

## Serbian Parliamentary Elections, 23<sup>rd</sup> December 2000

The early parliamentary election held on 23<sup>rd</sup> December, 2000 nearly completes the series of institutional changes that have taken place in Serbia since the revolution –sometimes referred to as a *coup* - on 5<sup>th</sup> October. BHHRG's latest report from the Balkans examines the election itself and also looks at a range of issues surrounding the recent dramatic changes within Serbia.

### I. Introduction

Following the violent events in Belgrade on 5<sup>th</sup> October, especially the ransacking of the federal parliament and the seizure by force of the main state television station, the man who had dominated Yugoslav politics for a decade, Slobodan Milošević, conceded defeat to Dr. Vojislav Koštunica, leader of the Democratic Opposition of Serbia. If Milošević had not been forced from power in this way, his term would have ended in June 2001 even if he had lost the elections. This disruption of the constitutional order in Yugoslavia was to be only the first in a series of semi - or unconstitutional steps, by means of which the new regime in Belgrade has consolidated its power over all aspects of Serbia's political and economic life.

Although the Western media still talk about a spontaneous revolution, it is also now a matter of public record that the events were carefully planned in advance. The Mayor of Čačak, Velimir Ilić, has boasted in numerous interviews about the planning which went into the events and about the contacts he had beforehand with members of the secret police. One Western article has also given details of the key role played by American officials. ("US advice guided Milošević opposition", by Michael Dobbs, *Washington Post*, 11<sup>th</sup> December, 2000.) Even supporters of the regime-change in Yugoslavia refer to those events as a "coup" (see the laudatory account of the events, and the lead-up to them, in the book, ("October 5<sup>th</sup> – a 24 hour coup" by Dragan Bujošović and Ivan Radovanović, Media Centre, Belgrade, 2000). Others, such as the Socialists, use the even more emotive word "putsch", even though they seem to have accepted its consequences. For these and other reasons, there must be concern about the truly democratic and pluralist nature of the new regime in Belgrade.

### II. The background to the Serbian elections

Despite the drama of the events of 5<sup>th</sup> October, the job was less than half done when Dr. Koštunica assumed office, for Koštunica had become the federal president of a practically non-existent federal state. The federal organs in Yugoslavia do not control the federation, which consists of Serbia and Montenegro, the latter of which simply ignores federal laws. Milošević's personal power came not from his job as federal president but instead from his support within the Socialist Party of Serbia, which dominated the federal and Serbian parliaments. By contrast, Koštunica had no such party apparatus to sustain his rule, his Democratic Party of Serbia being a relatively light structure with little grass roots support beyond that which accrues to the person of Dr. Koštunica himself. The new regime, which strangely continued to refer to itself as the "Democratic *Opposition* of Serbia" even after it had been elected to office, therefore instantly announced its intention to remove all traces of any opposition to itself. A key element in this strategy was to conquer the real prize, power in Serbia itself, and thereby to control all the levers of power in the new Yugoslavia.

The revolutionary atmosphere in Belgrade was conducive to a whole series of changes which went well beyond the limits of constitutional propriety. The new regime prevailed upon Montenegrin members of the newly elected federal parliament in which the Socialists and their allies had won an uncontested majority, to split off from their Socialist allies and form a new coalition at federal level instead. (The fact that the Socialists and their allies won enough seats to command a majority in the federal parliament on 24<sup>th</sup> September explains why it and not the president's office was the focus for violent attacks on 5<sup>th</sup> October.) For the new reformers in Belgrade, the notion of "cohabitation" between a president of one political complexion and a government of another was anathema, even though this arrangement has proved workable and popular in both France and the United States. The new regime also

wanted to purge not only the political structures of the country but also its economic structures: numerous heads of enterprises have already been forced out of their jobs at gunpoint.

