



# Weekly Briefing

**Serbia external relations briefing:  
ODIHR Report on Serbian Elections  
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# ODIHR Report on Serbian Elections

## Summary

*After the elections held in Serbia on December 17, 2023, the Serbian Progressive Party declared victory at all levels, while the opposition coalition “Serbia Against Violence” due to a series of irregularities, demanded the annulment of the elections in Belgrade and a re-voting. The Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE) announced on December 18 that the elections were marked by the abuse of public funds, the spread of fear and the media dominance of Aleksandar Vučić. Considering all circumstances, the European Parliament brought a resolution demanding an international investigation into alleged irregularities during the elections held last December in Serbia, as well as the suspension of European funds, if it is proven that the authorities were directly involved in voter fraud. Resolution led to the ODIHR investigation and finally to the report which recently has been released. The findings of this report have drawn significant attention both domestically and internationally, raising important questions about the state of democracy and electoral integrity in the Republic of Serbia.*

## Introduction

The recent Serbian elections held on December 17 have sparked significant concern and controversy, prompting the European Parliament to call for an international investigation<sup>1</sup>. The move comes in response to claims that certain aspects of the election process were beyond the scope of the final report by the Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights (ODIHR).

One of the key issues highlighted by the European Parliament is the alleged manipulation of media coverage during the electoral campaign. There have been allegations that state-controlled media outlets favored certain political parties or candidates, undermining the fairness

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<sup>1</sup> “Izbori u Srbiji: Nepravilnosti koje su domaći i strani posmatrači videli tokom glasanja, šta piše u izveštaju ODIHR”, Milica Radenković Jeremić i Nataša Anđelković, 26 decembar 2023, *BBC vesti na srpskom*, <https://www.bbc.com/serbian/lat/srbija-67823059>, accessed on: 05/03/2024.

and transparency of the electoral process<sup>2</sup>. Such practices can significantly impact voter perception and ultimately the outcome of the elections.

Furthermore, there have been reports of irregularities and inconsistencies in voter registration and voting procedures. These allegations include instances of voter intimidation, voter coercion, and concerns about the accuracy and integrity of voter lists<sup>3</sup>. Such irregularities raise questions about the legitimacy of the election results and the democratic principles underlying the electoral process.

In light of these concerns, the European Parliament has called for an international investigation to thoroughly examine the allegations of electoral misconduct and irregularities. An international inquiry would aim to provide an impartial and comprehensive assessment of the electoral process, addressing issues that may have fallen outside the scope of the ODIHR's final report.

The European Parliament's stance on the Serbian elections reflects its commitment to promoting democracy, transparency, and accountability in electoral processes across the European Union and beyond. It sends a strong message that any actions that undermine the fairness and legitimacy of elections will be subject to scrutiny and investigation at the international level.

In conclusion, the European Parliament's call for an international investigation into the Serbian elections highlights the need for transparency, accountability, and adherence to democratic principles in electoral processes. Addressing concerns about electoral misconduct and irregularities is essential to safeguarding the integrity of democratic institutions and upholding the trust and confidence of citizens in the electoral process.

With 461 votes in favor and 52 against, members of the European Parliament passes a resolution on Serbia calling for an investigation into the elections held in December.<sup>4</sup> The resolution calls on the European Commission to send an expert mission to Serbia to assess the

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<sup>2</sup> CRTA: Kampanju u Srbiji obeležila zloupotreba institucija i medija, CRTA, 13. decembar/prosinac 2023, <https://www.slobodnaevropa.org/a/crta-izbori-srbija-kampanja/32729220.html>, accessed on: 05/03/2024.

<sup>3</sup>“CRTA: Izbori u Beogradu ne izražavaju volju građana - drastične zloupotrebe”, N1, 18/12/2023, <https://novimagazin.rs/vesti/311514-crta-izbori-u-beogradu-ne-izrazavaju-volju-gradjana---drasticne-zloupotrebe>, accessed on: 05/03/2024.

<sup>4</sup> “European Parliament passes resolution on Serbia”, *Tanjug*, 8 February, 2024, <https://www.tanjug.rs/english/politics/72914/european-parliament-passes-resolution-on-serbia/vest>, accessed on: 05/03/2024.

situation and lay the groundwork for a dialogue that would restore trust in institutions, following the example of the “Priebe reports” written for North Macedonia and Bosnia and Herzegovina<sup>5</sup>.

The resolution adopted on February 28, 2024, called “for an independent international investigation by respected international legal experts and institutions into the irregularities of the parliamentary, provincial and municipal elections, with special attention to the elections to the Belgrade City Assembly, as certain allegations, including those regarding organized voter migration at local level, go beyond the scope covered by the OSCE/ODIHR reports“.

