

Serbia Presidential Election 2002



Labus rally in Republic Square, Belgrade

Executive Summary

The Serbian presidential elections ended inconclusively on 13th October when Vojislav Kostunica won 66% of the second round run-off, but the poll was declared invalid because fewer than 50% of those eligible turned out to vote. Kostunica's existing post, President of the Federal Republic of Yugoslavia, is due to disappear within weeks as a result of the restructuring of that state to create a union of its two component republics, Serbia and Montenegro, without a president.

Kostunica's candidacy brought into the open the split within the post-Milosevic ruling elite, the so-called Democratic Opposition of Serbia (DOS), as the prime minister of Serbia, Zoran Djindjic, openly supported his rival, Miroslav Labus. Since both candidates from the divided DOS camp drew less than half the total vote, the presidential elections marked a sharp fall in support for the forces which came to power following the overthrow of Slobodan Milosevic in October, 2000.

The emergence of the radical nationalist, Vojislav Seselj, who had the endorsement of Milosevic from his cell in The Hague, in a strong third place combined with the high rate of abstention indicated growing disillusionment with the reforms pushed through by DOS. However, all the signs are that the electoral impasse within the divided DOS will not stop Djindjic's government pursuing its agenda of privatisation and the in-fighting over the division of the spoils of post-Milosevic Serbia is likely to become more intense.



Stall selling Karadzic and Mladic souvenirs at Mr. Labus's election rally

Introduction

The first round of Serbian presidential election was held on 29th September 2002. As no candidate received 50% + 1 of the vote, a second round took place two weeks later, on 13th October. This election failed too as the turnout (47%) was less than the 50% required by the law on elections.

A similar situation occurred at the last Serbian presidential election held in September 1997 after Slobodan Milosevic gave up the post to become President of the Federal Republic of Yugoslavia. Those elections also failed due to a low turnout, at least officially. At the time many observers (though not the OSCE) concluded that the Serbian election commission had artificially deflated the turnout to invalidate the apparent victory of the Serbian radical nationalist candidate, Vojislav Seselj. Mr Kostunica alleged in a court challenge that a similar artificial reduction of the turnout had been manipulated by the Serbian authorities on 13th October this year. The court rejected his appeal (as the Yugoslav courts rejected his initial complaints of the manipulation of the Yugoslav Presidential elections after 24th September, 2000).

In 1997, a second election was held in December, and Slobodan Milosevic's foreign minister, Milan Milutinovic was elected President of Serbia. In May, 1999, Mr. Milutinovic was indicted along with Slobodan Milosevic for war crimes in Kosovo. After Milosevic's fall, it suited his divided opponents in the Democratic Opposition of Serbia (DOS) to leave a pliant Milutinovic in his post because they could not agree on his replacement. By summer, 2002, the continuance in office as President of Serbia of an indicted war criminal had become untenable, not least because Kostunica's position as President of Yugoslavia was due to disappear as a result of a redrawn union between Serbia and Montenegro which abolished the post of federal president.

13 candidates contested the 29th September 2002 poll. The front runners were Vojislav Kostunica, the present president of the Yugoslav Federation and Miroljub Labus, a banker with the G17plus group of economists in Belgrade. Vojislav Seselj the leader of the Serbian Radical Party was in third place but, like the other 10 candidates, his opinion poll ratings only ran into single digits which turned out to be a dramatic underestimate of his real level of support.

This was the first national poll since the new government was elected in 2000 and represented something of a referendum on its first two years in power. The presidency of Serbia is largely ceremonial and this election was less likely to engage the interest of the electorate than a parliamentary poll. Nevertheless, competition for the post was strong as the incumbent enjoys international prestige which is likely to grow with the disappearance of the Yugoslav Federation. The presidency also represents another centre of power around which hungry politicians can lobby for their own particular interests. As economic restructuring and privatisation are forging ahead in Serbia there are many rivalries, often hidden from public view, which will have affected the final outcome of the election.

This was evident in the splits that appeared within the ruling DOS coalition and which led to some of its constituent parties supporting Dr. Labus while others turned to Dr. Kostunica. But, at the end of the day, there was no difference in substance between the two of them. They were just Tweedledum and Tweedledee with basically identical programmes none of which held out any promise of future improvement in the lives of ordinary Serbian people. This, more than anything else, explains the public's apathy.

Serbia Today

Serbia is a troubled and dysfunctional country. Two years after coming to power, its government, the Democratic Opposition of Serbia (DOS) still refers to itself as "the opposition". The two leading candidates for the presidency are also members of that "opposition" and have the same ideas. Its former president, Slobodan Milosevic, is an

indicted war criminal and federal Yugoslavia is about to disappear. Street vendors at the Western-approved, non-nationalistic Dr. Labus's 26th September election rally in central Belgrade were selling Serb nationalist memorabilia - cigarette lighters, calendars and T-shirts - featuring indicted Bosnian Serb war criminals Radovan Karadzic and Ratko Mladic who are described as *Srpski Geroji* (Serbian heroes). Such highly-charged merchandise was not on sale during Milosevic's period in office. Whatever divides the DOS, both supporters of Kostunica and Labus (i.e. of Serbian Premier Djindjic) revile the man who signed the Dayton Agreement with the West in 1995 but adore the defiant and elusive Bosnian Serb leaders.

BHHRG representatives have visited Serbia on several occasions during the past ten years. In 1999 and 2000 the Group's members travelled around the country and observed the damage inflicted on its infrastructure during NATO's bombing campaign. They have also witnessed the plight of Krajina Serb refugees after 1995 as well as that of both Serb and Roma refugees forced out of Kosovo after NATO occupied the province in mid-June, 1999. Nevertheless, essential utilities continued to function on a daily basis in Serbia under Milosevic. BHHRG well remembers leaving 'liberated' yet electricity-starved Kosovo in December 1999 only to find the lights blazing all over southern Serbia and Belgrade. Similarly, public services carried on even when the bombs fell.

