

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Recommendation 330 (2012)¹ Local elections in Serbia (6 May 2012)

1. The Congress of Local and Regional Authorities of the Council of Europe refers to:

a. Statutory Resolution CM/Res(2011)2 of the Committee of Ministers relating to the Congress of Local and Regional Authorities of the Council of Europe, and, in particular, its Article 2, paragraph 4, on the Congress's role in the observation of local and regional elections;

b. the principles laid down in the European Charter of Local Self-Government (ETS No. 122) which was ratified by Serbia on 6 September 2007.

2. The Congress points to the importance of genuinely democratic elections and to its specific mandate and role in the observation of local and regional elections in Council of Europe member States.

3. It stresses that its election observation missions are carried out only upon the invitation of the countries concerned. Similar to the monitoring process of the European Charter of Local Self-Government, election observation missions are conceived as co-operation activities.

4. The Congress notes with satisfaction that:

a. the local elections of 6 May 2012 were conducted in an overall calm and orderly manner; the second round of local elections in a number of polling stations were not observed by the Congress (presidential and parliamentary elections held on the same day were observed by the Parliamentary Assembly of the Council of Europe);

b. the legal framework and the electoral administration system were improved, and following recommendations made by the Congress in 2008, mandates are now allocated in the order in which candidates appear on the candidate lists and the so-called blank resignations of candidates have been abolished which helps to better identify local leadership;

c. a new electronic data base, managed by the Ministry for Local Self-Government, was used allowing voters to verify – in one comprehensive list – their inclusion in the electoral registers; there was also a new law on the unified voters register adopted in 2011;

d. a new Anti-Corruption Agency has been created by the authorities in order to control and supervise the political entities in respect of their sources of financing; there was also a new law on the financing of political activities adopted in 2011.

5. The Congress points out that the concurrent conduct of three elections on one day – at presidential, parliamentary and regional/local level (even four elections if one includes the elections for the regional assembly of the Autonomous Province

of Vojvodina) – led to local elections being largely overshadowed by the national vote and also to organisational challenges for the election administration, particularly in polling stations with three or four elections/ballots.

6. It states that the equipment at polling stations has sometimes challenged the secrecy of the vote and the practice of including all interested parties in the local polling boards has created cumbersome procedures and worsened the situation of limited space available in most of the polling stations.

7. The Congress regrets to note that transparency in media ownership and unclear financing of media remain a matter of concern in Serbia. The same is true for maintenance of safe working conditions for journalists, in particular in the context of local journalism.

8. The Congress expresses concern that:

a. due to measures taken by the Serbian authorities to cope with the present global financial crisis, transfers made to local governments from the national budget have been significantly reduced; coupled with the fact that all other sources of local authority revenue are also severely diminished, this constitutes a threat for the ability of local authorities to effectively accomplish their tasks;

b. in the present economic climate, minority groups, for example Roma, are particularly vulnerable to electoral malpractices such as controlled voting and vote-buying.

9. Taking into account the previous comments, the Congress invites the Serbian authorities to take all necessary steps to:

a. revise the practice of including all interested parties in the local polling boards and consider, instead, introducing a system of accredited domestic observers;

b. refine the newly introduced single unified voters' register, in particular to remedy inconsistencies in voters' lists in the southern part of the country;

c. increase transparency in party and media financing and ensure the enforcement of anti-corruption measures, not least by the newly formed Anti-Corruption Agency;

d. address the issue of infringement of the secrecy of the vote, due to the equipment at polling stations, and in future use proper polling booths instead of cardboard separations at tables.

10. Furthermore, the Congress encourages the Serbian authorities to progress local self-government reforms and also develop decentralisation in other local administrative units than the Autonomous Province of Vojvodina, taking inspiration from the principles set out in the Reference Framework for Regional Democracy.

11. Being aware of the financial implications of election administration, the Congress suggests the organisation of local and presidential/parliamentary elections in future on separate dates in order to avoid the predominance of the national vote.

1. Debated and approved by the Chamber of Local Authorities on 17 October 2012 and adopted by the Congress on 18 October 2012, 3rd Sitting (see Document [CPL\(23\)3](#), explanatory memorandum), rapporteur: N. Mermagen, United Kingdom (L, ILDG).