



SERBIA PRESIDENTIAL ELECTION WATCH

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Fifty percent turnout threshold not reached. Serbian presidential elections likely to be repeated soon.

Voting in Serbia failed to reach the required 50 percent voter turnout threshold for a valid election. Serbian voters will again have to return to the polls at a later date to elect a president. According to the non-partisan Center for Free Elections and Democracy (CeSID) 45.6 percent of voters cast ballots in the second round contest.

According to CeSID, Yugoslav President and Democratic Party of Serbia leader Vojislav Kostunica garnered 66.5 percent of the vote, while Deputy Federal Prime Minister Miroljub Labus took 31.3 percent. Kostunica’s resounding margin over Labus was evident throughout Serbia, as Labus won only a handful of 180 municipalities. For results by municipality please see www.cesid.org.

Election Returns	First Round (Official results)	Second Round (According to CeSID)
Voter Turnout	54%	45.6%
Vojislav Kostunica	30.8% 1,123,420 votes	66.5% 1,723,747 votes
Miroljub Labus	27.4% 995,200 votes	31.3% 811,368 votes
Vojislav Seselj	23.2% 845,308 votes	n/a

Despite get out the vote efforts by several NGOs and encouragement by leading presidential candidates, Serbian voters appeared to have little interest in participating in the democratic process. The low turnout can be attributed to three factors: 1.) Serbian Radical Party (SRS) leader Vojislav Seselj, who finished third in the first round balloting on September 29th, had an arguably critical impact on the election as turnout was lowest in his areas of

greatest support, Vojvodina and Kosovo. Seselj had called on his supporters to boycott the second round of elections. 2.) No clear difference between the leading candidates. Many voters said that it did not matter who won the election because both were acceptable candidates. 3.) Inclement weather. It was raining continuously throughout the day.

The official election results will be announced by the Republic Election Commission (RIK) before Friday, October 18.

Reactions

According to VIP news, Kostunica said that many deceased voters remained on voter lists. Had the lists been updated to remove inaccuracies, Kostunica asserts the lower number of registered voters would have resulted in a turnout greater than 50 percent. DSS officials later said that, “If the election commission announces the final results under which the elections failed, the DSS will file an appeal because we have proof which shows that the presidential elections were successful.”

Labus stated that, “I have done everything in my power for the second round to succeed and to convince undecided voters to vote for a modern, European Serbia.”

Serbian Prime Minister Zoran Djindjic said, “Regardless of who wins or how the elections end, things will continue to run normally in Serbia, the reforms will continue, there will be no crises. I think that this proves that we have solved the most difficult problems and that elections are now a normal test of political ratings and nothing more.”

Timetable for new elections

The Serbian Constitution specifies that presidential elections must be held at least 30 days before the end of the current president’s term. Serbian

Constitutional Court President Slobodan Vucetic has stated that elections therefore must take place before December 5th, 30 days before current president Milan Milutinovic was inaugurated. As election law provisions call for a campaign period of at least 45 days, a new presidential election would have to be called by Speaker of the Parliament Natasa Micic by October 20. Cedomir Jovanovic, whip of the ruling "Democratic Opposition of Serbia (DOS) – Reforms Serbia" caucus has affirmed that "repeated elections would be called this week." Under the Constitution, if a president is not elected before January 5, 2002--the expiration of the current president's term-- the Speaker temporarily assumes these duties until a president is elected.

Monitors criticize election law

According to CeSID spokesperson Marko Blagojevic, "the two weakest links in these elections were the law and the non-updated voters registers. That is something that has to be quickly dealt with, in order to prevent the possibility of reaching the point of endless presidential elections reruns." CeSID has long called for updating the Milosevic-era legislation and, in 2001, developed a model election law that would modify the turnout requirement.

International observers also had harsh words for the election law. Nikolai Vulchanov, Head of the Organization for Security for Cooperation in Europe's (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) said, "As we already noted after the first round, the election laws contain significant deficiencies. These deficiencies have the potential of undermining the democratic process in Serbia. We therefore call on the parliament to change the relevant provisions before the announcement of the repeated elections on or before 22 October." Specifically, ODIHR said in its preliminary report that, "Article 9 of the law on presidential elections requiring a 50% turnout for the second round should be repealed as it promotes boycott by unsuccessful candidates in the first round, may undermine voter confidence in elections, is contrary to the spirit of the Serbian Constitution, and could ultimately lead to a constitutional crisis in the Republic with repeated attempts to elect the president without success." Please find the ODIHR preliminary election report at www.osce.org/odihr.

Despite the ultimate failure of the election, CeSID praised the efforts of the thousands of election officials "It is a great pity that the second round failed, because these were the best elections Serbia has ever had and were also the best that CeSID has ever observed both in Serbia and Montenegro, as well as elections that we have monitored in cooperation with other monitoring organizations throughout the region," noted spokesperson Marko Blagojevic. "It seems that Serbia has finally overcome electoral fraud during the voting process and in polling stations that we have seen in the past."

Speaker of Parliament Micic has called a parliamentary session for Friday to amend the presidential election law, removing the turnout threshold requirement for a runoff. CeSID also will hold a press conference on Friday to offer views for amending the law and present its model law for consideration.

NDI IN SERBIA

With funding from the U.S. Agency for International Development (USAID), NDI has supported democratization efforts in Serbia since 1997. NDI/Serbia works in the areas of governance, parliamentary development, non-partisan election monitoring, and political party building to bolster the institutions and practices that allow democracy to flourish. In preparation for these elections, NDI has provided training for democratically oriented political parties throughout Serbia. NDI continues to work with elected officials at various levels of government and in political parties, as well as with civic groups and special constituencies such as women and youth, to assist them in furthering the reform process.

The National Democratic Institute for International Affairs (NDI) is a nonprofit organization working to strengthen and expand democracy worldwide. Calling on a global network of volunteer experts, NDI provides practical assistance to civic and political leaders advancing democratic values, practices and institutions. In Central and Eastern Europe, NDI conducts programs in Albania, Bulgaria, Bosnia, Croatia, Kosovo, Macedonia, Montenegro, Romania, Serbia, and Slovakia. For more information on NDI's Serbia programs, please contact Paul Rowland or Damian Murphy at NDI's Belgrade office at +381 11 361 2942 or Edmund Rhoads at NDI's Washington office at 202-728-5500.