The situation now has deteriorated considerably. There have been power cuts in Serbia for the past two years and the Minister of Energy, Kori Udovicki, has warned of more to come this winter.¹ Why should a country that managed to provide power during and after a massive bombardment of cruise missiles suddenly be incapable of producing electricity any longer? The same question arises in relation to Kosovo where the Obilic power station still operates but the electricity supply is sporadic. The answer is probably that both Kosovo and Serbia are now exporting electricity to neighbouring countries, like Austria, rather than supplying their own populations.

Public services have also been severely reduced. Garbage is only sporadically collected and rubbish spills on to the previously clean streets of central Belgrade. Part of the problem occurs when waste matter is scattered on the roads as people rummage in the garbage containers for strips of cardboard which they load onto trolleys several times a day and take off to sell for a few dinars. Nearby, stray dogs huddle for comfort in the rain.

Yet despite the indisputable evidence of mass impoverishment since October, 2000 (when Serbs were far from affluent), on 11th October, the following report appeared on the state news agency Tanjug:

SERBIA DOESN'T NEED HUMANITARIAN AID, BUT DEVELOPMENT SUPPORT :Serbia doesn't need any more urgent humanitarian aid, but the support of the international community in the realization of development projects that will boost employment and the implementation of started economic reforms, assessed on Friday the director of the European Commission Humanitarian Aid Office (ECHO) Constance Adinolfy. Humanitarian organizations are gradually leaving Serbia, Adinolfy said.

Such 'development projects' tend to provide jobs for large numbers of young graduates from the West rather than locals. Many of the 'projects' themselves are unnecessary, but they assist Western companies which are awarded lucrative, government-backed contracts. The Serbian government itself is involved in pointless projects like relaying the surface on the Boulevard of the Revolution while bomb damaged buildings further up the road remain neither repaired nor demolished, their broken masonry hanging precariously by the side of the pedestrian-filled pavements.

Unemployment is estimated to be around the 40% mark. Thousands of workers have been dismissed from large enterprises, like the Zastava car works which once employed 30,000 people. More lay-offs are forecast as market reforms bite. All this is on top of an already degraded situation following years of sanctions and the 1999 war.

¹ "Power Cuts are not Excluded" *Belgrade Today*, August, 2002

The reforms that have brought about this state of affairs have been mandated by the usual bodies in the international community: the IMF, World Bank and EU and the ultimate aim is to restructure Serbia's economy so that the country might be integrated one day (some say as soon as 2010) into the EU.

Economic Reforms



Graffiti stating "Djindjic is a Thief"

At the beginning of 2002, Arvo Cuddo, a World Bank advisor, predicted that 800,000 people would lose their jobs under what he called the "ownership transformation of public and social companies" in Serbia, and that figure could be higher "taking into account the privatisation of companies with mixed capital".² This was somewhat optimistic: by June 2002, the number out of work had reached 820,000, a rise of 7.38% compared with June, 2001. The average worth of old age pensions dropped by 1.1% in June. They rose slightly when the government handed out a small *pour boire* in the pre-election period, a practice frowned on when it was done by the Milosevic governments in the past.

Electricity prices have risen by 52% with obvious knock-on effects for the cost of other goods and services. On 9th October, Mladen Dinkic, Governor of the National Bank, predicted that in 3 years time average salaries would reach the 1990 average (Euro 310) - something for people to look forward to.³

The trade deficit increased but exports were also up, but not enough to make up for the imbalance: in June 2002, exports were \$153m while imports totalled \$391m.

Privatization is in full swing - in September Zoran Djindjic held a meeting with over 60 potential investors in New York. According to the Minister of Privatization, Aleksander Vlahovic, 54 companies have been sold so far and the ministry wants to sell a further 400-600 by the end of 2002. Large companies already sold are the Beocin cement works in Vojvodina and the Novi Popovac cement factory bought by a Swiss company. The latter has since increased the price of cement by c.10%.⁴ The Zastava car company is being 'restructured' - half of its work force was sacked last year.

Other desirable purchases are the cigarette companies, including the Vranje Tobacco Industry. On 11th October, Philip Morris announced an interest in Duvanska Industija Nis saying that now was a good moment to go into the Serbian tobacco market as "the reformers who ousted Slobodan Milosevic crack down on illegal tobacco trade and try to keep lucrative

² Tanjug, 23rd October, 2002

³ Beta, 9th September, 2002

⁴ "Production Exceeded 500,000t" *Belgrade Today*, August 2002

cigarette sales out of the underground economy".⁴ But, no evidence has been produced to show that Milosevic took part in cigarette smuggling whereas the prime minister Zoran Djindjic has been regularly accused of involvement in the Balkan's tobacco mafia.⁵ It has even been suggested that firms like Phillip Morris itself have connived with the smugglers along the 'Balkan route'.

The privatisation process in Serbia seems to be following the path taken by all countries in the former Communist bloc. Large enterprises and utilities are sold which is often a way of destroying competition as much as 'restructuring' obsolete plant. Many will eventually close as imports become cheaper - BHHRG noticed that workers in central Belgrade were laying the road with imported German cement rather than the local product. The coffers fill up for a short time with the revenues from privatisation but when this disappears the country - like Poland - staggers towards bankruptcy. And, like Poland, high interest rates make it difficult to raise capital, especially when most of the banks are owned by foreigners whose loan policies are directed at supporting Western companies. Serbian small businesses increasingly find it impossible to raise capital because the cost of small loans has become prohibitive as elsewhere in "reformed" Europe.

Serbian agriculture also represents an area for rich pickings. The flat, fertile plains in Vojvodina are ideal territory for the expansion of Western agribusinesses as well as cultivation of GM food crops and it is likely that many small farmers will be driven off the land, if only by the poor prices they receive for their produce. In October 2002, a US think tank called the Euro-Atlantic Initiative held a conference on the future of Serbia called "Building Effective Local Governance and Economies in Serbia and South Eastern Europe". The EAI is a think tank with good contacts in the Washington policy-making establishment. It is sponsored by the Stanley Foundation, a large grant-making body based in Iowa. Iowa is a leader in the US agribusiness sector and among the conference guests was Ed. A. Beeman, director of the Agribusiness Association of Iowa. So, two birds can be killed with one stone: while the intellectuals pontificate about 'democracy' 'transformation' and 'Euro-Atlantic integration' a few business deals can be stitched up on the side.⁵

Serbia's regions

As the economy is reformed, or destroyed, depending on your viewpoint, the international community is taking a close interest in Serbia's future constitutional arrangements. The dissolution of the Yugoslav federation does not mean that Serbia itself will remain intact. A new constitution which will further regionalize Serbia is in preparation as this report is written.

