

# THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

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## Recommendation 254 (2008)<sup>1</sup> Local and provincial elections in Serbia (observed on 11 and 25 May 2008)

The Congress,

1. Refers to:

*a.* the Committee of Ministers' Statutory Resolution (2007) 6 on the Congress of Local and Regional Authorities of the Council of Europe, in particular its Article 2, paragraph 4, entrusting the Congress with the preparation of reports and recommendations following the observation of local and/or regional elections;

*b.* the principles laid down in the European Charter of Local Self-Government (ECLSG) which was ratified by Serbia on 6 September 2007 and entered into force in that country on 1 January 2008;

*c.* its previous reports on elections monitored in the Republic of Serbia;<sup>2</sup>

*d.* its report on the local and provincial elections, held on 11 and 25 May 2008, detailing the findings of the Congress observation mission.

2. Recalls its role in monitoring local and regional elections, based on the premise that local and regional elections in accordance with international electoral standards is essential to ensure good governance.

3. Welcomes the fact that both elections, including two rounds of elections for the Vojvodina Assembly, were conducted in line with Council of Europe and other international standards.

4. Invites the Serbian authorities to:

*a.* revise the Law on Local Elections of 2007, with a view to ensuring full conformity with the European Charter of Local Self-Government, and to align the law with the Venice Commission, so as to:

*i.* introduce a binding sequence of candidates on the election lists. However, the law may allow voters to modify the order;

*ii.* discard the reference to blank resignations by candidates;

*b.* ensure that future amendments to election legislation are introduced well before the date of the elections and are submitted to the Venice Commission prior to their adoption in order to bring legislative provisions fully into line with its recommendations;

*c.* promote political dialogue at all levels to try to avoid in future the excessive campaign elements of the kind that unfortunately surfaced in the electoral campaign of 2008;

*d.* ensure that adequate premises are allocated as polling stations in the future, to avoid overcrowding and difficult working conditions for polling board members. Polling stations need to be big enough and located on the ground floor to facilitate access for the elderly and voters with disabilities;

*e.* use ballot paper of clearly different colours, in the case of several parallel ballots;

*f.* revise the procedure for accreditation of observers and introduce these provisions in the legislation.

5. The Congress furthermore recommends that the Committee of Ministers takes note of the present recommendation and its explanatory memorandum, and to transmit it to the relevant bodies of the intergovernmental sector, the Venice Commission, the Directorate General of Democracy and Political Affairs and the Commissioner for Human Rights.

6. It also invites the Parliamentary Assembly of the Council of Europe to take account of this recommendation in its procedure for monitoring Serbia's commitments and undertakings.

7. It renews its readiness to support and assist the Serbian authorities in their efforts to consolidate local democracy in conformity with Serbian commitments in respect of international electoral standards and of the European Charter of Local Self-Government.

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1. Debated and adopted by the Standing Committee of the Congress on 3 December 2008 (see Document CG(15)32REC, draft recommendation presented by P. Rondelli (San Marino, L, SOC), rapporteur).

2. Report on the observation of the local and municipal elections in Serbia and Montenegro (December 2004; Document CG/CP(11)14), report on the observation of the presidential elections in Serbia 2003 (Document CG/Bur(10)70) and the report on the observation of the parliamentary elections in Montenegro in 2001 (Federal Republic of Yugoslavia, Document CG/CP(8)5Rev).