Above all, however, the new regime was determined to seize power in Serbia as well. It therefore also prevailed on the Serbian government to resign, even though its term should have lasted until 2001, and persuaded the Serbian president to dissolve the republican parliament and to hold new elections. It is these elections which were held on 23<sup>rd</sup> December. At the same time, the whole media – press as well as electronic media – now support the DOS coalition at the expense of all other political forces in the country. This means that the DOS coalition has achieved a domination of political and economic life of which Slobodan Milošević could only have dreamed. All levels of government – federal, republican and local – will be in the hands of the new governments and its supporters, as will Serbia's major enterprises and all media. Whatever the motives of those who have amassed this power, and whatever the shortcomings of the old regime, it is difficult to see how these arrangements are compatible with the new era of pluralism which has supposedly dawned in Serbia.

### **The Political Parties and other political forces**

BHHRG sent four observers to the Serbian elections. They interviewed representatives of the main political parties, studied the media in the run-up to the vote, monitored polling in Belgrade, Zemun, Batajnica, Novi Sad, Indjiya, Stara Pazova, Sremski Karlovci and observed the count in two polling stations in the old town of central Belgrade.

### **The Democratic Party**

The greatest paradox of the new order in Serbia is that the long-standing rule of a popular politician, Slobodan Milošević, who won nearly 40% of the vote in September and whose political allies won a majority in the federal parliament, has been replaced by that of a man, Zoran Djindjić, who has never commanded the support of more than 10% of the Serbian population. His unpopularity stems from the public perception of him as a foreign agent and also from allegations of corruption made against him while he was the Mayor of Belgrade for a few months in 1997. This unpopularity was exacerbated during the Nato attacks on Yugoslavia in the spring of 1999, a period which Mr. Djindjić spent playing tennis in Montenegro.

Despite this, following the expected victory of the DOS coalition on 23<sup>rd</sup> December, Mr. Djindjić is now the most powerful man in Yugoslav politics. This has been achieved by the fact that President Vojislav Koštunica, who does seem to enjoy a very high level of popularity in Serbia, lent his name to the party list headed by Mr. Djindjić. Many Serbs may not have realised that a vote for the list entitled "Dr. Vojislav Koštunica", the federal president of Yugoslavia, was in fact a vote for a Serbian government headed by Zoran Djindjić. This was indeed a very questionable electoral procedure. It is rather as if German voters were to vote for their Chancellor (head of government) by voting for a list bearing the name of their (powerless) federal president.

The DOS coalition did its utmost to cultivate this confusion. Its election literature made absolutely no mention of Mr. Djindjić, whose name and face were nowhere to be seen in the election literature. Election pamphlets distributed in Serbian homes and on the street made no mention of Zoran Djindjić's name. Moreover, the voting bulletins were constructed in such a way that his name was obscured by the long list of the component parties of the DOS coalition. Unlike Mr. Koštunica's name, which was in capital letters, that of Mr. Djindjić was in lower case at the end of a long paragraph. Finally, the Socialists, who seemed to be suffering from something of a political meltdown, failed to exploit Mr. Djindjić's personal unpopularity in their campaign: whereas the DOS coalition succeeded in making the federal elections in September a referendum on the personality of Mr. Milošević, the Socialists failed to turn the Serbian elections into a referendum on the personality of Mr. Djindjić.

The DOS coalition has never made any secret of its desire to remove *all* traces of the old regime, even though this seems incompatible with normal democratic practice. This goal

was confirmed to BHHRG by Alexandra Joksimović, the International Secretary of the Democratic Party, and has never been in any serious doubt. According to Mrs. Joksimović, indeed, the elections of 23<sup>rd</sup> December were only “the first stage” in this process. She expressed the desire that the new regime’s consolidation of power be “an irreversible process”. She used graphic language to illustrate this, saying that the purges of the media would mean “the death sentence” for any journalist who had enthusiastically supported the old regime.

The DOS took the highly irregular step during the election campaign of using the Belgrade city hall as its election headquarters. There can be no doubt that if the Socialists under Milošević had done this, it would have been adduced as a flagrant example of how the Socialist Party had itself hijacked the apparatus of the state. This infraction is especially worrying in view of the massive political emphasis which the DOS lays upon its fight against the corruption of the old regime. Anyone familiar with the history of communism, including that of present-day China, will immediately recognise in the “fight against corruption” a well-known pretext for conducting purges of undesired elements. However undesirable corruption is, the fight against it has often been abused. Unfortunately, given all the other elements now in place in Serbia which might permit such abuse, this bodes ill for the future.