This will be made simpler by the effectual separation of Kosovo from Serbia proper. A return to its past status as an autonomous province seems further away than ever although a decision on the part of the international community towards granting actual independence remains elusive. Vojvodina, the other province whose autonomy was removed by Milosevic, had much of its previous status restored in what was called the Omnibus Act, passed in February 2002.

In southern Serbia, Albanian politicians made headway in the July local elections held in the Presovo - Bujanovac - Medvede region where an armed Albanian uprising took place only after Milosevic fell in 2000. When local Serbs complained of fraud in the election for the mayor of Bujanovac, where polls stayed open hours after the official closing time and apparently undocumented voters were permitted to cast ballots late into the night, the deputy Serbian Prime Minister, Nebojsa Covic said they should stop complaining "Everything happening in Bujanovac and everything that some individuals are doing is directly endangering the international position of our country and our people," he told the radio. "This directly shows that Serbs have learnt nothing in the last 12 or 15 years."⁷The message

⁴ www.seeuropa.net 11th September, 2002

⁵ see *Nacional* Croatia, June/July 2001

⁶ "Building Effective Local Governance & Economics in Serbia and South Eastern Europe"
www.euro-atlanticinitiatives.org

⁷ AFP, 5th August, 2002

seems to be that the government in Belgrade is distancing itself from the region and its Serb population. Elsewhere, in south-western Serbia, in the heavily populated Sandjak region, there have been reports of ethnic cleansing of Serbs. The leading party there, the Muslim SDA (Party of Democratic Action), supported Labus's candidacy in the presidential election on the grounds that he favoured greater 'regional autonomy' for Sandjak. However, they largely boycotted the poll in the second round of voting.

But politicians in Vojvodina are the most pro-active in demanding more independence from Belgrade. Although the region's autonomy (effectively removed by Milosevic in 1990) was previously seen through the prism of harmonising relations between its various ethnic minorities, the impetus behind calls for further self-government is now driven by economic factors. The most profitable industrial concerns in Serbia as well as its agricultural base are there. Why, ask local political leaders, like Nenad Canak, leader of the Vojvodina Social Democrats, should the region provide 40% of Serbia's revenues but only get 5% from the state budget?⁸ Canak says that he doesn't want independence for Vojvodina but inclusion in a "democratic and decentralized Serbia". As Djindjic's DS was the largest party to vote for the Omnibus Law that restored autonomy, Vojvodina's community leaders (and where, relevant, the Catholic church) will have advised the various minorities - Hungarians, Slovaks etc. - to vote for Labus.

National minorities in Serbia vote en bloc - a practice which BHHRG has observed elsewhere in the former Communist world. This totalitarian group voting is usually applauded by the international community so long as the minority in question votes the "right way", but it is difficult to avoid the conclusion that the absence of pluralism among Serbia's minorities suggest that they are the least democratized of the country's constituent groups and still adhere to a Communist-era bloc mentality, or are obliged to by their leaders.

Post Milosevic politics

Political life in Serbia proper is still dominated by the spectre of Slobodan Milosevic. Much of the information provided by Western governments and the tame media about his regime and its downfall has been partial and untrue. For example, Serbia was consistently portrayed as a dictatorship even though multi-party elections no more imperfect than in many other post-Communist countries had taken place in the country since 1990. Similarly, it was always claimed that the media was totally under the control of the Milosevic regime. This may have been true for state TV, but the majority of newspapers and magazines were run by the opposition as were numerous private radio stations and municipal TV and radio outlets in opposition controlled urban centres. In other words, Serbia was anything but a totalitarian state, something even attested to by the plethora of foreign anti-Milosevic NGOs which operated in the country and eventually conspired with local politicians to bring him down.

By the late 1990s Milosevic had become unpopular in Serbia - but not for the reasons given by the international community. In fact, the former president was the unfortunate victim of a clever two-pronged attack: while he was portrayed in the West as the absolute leader of the villainous Serb aggressors, at home he was seen as weak and ineffective for regularly capitulating to Western demands while getting nothing in return, apart from international isolation and the imposition of UN sanctions. He was especially reviled by the pro-Western, DOS leaders for failing to protect Serb communities in places like the Krajina region of Croatia from where c.250,000 people were expelled in 1995, apparently with a nod and a wink from Belgrade.

Then, after standing up to NATO in April 1999, Milosevic capitulated in June 1999, leaving the country shattered by 78 days of bombing which had increasingly targeted civilian infrastructure. The hollow agreement that Kosovo should still officially be part of Serbia was poor compensation. Many asked why the president should have subjected them to a three month bombing campaign in the first place.

⁸ "Yugoslavia:Serbian Assembly restores partial autonomy to Vojvodina"
www.wsws.org/articles/mar2002

Of course, many ordinary Serbs were unforgivably naïve in their expectations of a post-Milosevic society. By the time of his downfall, the model of economic reform most likely to be imposed on them by any Western-approved government had already been tried and tested. Most of the 'beneficiaries' in countries like Poland and Russia had slumped into poverty and joblessness. However, the mantra of free trade and foreign investment still worked their magic in Serbia.

Perhaps some had their doubts. Attempts to dislodge Milosevic from power had consistently failed due to lack of support for the (Western-sponsored) opposition. Even when these groups coalesced in late 1996, support from the public at large was marginal and months of street protests failed to bring down the government. It is likely that the West would have removed Milosevic eventually, but his surprise calling of direct elections for the Yugoslav presidency in 2000 provided the perfect opportunity to provoke a coup and precipitate his downfall.

Milosevic was ousted on 5th October 2000 after 'the people' rose up claiming that his opponent, Vojislav Kostunica had won the election outright in the first round of voting. But, although the folk wisdom says that 'millions' of Belgrade's citizens took to the streets to participate in a glorious liberation, most of those storming the parliament came from outside Belgrade, from Cacak where they had been coordinated by the mayor, Velimir Ilic. Cacak is on the border with Bosnia and many Bosnian Serbs crossed into Serbia and joined the 'march on Belgrade'. As the police and security services had changed their allegiances, public protests either way were muted. No doubt, many people were pleased when Milosevic acceded to the protestors' demands and resigned, leaving Kostunica to take his place. Others wearily accepted the inevitable, hoping that the Western largesse promised by the opposition would now come to pass.

