sample in accordance with international standards and recognised methodologies. The aim of the verification would be to determine, in the field control procedure on the appropriate sample, the percentage of voters who are registered in the Voters' Register but who emigrated from Serbia or who for another reason do not actually reside at the address entered in the Voters' Register, as well as the percentage of deceased persons still registered and also the percentage of people who have the right to vote but who are not registered in the Voters' Register. In addition, in the verification process, it is necessary that the Ministry of Public Administration and Local Self-Government engage a thorough statistical analysis by hiring IT experts, who would determine irregularities and illogicalities in the Unified Voters' Register system itself (double entries, incorrect personal numbers, etc.).

Competent authority: Ministry of Public Administration and Local Self-Government. *The implementation of this recommendation implies the engagement of the Ministry of Public Administration and Local Self-Government, independent experts and relevant institutions.*

#75 IDENTIFY PRACTICAL PROBLEMS IN THE VOTERS' REGISTER UPDATING

It is necessary that the Ministry of Public Administration and Local Self-Government directly and intensively communicate with persons who update the Unified Voters' Register in local self-government units in order to recognise the problems that these persons face in practice and to conduct effective training based on precisely identified problems that will lead to uniformity of their actions.

Competent authority: Ministry of Public Administration and Local Self-Government. *The implementation of this recommendation implies the improvement of practices of the Ministry of Public Administration and Local Self-Government.*

#76 SUSPEND DELETION OF VOTERS FROM THE VOTERS' REGISTER WITH PASSIVATED PLACE OF RESIDENCE

In the current laws in Serbia, passivation of the address of residence does not represent a legal basis for cancellation of residence, but uniquely the record data of the competent authority that the citizen does not live at the address of registered residence. Consequently, a citizen is obliged to register their residence or, in case they fail to do so, the competent authority (Ministry of the Interior) shall be obliged to determine the address of residence. Bearing all this in mind, there are no legal grounds for deletion of voters whose address of residence is passivated from the Voters' Register. Since in the previous period, the Ministry of the Interior submitted reports to the Ministry of Public Administration and Local Self-Government on the basis of which voters whose address of residence was passivated were deleted from the Unified Voters' Register, it is necessary that this practice, since there are no solid grounds in the law, be stopped. Citizens whose addresses have been passivated should, from the standpoint of the voter's right, remain registered in the Voters' Register with the last known address of residence, until the moment of change of residence or allocation of residence by the competent authority. In the event that the Ministry of the Interior determines the residence of citizens whose residence is passivated, such a change would entail a change of residence in the Voters' Register, which means that the citizen could exercise their right to vote at another polling station (to which the new residence address belongs).

Competent authority: Ministry of the Interior. *The implementation of this recommendation implies changes in practice of the Ministry of the Interior.*

#77 PUBLISH THE NUMBER OF VOTERS IN THE VOTERS' REGISTER BY POLLING STATIONS IMMEDIATELY AFTER THE DETERMINATION OF POLLING STATIONS

In order to improve the transparency of the election process and prevent possible abuses, it is necessary to amend the relevant provisions of the Law on the Unified Voters' Register, so that in addition to the obligation of the Republic Electoral Commission to announce the total number of voters in the Republic of Serbia, there would be an obligation to publish a preliminary number of voters in the Voters' Register not only collectively, but also according to polling stations, immediately after polling stations have been determined.

Competent authorities: Ministry of Public Administration and Local Self-Government, National Assembly. *The implementation of this recommendation implies amendments to the Law on the Unified Voters' Register.*

#78 RETURN COLLECTION OF VOTERS' SUPPORTING SIGNATURES TO THE JURISDICTION OF NOTARIES AND COURTS

In order to prevent possible abuses during the verification of voters' signatures by local self-government bodies, it is necessary to amend the relevant provisions of the Law on the Election of Members of the Parliament and the Law on Local Elections, which prescribe the verification of signatures supporting the electoral list by harmonising these provision with regulations governing the work of notaries. This would mean that a voter can support by their signature only one list and that their signature must be verified by a notary. In cities and municipalities where there are no notaries appointed, signatures can be verified in a first instance court, court unit or reception office of the first instance court. The possibility of verification of signatures in the municipal or city administration should be excluded from the Law on the Election of Members of the Parliament.

Competent authorities: Ministry of Justice, Ministry of Public Administration and Local Self-Government, National Assembly. *The implementation of this recommendation implies amendments to the Law on the Election of members of the Parliament and the Law on Local Elections.*

#79 DETERMINE DEADLINES FOR ANNOUNCING THE PROVISIONAL ELECTION RESULTS, NO LATER THAN 24 HOURS FROM CLOSING OF POLLING STATIONS

In order to achieve greater transparency of the election process, it is necessary to amend the Law on the Election of members of the Parliament and oblige the REC to publish the provisional election results on its web-site within 24 hours from closing of polling stations.

Competent authorities: Ministry of Justice, Ministry of Public Administration and Local Self-Government, National Assembly. *The implementation of this recommendation implies amendments to the Law on the Election of members of the Parliament and the Law on Local Elections.*

#80 IMPROVE THE REC ONLINE SESSIONS

In order to ensure publicity and discussion of members at electronic sessions of the REC, as well as efficient decision-making, it is necessary to amend the REC Rules of Procedure in order to introduce the use of some of the available video communication platforms (such as "Zoom"). In this way, a more efficient discussion among the REC members would be enabled, and the publicity guaranteed, through the presence of accredited observers.

Competent authorities: Republic Electoral Commission. *The implementation of this recommendation implies modifications of the REC Rules of Procedure.*

ABOUT CRTA

The CRTA is an independent, nonpartisan, civil society organisation devoted to the development of democratic culture and civic activism. By creating policy proposals, advocating the principles of accountable behaviour of government and state institutions, and educating citizens about their political rights, we are committed to establishing the rule of law and developing democratic dialogue.

Since 2016, the CRTA has been observing elections at the national and local levels. The CRTA coordinates the work of the “Citizens on Watch” network, which counts thousands of citizens trained to monitor the regularity of voting. The continuous struggle to improve the conditions for fair and free elections is the backbone of all our activities.

The CRTA observes the elections in accordance with international standards and rules of civic observation. So far, the CRTA has followed the parliamentary elections in 2016, the presidential and local elections in Zaječar and Pećinci in 2017, as well as local elections in Belgrade and in Lučani in 2018. The projections and results of our mission on the Election Day were confirmed by the official results of the REC, while our findings and recommendations from previous election processes coincide with the findings and recommendations of the OSCE / ODHIR International Observation Mission. The CRTA is a member of the Global and European Network of Election Observation Organisations – ENEMO and GNDEM.

The goal of the CRTA observation mission during the 2020 parliamentary election campaign is to efficiently monitor and analyse the application of laws and international standards during the preparation and conduct of the elections, inform citizens about the quality and democracy of the election process and events, and provide a prompt reaction to violations of electoral procedures and processes. Besides, observation of the election cycle should serve to create recommendations for improving the quality of the election process.

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