### **Zoran Djindjić**

Zoran Djindjić is an almost perfect paradigm of the reformist post-modern politician in a post-Communist country. He has been prominent in Serbian politics for the last decade, in which he founded the Democratic Party. Together with other parties from the anti-Milošević opposition, he organised the anti-government protests in late 1996 under the banner of the *Zajedno* coalition which held together from November 1996 until May 1997. He became briefly Mayor of Belgrade but fell out with the other main opposition leader, Vuk Drašković and, for a while, the opposition seemed to collapse. It was largely thanks to American help that Djindjić’s Democratic Party, the least popular of the *Zajedno* parties, was selected, together with the unknown Dr. Koštunica as a front, to lead the anti-Milošević forces to their victories in September and December.

Dr. Djindjić played a prominent role in the development of radical Serbian nationalism during the Bosnian war. He was the last Serbian political leader publicly to endorse Dr. Radovan Karadžić in the first post-Dayton Bosnian elections, when he met the indicted war criminal somewhere near Pale. The nub of the Serbian opposition’s attack then was that Milošević was selling out the Greater Serbian nationalist cause. In December 1996, Djindjić told the German media that the victory of the opposition would facilitate the “*Anschluß*” of Republika Srpska with Serbia itself, something which the West would not allow to occur while Milošević was in power. Similarly, during the events of the last few months, General Momčilo Perišić has been attacking Mr. Milošević for giving up “Serbian land” in Bosnia and Macedonia. General Perišić ran a prominent campaign in December and he has now been appointed Deputy Minister for Defence.

Before entering politics, Dr. Djindjić was a professional Marxist philosopher. He left Tito’s Yugoslavia in the late 1970s to study under the German hardline Marxist philosopher, Jürgen Habermas. In Germany, he knew people associated with the radical left on the fringes of the Baader-Meinhof gang and the Red Army Faction: in this respect, he resembles the German Foreign Minister, Joschka Fischer. In 1979, Djindjić defended his doctoral thesis at the University of Constance on “Marx’s Critical Theory of Society and the Problem of Foundation” (Konstanz, 23<sup>rd</sup> July 1979), in which he developed an epistemological basis for Marx’s theory that a crisis is necessary in society for the old order to be swept away and a new one to be ushered in.

In 1984, Dr Djindjić participated in a symposium of philosophers from Germany, Yugoslavia and other countries on the Frankfurt School, the group of left wing thinkers around Max Horkheimer and Theodor Adorno who posited the end of family structures and the decline of authority in society as the keys to social revolution. The symposium was subsequently published as a book, *Die Frankfurter Schule und die Folgen*, hrsg. Axel Honneth and

Albrecht Wellmer, Walter de Gruyter, Berlin, 1986. In his lecture, 'Continuity in the criticism of liberalism from Marx to the Frankfurt School,' Dr Djindjic explained that he had come to Germany in the early 1970s especially to study the Frankfurt school, which he considered to be the only legitimate continuation of Marxism. "There were at least two reasons," Dr Djindjic writes, "why the theory of the Frankfurt School supported gave crucial support to Yugoslav Marxism at a decisive moment: the political enthusiasm for socialism had cooled off, and the belief in a 'dialectical necessity' had long collapsed. What we needed was a foundation for the theory of emancipation appropriate for a consciousness which was no longer naive. Furthermore, Marxist theory had encountered dangerous competition as a result of Yugoslavia's openness to the West, above all from the philosophy of Heidegger and from analytical philosophy which was becoming ever more popular." In other words, Dr Djindjic travelled to Germany to study the Frankfurt School in order to find there intellectual nourishment for his crusade to maintain and strengthen Marxism in a Yugoslavia which was for him already too bourgeois and liberal.