Post-Milosevic: Re-education and the NGOs

Milosevic has now gone, and no one talks about him uninvited. But he still manages, if indirectly, to influence Serbian life. He has become the ultimate scapegoat. He was even blamed for the failure to elect a president in 2002 because the legislation demanding a 50% turnout was (allegedly) personally drafted by him. It was also his doing that voter lists were inaccurate even though a census was held in April 2002 while he was on trial in the Hague.

Suggestions by some Western commentators, like the Balkan war crimes' expert, Paul Williams that people in Serbia follow the Hague proceedings regularly on TV because it was broadcast "24-7" are untrue. In its early stages, the trial was televised on state TV but that soon ceased and only those items deemed helpful to the current regime are now shown. It was suggested that too many people in Serbia were cheering the former president's combative stance and rejecting the Prosecution's indictment. The private TV station, B92, does broadcast the Hague proceedings but it can only be viewed in the Belgrade region.

Over the past ten years the West has funded numerous NGOs aimed at destabilizing the former regime. The omnipresent and sinister organization, Otpor (Resistance) was founded in the months before the 2000 election and both funded (lavishly) and trained by the US. Otpor's activities in demonising Milosevic and not-so-subtly encouraging people to make sure he was 'finished' were described by BHHRG in its report on the 2000 election [Serbia: Parliamentary Elections: December 2000, www.oscewatch.org]. Although Otpor was the brain-child of the United States, its structure and the tactics it uses owe more to the Cheka and the Red Guards than to Thomas Jefferson. Despite its ostensible support for "democratisation" Otpor's own lack of a transparent leadership chosen by open election gives its continuing presence on billboards and in graffiti a threatening tinge. Its hard-faced young activists are apparently everywhere but their organisation lies above and outside civil society, just "watching" as its propaganda has it. Even though Milosevic is, indeed, now 'finished' Otpor remains active - to ensure that people do not relapse into 'old thinking'.

During the September 2002 election campaign, their posters showing Milosevic and covered with the inscription 'shame' were plastered all over Belgrade. Otpor had also produced large placard-sized election posters with 3 photographs of Milosevic and Militunovic (former and

present) presidents of Serbia next to a blank box waiting to be filled by the winner of the 2002 election. The implication was plain: the next president had better behave himself or he could end up like those two as an indicted war criminal. In the run up to the poll rumours surfaced that an indictment had been issued by the Hague for the arrest of presidential candidate Vojislav Seselj and the poster may have been directed towards his potential voters. But, whatever the intended target, the tone was to create an atmosphere of fear and unease, something all too easy to do.

Otpor is now involved in the 'Lets Eradicate Corruption Without Anesthesia Campaign' launched in 2001. It has filed over 200 criminal charges and also talked of the need to prosecute people for not prosecuting criminals, presumably, meaning the police and the prosecution service. This has led some critics to accuse Otpor, with some justification, of meddling with the judiciary.⁹

There are many other, less sinister NGOs in Serbia which, no doubt, have provided many of the local middle-classes and their disaffected children with employment and an opportunity to lay claim to lavish Western funding over the past ten years. Even though human rights and democracy have now officially returned to Serbia there is still a need for vigilance - if only to keep the funding going. The emphasis now is on re-education and making Serbs face up to their 'crimes'.

Politicians are accused of failing the public by concentrating exclusively on economic reform while ignoring the crimes of the previous regime. There has also been a certain falling out among some sections of the media and the West's NGO allies over how to confront the past. Recently, the Serbian Helsinki Committee attacked Radio B92 and the weekly magazine *Vreme* for failing to address the crimes of the Milosevic era more forcefully and for refusing to accept the principle of collective guilt on the part of the Serbs in the Balkan wars. In reply, B92 produced a long list of programmes, like the magazine *Catharsis*, which they say regularly address the "crimes of the past".¹⁰

As both the EU and the Council of Europe insist on Soviet-style re-education programmes, which are also part of the conditions for Council of Europe entry, the NGOs have found a new *milch* cow. One EU-based organization, the German Social Democratic Friedrich Ebert Institute, funds a survey to monitor how much space the media is giving to the 'crimes' of the former regime and re-education.

No doubt, this is felt necessary to keep the pressure on for a guilty verdict at the Hague. It is also important to remind other future transgressors of the new world order of what could happen to them should they dare to disobey. However, so far, the strategy is producing mixed results. For example, even the solidly pro-government Serbian media doesn't seem to expend too much newsprint on "re-education" while the public at large is driven more and more into the arms of anti-Western politicians like Seselj.

The Political Landscape

DOS

18 parties made up the coalition known as the Democratic Opposition of Serbia (DOS) which won the parliamentary election on 19th December 2000. It would be fair to say that, at the time, not one of them was a serious political party, most were vehicles for a few powerful personalities and their small circles of supporters. The man who was to become Serbia's prime minister, Zoran Djindjic, leads the Democratic Party (DS), membership of which has grown if only because people have drifted into it (including former Socialists) as the accepted 'party of power'. The Democratic Party of Serbia (DSS), also part of the DOS coalition, has probably grown in membership too on the back of its leader, Vojislav Kostunica.

⁹ "Campaign Under Anesthesia" Snezana Stefanovic, *Clean Hands*, Beta, 1st October, 2002

¹⁰ B92 "Confronts the Past", Veran Matic, "Serbia Media Shame" Natasa Kandic < www.iwpr.net > 6th September, 2002

DOS presented itself to voters in 2000 as the Coalition of Vojislav Kostunica - Djindjic's name was tucked away down the ballot paper as he was known to be unpopular with ordinary Serbs. Kostunica had been hand-picked by the Americans as presenting the acceptable face of Serbian nationalism with the added ingredient of not having a 'past'. He was also depicted in the media as a 'modest', shabbily-dressed person who lived in a small apartment in Belgrade. Certainly, voters warmed to him and voted for the DOS coalition because they thought they were voting for him. Many were appalled when Djindjic became prime minister of Serbia - voters in polling stations told BHHRG on 29th September 2002 that they had, in fact, felt cheated.