### **The Office for Democratic Institutions and Human Rights (ODIHR) Report**

The Office for Democratic Institutions and Human Rights (ODIHR), as a key institution within the Organization for Security and Co-operation in Europe (OSCE), was observing Serbian elections. While preparing report ODIHR experts meticulously examined various aspects of the electoral process.<sup>6</sup>

One of the positive aspects highlighted in the ODIHR report is the improved legal framework for elections in Serbia. The report acknowledges legislative changes that have enhanced the transparency and inclusivity of the electoral process, such as the adoption of new electoral laws and regulations. These changes aim to promote fair competition among political parties and ensure equal opportunities for all candidates.

Additionally, the ODIHR report recognizes efforts made by Serbian authorities to enhance the efficiency and professionalism of election administration. Measures such as the introduction of electronic voter registration and improved training for election officials have contributed to the overall effectiveness of the electoral process.

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<sup>5</sup> “The Recommendations of the Senior Experts' Group on systemic Rule of Law issues relating to the communications interception revealed in Spring 2015”, available at: [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/news\\_corner/news/newsfiles/20150619\\_recommendations\\_of\\_the\\_senior\\_experts\\_group.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/news_corner/news/newsfiles/20150619_recommendations_of_the_senior_experts_group.pdf). See more in: “The Priebe report two years later - new government and new opportunities for resolving old problems”, European Policy Institute, Skopje, 2017, [https://www.epi.org.mk/docs/1.\\_The\\_Priebe\\_report\\_two\\_years\\_later\\_ENG.pdf](https://www.epi.org.mk/docs/1._The_Priebe_report_two_years_later_ENG.pdf), accessed on: 05/03/2024.

<sup>6</sup> “Međunarodni posmatrači kažu da su birači na izborima u Srbiji mogli da biraju između alternativnih političkih opcija, ali je taj izbor narušen usled nadmoćne prednosti vladajuće stranke”, OSCE, 18 decembar 2023, <https://www.osce.org/sr/odihr/elections/serbia/560707>, accessed on: 05/03/2024.

While the report acknowledges certain positive aspects of the elections held in accordance with the country's legal framework, such as the generally peaceful atmosphere and the active participation of citizens, it also highlights several concerns that warrant serious consideration.<sup>7</sup>

However, despite these positive developments, the ODIHR report also raises several concerns regarding the conduct of the elections and the broader electoral environment in Serbia.

One of the primary issues identified in the ODIHR report is the lack of a level playing field among political contestants. According to the report, there were instances of unequal access to resources, media bias, and the misuse of state resources for electoral purposes. Such disparities undermine the fundamental principles of fair competition and democratic representation, potentially skewing the outcome of the elections.

The ODIHR report also sheds light on concerns related to the media environment and the freedom of expression in Serbia. According to the findings, there were instances of media bias and limited coverage of opposition candidates, thereby hindering the electorate's ability to make informed choices. Furthermore, restrictions on freedom of assembly and expression, including incidents of violence against journalists and activists, raise serious questions about the overall democratic environment in the country. The report notes that state-controlled media outlets tended to favor certain parties or candidates, limiting the diversity of viewpoints presented to voters and potentially influencing their choices.

Moreover, the report identifies instances of inflammatory rhetoric and negative campaigning during the electoral campaign, which contributed to a polarized political atmosphere. Such practices undermine the ability of voters to make informed decisions based on substantive policy debates and can erode public trust in the electoral process.

Additionally, the report raises alarms about the integrity of the electoral process, particularly regarding the transparency and accountability of the electoral administration. ODIHR observers noted shortcomings in the legal framework governing elections, including ambiguities and inconsistencies that may compromise the credibility of the results. Instances of procedural irregularities, such as voter intimidation and irregularities in the vote-counting process further erode trust in the electoral process and raise doubts about the legitimacy of the outcomes.

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<sup>7</sup> “Republic of Serbia Early Parliamentary Elections 17 December 2023 ODIHR Election Observation Mission Final Report”, Warsaw, 28 February 2024, <https://www.osce.org/files/f/documents/1/3/563505.pdf>, accessed on: 05/03/2024.

The ODIHR report also points out deficiencies in the voter registration process and voter lists, citing concerns about accuracy, completeness, and transparency. Irregularities in voter registration raise questions about the integrity of the electoral roll and the potential for fraudulent voting practices.