What interested Dr. Djindjic most in the Frankfurt School was indeed its attack on bourgeois liberalism. He argued that the Frankfurt School had formulated the attack on liberalism better even than Marx, for it had shown that fascism was the result of liberalism. Fascism had not been the antithesis of liberalism, as Marxists had claimed: it had merely hidden from view its own underlying liberal elements. What Dr. Djindjic wanted was something far more anti-liberal than either Marxism or fascism, and he seemed to find it in Frankfurt. The key lay in the bourgeois society, which had begun in 1789 and culminated in Hitler. Nonetheless, Dr Djindjic also detected shortcomings in the Frankfurt School's theories of total social change: he thought that the school was incapable of either understanding modern complex society or of changing it. State socialism was failing on both these counts as well, concluded Dr Djindjic. "For those authors of the Frankfurt School who witnessed the uprisings in Poland, Hungary and Czechoslovakia (1956 and 1968) it must have seemed like a hopeless anachronism that these emancipation movements expressed their programmes in the categories of bourgeois civilisation."

In the light of the energy crisis into which Serbia has been plunged since 23<sup>rd</sup> December, the suspicion must be that some of Dr. Djindjic's old theories continue to nourish his political thought. This power crisis is inexplicable as a technical shortcoming, since electricity supplies worked perfectly well throughout the Nato attacks on Yugoslavia despite the widespread use of graphite bombs whose function is to knock out electricity supplies. The new regime tries to blame the Milošević government for the electricity failures but such an explanation simply does not hold water: why did the electricity work then but not now? Could it be that the sudden series of power cuts have been deliberately engineered in order to create a sense of social crisis, in order better to implement a process of thorough-going social change? At least one of Dr. Djindjic's admirers has emphasised how his revolutionary ideology prepared him well for the seizure of power on 5<sup>th</sup> October. Dr. Djindjic is quoted as remembering well "how Trotsky took over the bloodstream of the revolution" in 1917. ("October 5<sup>th</sup> – a 24 hour coup" by Dragan Bujošović and Ivan Radovanović, Media Centre, Belgrade, 2000, p. 302.)

### **The Democratic Party of Serbia**

The relationship between the Democratic Party and Vojislav Koštunica's Democratic Party of Serbia is symbiotic. The former has the apparatus and the structures; the latter the popularity (for the time being anyway). This relationship is both helpful and problematic for both of them. For instance, while it was made clear to BHHRG by a representative of the Democratic Party that ministerial portfolios in the Serbian government had already been distributed by the DP party hierarchy, the Democratic Party of Serbia insisted that ministerial appointments remained an open question which would be decided "by negotiation" following the elections. The DPS's representatives even told the BHHRG, rather unrealistically, that it did not matter who was the prime minister in the new Serbian government. What mattered, they said, was "transparency," even though, as we have seen, the manner of the election of Zoran Djindjic as Serbian prime minister was anything but transparent.

By the same token, the Democratic Party of Serbia seemed ill prepared for government. When asked about the likely effect of dumped agricultural exports from the European Union, for instance – one of the factors in the wholesale destruction of agricultural production in neighbouring Bulgaria and Romania – DPS representatives Aleksandar Popović and Djurdje Nunkević simply said that they would “learn from the mistakes” made in other transition countries and that they would “negotiate” with the European Union to prevent the damaging effects of dumped exports on local production. Given that successive British governments say that they have been negotiating to reform the Common Agricultural Policy ever since the United Kingdom joined the EEC in 1972, it seems rather naïve to suggest that Serbia, which is not even a member, will manage to overturn its destructive consequences.

The Democratic Party of Serbia claimed to BHHRG that food prices would have to rise in Serbia “to economic levels”. Agriculture in Serbia has been characterised to date by a large number of small private farms and a system of fixed prices which were kept artificially low in order to control the cost of basic foodstuffs. (While such policies seem remarkably backward in the present world atmosphere of allowing the market to decide all price levels, it should be recalled that even in advanced countries such price controls have been practised in the recent past: the price of bread in France, for instance, was liberalised only in 1984.) Price controls have already been abandoned in Serbia and prices of basic foodstuffs have already risen accordingly, much to the population’s dissatisfaction. DPS representatives tried to blame the previous administration for the abandonment of subsidies - a strange position to take since they advocate the same policy themselves.