During its two years in power the DOS coalition has set about reforming the Serbian economy along the usual lines demanded by the international community.

Democratic Party of Serbia

The Democratic Party of Serbia (DSS) is led by the Yugoslav president, Vojislav Kostunica. Although originally part of the DOS coalition that came to power in 2000 the DSS has fallen out with its allies in the opposition - or government, depending on your point of view. In May 2002, 50 DSS party members were accused of poor attendance and were expelled from parliament; they were replaced by 25 other DSS members and representatives from other parties on the 2000 DOS election list.¹¹ At the time the federal constitutional court demanded their return but its Serbian equivalent said the federation had no jurisdiction in the matter. In such an uncertain atmosphere Djindjic and his allies refused to take the 50 back. There was little response at the time from international democratic watchdogs although the OSCE demanded the MPs return during the 2002 election period.

The party was always small - almost insignificant before 2000, but it has gained some support, no doubt because it is the party of the president. However, its programme and that of its leader differs little from the DS and other free-marketeters in the government. As if to carve out some separate identity, and to distance Kostunica from his opponent Miroslav Labus, the DSS says it wants economic reform i.e. privatisations, European integration - but more slowly.

During their recent visit to Belgrade, BHHRG's representatives made several attempts to interview members of the DSS about the presidential campaign. Although at least a dozen functionaries were sitting around, smoking and drinking coffee in the party's headquarters on 28th September, no one was prepared (or interested) in answering the observers' questions. This was in stark contrast to the courteous and informative reception the Group received later that day from the DS's election coordinator.

On the evening of 29th September, when it became clear that Mr. Kostunica was the winner of the first round of voting, BHHRG's observers visited the DSS headquarters to watch the celebrations. The functionaries were still there, now surrounded by a large body of journalists, but they refused, again, to make any comment. More significantly there were no supporters waiting outside to congratulate the winner. The next morning BHHRG returned again to collect any statements the Kostunica campaign might have issued to the press. The office was closed. This seemed to confirm the Group's impression that the DSS and Kostunica campaign was a very half-baked set up.

In fact, BHHRG did catch up with a local branch of the DSS - in Zemun. Sitting in a small room with a photograph of Radovan Karadzic on display, party workers described at some length the various corruption scandals in which the DOS was implicated. It turned out, that much of the evidence for these allegations was not first hand research but based on articles from the Radical Party's magazine *Velika Srbija*. The Group was presented with a copy to check up on the allegations. (In fact, the DSS HQ in Belgrade on Pariska was in the same building as a ground floor café run by supporters of Vojislav Seselj, which was well stocked with his books and party literature. There were more ordinary Radical activists in the café

¹¹ See Misha Savic, "Yugoslavia to Alter Serbian Deputies", AP, 25th May, 2002

than there were DSS members in the Kostunica office three floors up.)

As for Mr. Kostunica's policies, party workers again reiterated their support for economic reform - but at a slower pace - and integration with Europe.

Serbian Socialist Party

As successors to the former Communist Party, the SPS was much the largest party in the country until its defeat in the parliamentary election in December 2000. Since then its membership has plummeted and it has been riven by factionalism. In a country where party affiliation dictates all sorts of jobs and positions, both at the centre and locally, many SPS members will have jumped ship once Milosevic was ousted and the opposition was poised to take power. Many of those who remained in the party were sacked from state organizations and enterprises.

The collapse of the SPS's base has inevitably impacted upon its financial situation. While the party still occupies a substantial building in central Belgrade, its coffers are empty. As more and more workers lose their jobs, the situation can only deteriorate further. On top of this, the SPS has no media outlet

BHHRG was told that there were now up to 5 factions in the party. Many members want to 'move on' and forget the Milosevic era, while others still support the former president. In April 2002, the previous Minister of Science and Technology, Bronislav Ivkovic, criticized the party in the media and organized secret meetings to raise support for his presidential candidacy. In June 2002, a special congress was convened by senior, disaffected party leaders, among them the party's elder statesman, Mihailo Markovic and Ivkovic. But it failed to generate a wholesale disavowal of the present party structures; other attempts by Ivkovic to split the party have, so far, also failed.

The presidential election was to be the focus of further splits. The Socialists put up an actor, Velimir Zivojinovic, as their candidate - unimpressed, Milosevic advised Socialist supporters to vote for Vojislav Seselj. Then, on 23rd August, Ivkovic announced that he was standing as an independent candidate. Why had Ivkovic, a former stout Milosevic supporter defected? The rumour mill in Belgrade said that he had been "blackmailed" for alleged illegal dealings in state property while he had been a minister.

BHHRG visited the Socialist Party headquarters in Belgrade. They noticed many similarities with other long-serving parties of power that have been rejected by the voters in the former Communist bloc: a sense of resignation as well as an underlying assumption that help will have to come from outside to restore their fortunes. There have been reports of future cooperation with the Radical Party and on the basis that it is always good for the opposition to unite, this might breathe some new life in the SPS.

Serbian Radical Party

The Serbian Radical Party has played a strange role in the country's politics over the past ten years. It is a fiercely nationalistic organization but, in reality, it gleans its support from working people, angry with the government's economic policies and its alleged corruption. The party's headquarters have always been on the outskirts of Belgrade in the small Austro-Hungarian town of Zemun where Vojislav Seselj was mayor until local elections held in 2001.

BHHRG visited the Radicals in Zemun. For a party which claims to exist on the subscriptions of its members, these premises are lavish and the Radicals are well-organized. But, like the Socialists they have no mainstream media support. However, the party does publish its own magazine which regales its readers with (detailed) stories of corruption in both high and low places.

For periods of time in the 1990s the Radicals were in the government coalition with the SPS, but the party's leader Vojislav Seselj stood against Milosevic in the 1997 presidential election. Many felt that he was the real winner of the poll in the first election held in

September that year. BHHRG observed that election and recalls that large numbers of voters were disqualified from the final tally of votes in many polling stations in order to lower the percentage of people voting for him and keep him from power.