In light of these findings, the ODIHR report recommends several measures to address the identified shortcomings and improve the overall integrity of future elections in Serbia. These recommendations include:

1. Ensuring equitable access to the media for all political parties and candidates, including through impartial coverage by state-controlled media outlets.

2. Strengthening mechanisms for monitoring and regulating campaign finance to prevent undue influence and ensure transparency.

3. Enhancing voter registration procedures to improve accuracy, completeness, and transparency of voter lists.

4. Promoting civic education and awareness campaigns to empower voters and encourage their active participation in the electoral process.

5. Addressing challenges related to electoral disputes and complaints in a timely and transparent manner to uphold the credibility of election results.

Overall, the ODIHR report serves as a valuable assessment of the strengths and weaknesses of the Serbian electoral process. It highlights the progress made in certain areas while also emphasizing the need for ongoing reforms to address remaining challenges and uphold democratic standards in future elections.<sup>8</sup>

Additionally, there have been calls for greater engagement and oversight from international actors, including the European Union and the United Nations, to support democratic reforms in Serbia. Strengthening democratic institutions, promoting media pluralism, and fostering a culture of political tolerance are essential steps towards building a more robust and inclusive democracy in the country.

The ODIHR report serves as a crucial reminder of the importance of upholding democratic values and principles in electoral processes. It underscores the need for concerted efforts, both domestically and internationally, to address the challenges facing Serbia's

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<sup>8</sup> Op. cit. pp. 28-30.

democracy and to safeguard the rights and freedoms of its citizens. Only through genuine commitment to democratic norms and practices can Serbia realize its full potential as a thriving and inclusive society.

### **Serbian Government and opposition reactions to the ODIHR Report**

The reaction of the Serbian government to the ODIHR report on the December 17 elections has been mixed, reflecting both acknowledgment of areas needing improvement and disagreement with certain findings. After the report of the ODIHR observation mission was published, the authorities in Belgrade, as usual, interpreted the statements from the report very freely, ignoring numerous objections to the election process. Prime Minister in technical mandate Ana Brnabić thus said that the report “puts an end to all nonsense and lies about the theft of elections”, and that Serbia will implement the recommendations.<sup>9</sup> Noticeable satisfaction of the authorities was also caused by the fact that there is no explicit mention of election theft anywhere, which was the reason for Serbian President Aleksandar Vučić to declare that “in the ODIHR report, no one mentions election theft, because there would not have been any.”

In response to the ODIHR report, the Serbian government has emphasized its commitment to addressing the issues raised and improving the electoral process. However, critics argue that concrete actions are needed to address the systemic challenges outlined in the report. This includes comprehensive electoral reforms to ensure transparency, accountability, and equal participation for all political actors.

Here are some key points of the Serbian government's response:

1. **Acknowledgment of Progress:** The Serbian government has acknowledged the positive aspects of the ODIHR report, such as improvements in the legal framework for elections and efforts to enhance election administration. These acknowledgments indicate a willingness to address shortcomings and strengthen democratic processes in the country.

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<sup>9</sup> “Analiza: Izveštaj ODIHR-a: Vlast i opozicija žive u različitim kosmosima”, *Vreme*, 28. februar 2024, <https://vreme.com/vesti/izvestaj-odih-r-a-vlast-i-opozicija-zive-u-razlicitim-kosmosima/>, accessed on: 05/03/2024.

2. **Disagreements with Media Coverage Assessment:** One area of contention has been the assessment of media coverage during the electoral campaign. While the ODIHR report raised concerns about unequal access to media and potential bias in state-controlled outlets, the Serbian government has disputed these claims, arguing that media coverage was fair and impartial.
3. **Commitment to Addressing Concerns:** Despite disagreements on specific issues, the Serbian government has expressed a commitment to addressing concerns raised in the ODIHR report. This includes measures to promote media pluralism, enhance transparency in campaign finance, improve voter registration procedures, and strengthen mechanisms for resolving electoral disputes.
4. **Dialogue with International Partners:** The Serbian government has also emphasized the importance of constructive dialogue with international partners, including the ODIHR and other stakeholders, to address electoral challenges and implement necessary reforms. This dialogue reflects a collaborative approach to addressing issues identified in the report.
5. **Focus on Democratic Development:** Overall, the Serbian government's response to the ODIHR report reflects a dual focus on acknowledging progress in electoral processes while also recognizing the need for continued reforms to strengthen democratic institutions and practices. This approach suggests a commitment to upholding democratic standards and addressing concerns raised by international observers.

The Serbian opposition's reaction to the ODIHR report on the December 17 elections differed. It was critical, highlighting concerns about electoral irregularities, media bias, and the overall fairness of the electoral process implying that the report has confirmed that election theft was committed.