They also had a rather naïve view on the virtuous economic effects of these price rises, claiming that increased production prices for farmers would stimulate demand for goods produced in cities and therefore start a virtuous circle of ever increasing consumption and production. This fails to take account of the two key factors which have characterised transition economies in all of Serbia’s neighbours: dumped food exports from the EU destroy local production, while the opening of markets to imports and hostile take-overs generally causes the closure of local industrial production anyway. The circle produced is vicious, not virtuous. Serbia still produces a large number of industrial and other goods but it is difficult to see how this situation can last for much longer.

Moreover, when asked whether their message to the Serbian people was that things would get better or worse in the short and medium term, DPS representatives said that what they offered the electorate was “optimism”. Given that very extended power cuts (10 hours on 28<sup>th</sup> December in Belgrade) and the consequent failures in the water supply (water was cut off in Belgrade for two days on 24<sup>th</sup> and 25<sup>th</sup> December), it seems improbable that such an intangible commodity as optimism will last for very long.

The question about what has been said to Serbian voters is important because there is evidence that one message has been peddled at home and another abroad. Serbian voters have been recklessly encouraged to expect sudden increases in living standards thanks to the lifting of sanctions and the delivery of humanitarian aid. Both Mrs Joksimović of the Democratic Party and Mr. Nunkević of the Democratic Party of Serbia told the BHHRG that simply lifting the lid on corruption would immediately release resources into the economy. But, the new power in Serbia has been telling a different story to the West. Dr. Djindjić informed the German television channel, *Deutsche Welle*, on 23<sup>rd</sup> December that, “We cannot hide the truth from the Serbian people, otherwise we will miss the chance to implement reform.” The clear implication is that things must get worse before they get better. Unfortunately, hiding the truth from the Serbian people is exactly what the DOS coalition has done to win power. This may not be an unusual practice in any democracy but it means that the euphoria over the new government is unlikely to last for very long.

A further element of unrealism came in the assurances given to BHHRG that the media was “too slavish” towards the new regime and that, once in power, this issue would be addressed. Power is never relinquished willingly in any country and it is simply impossible to imagine that a government, presented with a media which is entirely under its control, would voluntarily do anything to change that situation to its disadvantage.

## The Socialist Party of Serbia

For the last decade the most powerful and best organised party in Yugoslavia, the Socialist Party of Serbia seemed to be in a state of shock following its comprehensive defeat in September. The Socialists' December campaign was weak: although their leader, Slobodan Milošević, spoke for two hours on Palma Television, he was otherwise absent from the political scene. The Socialists also found it impossible to adapt to the new arrangements whereby they were barred from access to the media. Vladimir Kršljanin, the head of the International Department, admitted to BHHRG representatives that the Socialists had wielded too much control over the television when they had been in power. However, he insisted that position was now worse for the Socialists than it had been for the then opposition, which controlled the majority of the national printed press and numerous local TV and radio stations. Now, by contrast, the Socialists have not one single media outlet in the entire country.

The Socialists have been fairly active in publicising the way in which the odds were stacked against them in the elections. Their officials distributed copies of the 11<sup>th</sup> December *Washington Post* article by Michael Dobbs which explained how US officials masterminded the DOS' electoral strategy and the events of 5<sup>th</sup> October. They have also made detailed submissions on infractions of the media rules committed by the DOS coalition.

For instance, the Socialists quote various media study centres which have confirmed the overwhelming bias against them. The pro-government newspapers *Blic* and *Politika* confirmed on 27<sup>th</sup> October 2000 and 9<sup>th</sup> November 2000 respectively that "biased and negative reporting" is given to the Socialists and their allies, and that there was "a noticeable absence of representatives of the parties of the left in the media". These reports were based on studies by "Strategic Marketing" and "Media Centre".