When Mr. Seselj announced his candidature in 2002, opinion polls predicted that he would only get c. 9% support. However, as in 1997, he proved the pundits wrong. As the election approached there was talk of a war crimes indictment from the Hague arriving on his desk, although this has not happened as this report is written.¹² Nevertheless, it is somewhat strange that Seselj (and the other nationalist politician Vuk Draskovic) have escaped prosecution. Seselj led a group of paramilitaries, the White Eagles, during the war in Croatia which was accused of war crimes at the time.

His staying power on the political scene in Serbia with a well-disciplined organization behind him during a period when the international community was picking off lesser fry to send to the Hague, certainly begs some questions. Perhaps he has his own contacts with the West? After all, he was supported by Human Rights Watch when he was imprisoned in the mid 1980s by the Communist regime. But, whatever the reasons for his survival, Seselj and his party act as a useful safety valve in Serbian politics. However many people vote for him (and BHHRG would suspect that it is a large number) somehow, he never comes to power. No doubt, the results would be massaged by the central authorities as they were in 1997 if his victory seemed a likely outcome, and would the OSCE not turn a blind eye to manipulation as it did 5 years ago?

SPO



Vuk Draskovic - presidential candidate, yet again

BHHRG spoke to Milos Seric, a representative of Vuk Draskovic's Serbian Renewal Movement (SPO) on the eve of the election in the party's Belgrade headquarters. The SPO's main complaint was about the number of names on the voters' registers. It alleged that about 500,000 too many names were on the list of voters and that this was a deliberate policy because it made reaching the 50% threshold improbable. (After the second round of voting on 13th October, Vojislav Kostunica took up this accusation when he attempted to overturn the invalidation of the election because of low turnout.) According to official figures only 18% of the population was too young to vote. The SPO claimed to have evidence of multiple registrations. For example, voter-cards in the name of the same person had been sent out to all the past addresses of certain voters.

As further evidence of the incompetence of the election authorities, the SPO complained that the registration of observers on behalf of the candidates had been centralised in Belgrade. Instead of sending the names of observers to municipal centres as before December, 2000, the parties had to send the names of up to 200,000 potential observers to the State Election Commission in Belgrade. Simple mistakes in transmission and clerical errors meant that thousands of observers had to seek corrections of their letters of authorisation or badges.

¹² "Hague Tribunal Investigating Seselj", RFE/RE, 16th September, 2002

(During his conversation with the BHHRG observers Mr Seric took three calls about this kind of problem.)

The other issue for the SPO was the lack of access to the broadcast media of its candidate, Vuk Draskovic. Leaving aside the state media and foreign-owned press which favoured the two leading DOS candidates to the virtual exclusion of the other 9 candidates, even municipal media were biased. According to Mr Seric the municipal media operated a winner takes all policy: whichever party had 50+1% of the seats on a city council monopolised the local radio and television station. "It has always been this way," he said. Only B-92 had shown any pluralism.

The Candidates

11 candidates stood for election in the 2002 presidential election.

Candidates had to be nominated by a party or by no fewer than 10,000 signatures of citizens. As several candidates ran as independents they must have garnered that number to be registered by the SEC.

In alphabetical order they were: Vuk Draskovic (SPO), Dr. Branislav Ivkovic (independent), Vojislav Kostunica (DSS), Miroljub Labus (ind.), Tomislav Lalosevic (Ind.) , Vuk Obradovic (Social Democracy), Borislav Pelevic (Serbian Unity Party), Nebojsa Pavkovic (Ind.), Dragan Radenovic (Ind.), Vojislav Seselj (SRS), Velimir Bata Zivojinovic (SPS).

The leading candidates were Kostunica and Labus. Opinion polls put Seselj a poor third. Both Draskovic and Seselj have unsuccessfully contested Serbian elections on previous occasions, Draskovic once in 1997, Seselj, twice – in 1990 and 1997.

Miroljub Labus is an economist with the G17 plus group in Belgrade. During the Milosevic era, G17 was always hailed by the West for its commitment to Western, free-market reforms as against the allegedly stone-age economics of the Socialist governments in power during the 1990s. His candidature was supported by a citizens' initiative rather than any political party although everyone knew he was an ally of the DOS. It is a measure of the government's unpopularity that it distanced itself from its own candidate so as not to harm his chances of victory. However, Zoran Gajic head of the electoral unit at Democratic Party headquarters told BHHRG that the DS had taken over Labus's campaign in the 2 weeks leading up to the poll in which time it had become more professional.

The Western media seemed to favour Labus because of his strong support for the standard reform-package already tried elsewhere in East-Central Europe. But, many reports tended to offer bewildering contradictions: on the one hand, Labus was likely to suffer for the economic 'pain' he had brought about while, on the other hand, he was very popular. On 23rd September angry voters in Cacak, a previous heartland of opposition to the former regime, threw eggs at Dr. Labus during an election rally.¹³

BHHRG attended the last Labus rally held on 26th September in Republic Square, Belgrade. Observers say c.13,000 people were in attendance – many were probably office local workers who dutifully attended and waved flags to show support for the speeches from the podium. Serbian TV devoted two hours transmission time to what was a rain-soaked, lacklustre event. Karic TV showed a long interview with Dr. Labus right up to the midnight deadline for political broadcasts on the Friday before polling day.

Among the smaller candidates, the former Army General and Milosevic critic Vuk Obradovic achieved minor notoriety for a sexual harassment scandal in 2001 for which his wing of the party was expelled from the DOS. However, his sins seem to pale into insignificance compared with other minor candidates. For example, Borislav Pelevic was a member of the paramilitary formation known as Arkan's 'Tigers' which was accused of human rights'

¹³ "Yugoslav presidential candidate attacked at rally" RFE/RE, 23rd September, 2002

abuses in Croatia and Bosnia and Nejbosja Pavkovic, former commander of the VJ army during the Kosovo campaign. Pavkovic's candidature was opposed by the SEC but the Supreme Court overturned the decision. At his press conference held in Zemun on 30th September, Mr. Seselj claimed that Pavkovic's candidature should have been annulled as he failed to collect the necessary number of signatures to stand.