Marinika Tepić from the coalition Serbia against Violence explained that the ODIHR's expert mission uses bureaucratic language, not political language, but that the report draws attention to organized migration and transport of voters to vote, a fake voter list, the dominance of the President of the Republic, voter buying, huge pressure on public sector employees.<sup>10</sup>

Member of Parliament and president of the Serbia Center party, Zdravko Ponoš, said that sending a large ODIHR mission to the elections in Serbia indicates that there are major problems.

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<sup>10</sup> Ibidem.



He compared the behavior of the authorities, which evaluated the report on the elections as a confirmation that they were well organized, to the situation in which an alcoholic, when after a doctor's analysis it is determined that he has cirrhosis of the liver, claims that he did not get it because of alcohol.<sup>11</sup>

Key points of the Serbian opposition's response are:

**Allegations of Electoral Irregularities:** The opposition parties have raised serious allegations of electoral irregularities, including voter intimidation, coercion, and discrepancies in voter registration and voting procedures. These allegations suggest a lack of confidence in the integrity of the election results and call into question the fairness of the electoral process.

**Concerns about Media Bias:** Similar to the ODIHR report's findings, the opposition has expressed concerns about media bias during the electoral campaign. They allege that state-controlled media outlets favored certain parties or candidates, limiting fair and balanced coverage and influencing voter perception.

**Call for Independent Investigation:** In response to the ODIHR report and their own observations, the Serbian opposition has called for an independent investigation into electoral misconduct and irregularities. They argue that such an investigation is necessary to ensure accountability, transparency, and the integrity of future elections.

**Criticism of Government Response:** The opposition has criticized the Serbian government's response to the ODIHR report, accusing officials of downplaying concerns and failing to address the underlying issues identified in the report. They emphasize the importance of taking concrete actions to address electoral challenges and uphold democratic standards.

**Dialogue with International Partners:** The opposition has also engaged with international partners, including the European Parliament and other organizations, to highlight

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<sup>11</sup> Opozicija na vanrednoj konferenciji žestoko odgovorila Ani Brnabić: Izveštaj ODIHR potvrdio krađu, Vučić da hitno da nalog za primenu preporuka, Nova, 28. februar 2024, <https://nova.rs/vesti/politika/uzivo-opozicija-se-obraca-javnost-posle-izvestaja-odihr-o-izborima-u-srbiji/>, accessed on: 05/03/2024.

their concerns and seek support for efforts to promote electoral integrity and democratic principles in Serbia. This dialogue underscores the importance of international scrutiny and support in addressing electoral challenges.

Overall, the Serbian opposition's reaction to the ODIHR report reflects a deep-seated concern about the state of democracy and electoral fairness in the country. Their calls for an independent investigation and dialogue with international partners indicate a commitment to addressing electoral irregularities and strengthening democratic institutions in Serbia. Ongoing engagement between the opposition, civil society, and international stakeholders will likely play a crucial role in promoting electoral transparency and accountability in the future.

### **Conclusion**

The European Parliament called for an international investigation into the December 17 Serbian elections because some claims are beyond the scope of the ODIHR final report. The call for an international investigation underscores the importance of upholding democratic norms and principles in electoral processes. Free and fair elections are fundamental to the democratic functioning of any country, and any allegations of electoral malpractice or misconduct must be thoroughly investigated to ensure the integrity of the electoral process and uphold the trust of the electorate.

The ODIHR, tasked with monitoring elections and assessing compliance with international standards, released its final report on the Serbian elections. While the report acknowledged improvements in the electoral framework and administration, it also raised concerns about the overall environment in which the elections took place.

The ODIHR report was supposed to put an end to all claims, allegations, evidence, but also speculations about irregularities in the elections in Serbia. That exactly this happened both the government and the opposition believes. The report of the OSCE International Observation Mission on the elections in Serbia confirms to the opposition that the election ended on December 17 last year, while at the same time denying the election theft. Although this formulation sounds completely illogical, the public in Serbia receives exactly this kind of information from the main political actors.

The government and the opposition interpret the report in completely opposite ways and present it that way. The fact is, however, that elections are still the main topic in Serbia, and one of the important ones in European institutions.

At the end, it's important to note that reactions may vary within the Serbian government, with different officials and agencies offering nuanced perspectives on the ODIHR report and its implications for democratic development in the country. Ongoing dialogue and cooperation between the government, civil society, and international organizations will likely play a crucial role in addressing electoral challenges and fostering a more robust democratic environment in Serbia.