Bronislav Ivkovic - former Milosevic supporter and 2002 independent presidential candidate

Of the other candidates, only Branislav Ivkovic had any significant voter recognition. His attempt to take over the SPS failed earlier in the year and he was standing as an independent. Rumour had it that Ivkovic had gone over to Djindjic and his candidature was merely a spoiling operation that would probably – like Pavkovic's – only serve to take votes away from the Socialists and Mr. Seselj.

Election Law: The Law on Presidential elections was passed in 1990 (amended 1992). A candidate can be nominated by political parties, other political organizations or groups of citizens providing 10,000 signatures. Unless a candidate wins over 50% of the vote in the first round a further round must take place a fortnight later in which there must be a turnout of over 50% for the election to be deemed valid. If the election fails completely another election must be held 33 days before the incumbent's term of office comes to an end.¹⁴

The media

All television and radio stations in Serbia, including BK television and TV Pink, now support the government. Even under the Milosevic regime foreign funding promoted opposition radio stations like B92 and Radio Pancevo. Many newspapers and magazines were previously funded from abroad and now have foreign owners - the former regime's leading mouthpiece, *Politika*, is owned by the German media empire Bertelsmann. While there is criticism of the government and scandal-mongering in the press, the bottom line is that all the print media support the present political set up. Or, to put it more bluntly, the largest opposition parties – the SPS and Radicals – have no mainstream media behind them. As public support for the government is so low it appears that most Serbs have no media outlet for their grievances.

Dr. Labus was omnipresent in the media during the presidential campaign. He appeared on news programmes for several hours per week as well as giving lengthy interviews: on the night of 26th September BK TV broadcast a two-hour-long interview with him. Kostunica received the second largest share of pre-election coverage, much of it showing him performing his functions as president of the federation. The other candidates were allowed brief presentation slots late in the evening. Mr. Seselj had no media exposure although he was shown in one news item carrying a gun.

¹⁴ See: OSCE/ODIHR "Assessment of the Laws on Parliamentary and Presidential Elections in the Republic of Serbia (FRY), Warsaw, 26th April, 2002

On 9th October, 4 days before the second round of voting, the two candidates held a televised debate lasting 2 hours. According to B92 it was a “lacklustre performance”. The uncharismatic personalities of the two candidates was not enhanced by the fact that they both basically agreed. Dr. Labus began the debate by “praising his opponent, describing him as a colleague and someone of whom he thought highly”. It is little wonder that many viewers, including Zoran Djindjic, preferred to tune in to a basketball match instead.¹⁵

Polling Day

BHHRG observers monitored the voting in Novi Sad, Pozarevo, Smederovo, Grotška, Bolec, Batanica, Zabaj, Djordjevo, Titel, Pancevo and Belgrade.

Polling stations were properly organized although the arrangements for filling in ballot papers were unsatisfactory. Voting booths were simple pieces of cardboard propped up on a table which provided no voter secrecy. This system has always been used in Serbia and even though the OSCE has suggested changes to some of the election procedures e.g. the introduction of the Perspex ballot box, they have not intervened to change this aspect of voting. There were no police or seemingly unauthorized people hanging around the polling stations neither were there any additional lists of voters or mobile ballot boxes for the sick.

Complaints were made before the election about the accuracy of the voting registers, both by the SOP and the Radicals. The last census stated that there were over 6m. voters in Serbia which these parties contested. However, no one reported problems to BHHRG observers on voting day itself and no one claimed to have been left off the lists. Perhaps things were different in Kosovo and southern Serbia.

There was some confusion about the composition of the electoral commissions. The law created permanent commissions with three members (and their proxies) while the rest were only present on a part-time basis. The commission chairmen/women were nearly always members of the DS – BHHRG encountered one SOP chairman in Vojvodina and another from the SPS in Pozarevo – but the role of the other members of the commission was often confused. In some places they were introduced as ‘observers’ in others it was accepted that they were full members of the commission. In Pancevo No. 40 the DS chairman told BHHRG that the ‘other’ members of the commission couldn’t take part in the count nor could they sign the protocols. However, at the count in Belgrade No. 108 all members of the commission, both permanent and temporary, took part at all stages of the proceedings and the count.

The preponderance of members from one party in the higher echelons of the election process is to be regretted. This position was taken by the Socialists in the past and it is surprising that it carries on in what is meant to be a more democratic environment. Although BHHRG didn’t see DS chairmen do anything wrong (apart conceivably in Pancevo) they are likely to be important people in their communities whose presence might intimidate people to vote in certain ways. In one polling station where the whole commission were DOS members, BHHRG was told that “we are just one happy family”. Such chumminess gives rise to concern about objectivity especially when the secrecy of the actual voting process is not properly protected, as it isn’t in Serbia.

The omnipresence of DS functionaries on the election commissions was compounded by the behaviour of the domestic election observers, mostly young people, from the organization CeSID. Although it started in the 1990s, CeSID only really came into its own in the 2000 elections. By this time it was heavily funded by the West and assumed to be pro-opposition (as then was). BHHRG expressed reservations about the impartiality of CeSID in its report on the 2000 parliamentary election [BHHRG: Serbia Parliamentary election: 2000] Similar reservations applied in September 2002. When the Group’s observers arrived in a polling station they would often find the CeSID representative sitting among members of the commission. Often he (it was rarely she) would be the one giving out the details to observers. It was as though they really controlled the whole process. This concern about the impartiality

¹⁵ See, for example: “Lackluster Presidential Debate in Serbia”, RFE/RL, 10/10/02

of CeSID was confirmed as results were announced following the 13th October second round of voting when agencies and newspapers seemed to take all their information from CeSID rather than from the state electoral commission.

Turnout was slow throughout the day although there was some evidence that more people came to vote in the two hours before the polls closed. Heavy rain may have contributed to the poor attendance both on the 29th September and during the second round of voting on 13th October. The two counts observed by BHHRG were conducted speedily and properly. However, the election failed in both polling stations due to low turnout: in Belgrade No. 108, it was 44.59%, in Novi Belgrade No. 1, 44.59%.

Voters: BHHRG talked to many voters about the election campaign in their region and what they hoped would be the outcome of the poll. To the latter question most voters replied “a change of government”. There was widespread discontent over unemployment, the cost of living and crime. Many people said the crime rate had soared in their communities since the last election. In the rural regions voters complained about low prices for their produce, especially grain – even in these areas which are still widely cultivated more than half the adult population is out of work.

Although many voters understood that the post of president was largely ceremonial, others felt that the constitution gave the incumbent more powers, that is, if he chose to use them. But, BHHRG felt that the majority of voters were there to make a protest and (they hoped) somehow bring about new parliamentary elections by doing so.

There seemed to have been little campaigning. In Vojvodina observers were told that Seselj was the only candidate who had visited the region personally. No one had seen either Kostunica or Labus. On top of this, no one expressed enthusiasm for either man – only one person mentioned the president with approval. Although BHHRG never asks people how they vote, many volunteered that they favoured Mr. Seselj and the Group got the strong impression that people in Vojvodina had supported him overwhelmingly.

However, such people may not have *voted* for him. As the DS and its allies are now the party of power many people may have opted for Labus or Kostunica as a way of clinging to the wreckage of a job in an office or factory which somehow depended on the good offices of a government supporter.

Results

Kostunica (30.89%) Labus (27.36%), Seselj (23.24%), Draskovic (4.4%), Pelevic (3.83%), Zivojinovic (3.27%), Pavkovic (2.08%), Ivkovic (1.18%)

Turnout: 55.5%

Post election

The failure of the first round to surmount the 50% turnout requirement came as no surprise. The greatest upset was that 23% voted for Vojislav Seselj who had only been predicted to poll in single figures. This did not surprise BHHRG’s observers who had sensed that many people would vote for the Radical Party’s leader.



Vojislav Seselj at his press conference in Zemun, 30th September, 2002

At his press conference held in Zemun on 30th September Seselj made various criticisms of the conduct of the election claiming that several candidates, including Pavkovic, received less than 10,000 signatures. He also criticized the accuracy of the voters' lists. However, he didn't complain about the conduct of the poll on election day itself.

Real interest centred on whether he would advise his voters to boycott the second round of voting which he did on 3rd October, as expected. A rumour started to circulate that Mr. Seselj had been "paid off" to do this by Zoran Djindjic as it was expected that Seselj's voters would turn to Dr. Kostunica in the second round. *The Economist* even carried the rumour,¹⁶ and although the media in Serbia did not explicitly say money had changed hands they did concur in that Djindjic would not be unhappy if the second round failed, leaving him to run the country unopposed.

BHHRG did not observe the second round of voting. As predicted, turnout did not meet the required 50% and the election was pronounced invalid. Reports during the day showed that few ethnic minorities voted, for example in Sandjak and the Presovo region. In other words, many former Labus voters must have stayed at home.

Result of the Second Round: Kostunica (67%, Labus (31%) Turnout:45.5%

As predicted, the second round of the election failed due to low voter turnout. Blame was placed in all directions – on Seselj's call for a boycott and Djindjic's silent acquiescence but most of all on the election law (which also meant blaming Mr. Milosevic). The OSCE demanded that it be changed to remove the 50% threshold for turnout in the second round and the US has since called for a change to the election law. It is noticeable that no such demands have been made for Russia to change similar rules. Parliament met on 18th October to discuss implementing these changes, but failed to reach an agreement.

Dr. Kostunica abandoned his normal phlegmatism and appealed to the State Election Commission and then to the Supreme Court, claiming that he was the outright winner on 13th October – he blamed inaccurate voter registers which, he said, had been inflated by up to 630,000 'dead souls'. But the appeal was refused at a Sunday sitting of the court held on 20th October. The judges said that the grounds for the appeal were inadequate as the Kostunica campaign had never before made any reference to faulty registers. BHHRG can confirm this: on 12th October, DSS representatives in Zemun said that the party had no complaints about the state of the voters' lists.

At the same time, the DSS restarted the process of getting their deputies back into the parliament a move also connected with ending the election impasse. The Serbian Constitutional Court is considering the case but has yet to rule on the issue. There is obviously a move underway to bring down the government. Certain small parties in the DOS

¹⁶ See "Backwards or forwards" in *The Economist*, October 5-12, 2002

coalition - the Democratic Alternative, Democratic Centre and Vojvodina Reformists - have already expressed disenchantment with the Djindjic faction. The failure to elect Dr. Kostunica deprives the disaffected parties of a natural leader. Although the Serbian president cannot dismiss the government he would be more likely to call new elections if there was a government crisis rather than advise the coalition to try to patch things up.

Conclusion

The inconclusive outcome of the Serbian presidential election had been predicted. Neither of the leading candidates had strong enough support in the country to overcome the public's general apathy : they were both seen as grey men offering the same road to paradise, one on a steam ship the other on a cruise liner. Only Vojislav Seselj promised the public something they genuinely desired - a halt to 'economic reform' and a crack down on crime. But, somehow, people with agendas like this never manage to get elected in any of the former Communist countries undergoing painful transition.

Had the outcome of this election really mattered, the international community would, no doubt, have overlooked fraudulent means to bring about its successful conclusion. The truth is that they were probably fairly relaxed either way: whoever won, the steamroller of privatisation and economic reform was going to continue unabated anyway.

However, this doesn't alter the fact that there are genuine rivalries and tense battles taking place within the Serbian establishment, particularly over the division of the spoils of privatisation. This also impacts upon future constitutional arrangements now under consideration in Belgrade. Should a further regionalization of the country take place, as already indicated, the poorer parts of the country – like southern Serbia - can expect their situation to deteriorate even more.

A decision about the holding of a new election has still to be made. In the meantime the country has been engulfed by a new scandal - accused of exporting armaments to Iraq in contravention of UN sanctions. The allegations also point to the involvement of armament manufacturers in Republika Srpska. However, although everyone from Slobodan Milosevic to Vojislav Seselj has been targeted for blame by the foreign media,¹⁷ Mr. Djindjic – the man in control of the country – remains immune to criticism.

¹⁷ See Stephen Schwartz, "From Belgrade to Baghdad" in *The Spectator*, 2nd November 2002 < www.spectator.co.uk >