The Media Centre and Strategic Marketing also reported that in the period from 1<sup>st</sup> to 7<sup>th</sup> December 2000, the electronic media massively favoured the DOS coalition. "In five Belgrade dailies there were 174 reports on this coalition, which is far more than all the other parties together. The Socialists, Yugoslav United Left, the Serbian Renewal Movement, the Serbian Radical Party and other parties were "worth" 127 reports in *Politika*, *Glas*, *Blic*, *Novosti*, *Danas*. In the same period, the first place in the electronic media was given to the Federal Government, in second place was President Koštunica (especially his "private" visit to Chilandar, the Serbian Orthodox Monastery on Mount Athos), followed by the new central bank governor Mladan Dinkić with 134 reports." (*Politika*, 9<sup>th</sup> November 2000)

The Socialists also complain about the barrage of untruths which are being spread in the media concerning allegations of personal enrichment by members of the Socialist government. As in Croatia, it is clear that extravagant news "reports" about personal corruption of members of the old regime are, at least in part, simply electoral propaganda in disguise.

The Socialists have also, naturally, complained about the forceful eviction (sometimes at gunpoint) of company managers associated with the Socialist Regime. "All over Serbia," says a Socialist Party document, "DOS and Otpor militants have demolished and robbed SPS offices and jeopardised the lives of members of the SPS leadership in Belgrade, Lajkovac, Leskovac, Smeredevo, Raška, Kragujevac, Pančevo, Novi Sad, Temerin, Ada, Kanjiza, Senta, Zrenjanin, Prokuplje. In some municipalities, e.g. Ub, where the SPS-JUL coalition won the majority of votes in the local elections, DOS violently took power, storming the offices of the local government and appointing a new leadership, contrary to existing legislation and election results." They also allege that threatening leaflets have been distributed to the homes of their officials.

Above all, of course, the Socialists complain bitterly about the level of foreign, mainly American interference in the election campaign. They rightly point out that foreign financial aid is illegal in Yugoslavia, as it is in many Western countries. Various US agencies have given money for the promotion of "democracy," in other words for the activities of the DOS coalition and its allies. These sums have been openly discussed and admitted, although the

suspicion must remain that other monies have been paid in addition through covert means. The Socialists also draw attention to the aid given to “opposition” groups by the Ronco Consulting Corporation, a company given the contracts for de-mining on the territories of the former Yugoslavia. It is a bad day for human rights when humanitarian operations like de-mining are abused for the promotion of particular political outcomes. All of these aid programmes are quite open in their insistence that the purpose of the aid was to remove Slobodan Milošević and his Socialists. Such an aim is, however, incompatible with the promotion of democracy: promoting democracy should mean promoting democratic processes, not ensuring pre-determined political outcomes.

The Socialists also claimed in their submissions that voters in Kosovo were prevented from voting. Traditionally, the Socialist showing in Kosovo has been strong and, due to the abstention of the majority ethnic Albanian population, electorally very significant because so many seats could be won there with relatively few votes. The Socialists allege that the Serbian electoral committee failed to assign polling stations in the Pomoravski county of Kosovo, thus preventing local Serbs there from exercising their right to vote. Serbs cannot move freely around Kosovo: they live in a state of effective siege by the local Albanian population and depend on Kfor's co-operation to travel from one part of the province to another. It is, therefore, likely that an important part of the Serb population was effectively denied the right to vote, with the according distorting effect on the result of the distribution of seats in the Serb parliament.

### **Otpor**

The student movement, Otpor (Resistance), has played a key role in undermining the Milošević regime since the end of the Nato hostilities. It was Otpor which distributed thousands of stickers bearing the slogan “*Gotov je!*” for the benefit of the TV cameras on 5<sup>th</sup> October – even though these stickers were paid for by the United States. “*Gotov je*” means “He’s finished” and this was followed up with a similar poster campaign on 23<sup>rd</sup> December consisting of the slogan “*Overi!*” or “Be sure” – i.e. that he is finished off. The “*Overi!*” slogans were printed in a rather sinister way, in menacing black letters and sometimes with Slobodan Milošević’s face. It is a matter of considerable concern that “*Overi!*” is Mafia slang for the three shots which contract killers pump into an already dead body in order to be sure that the victim has, indeed, been finished off. It hardly bodes well for Serbian democracy that such vocabulary is associated with the new era.

Otpor also ran a poster campaign with the equally sinister slogan, “We are watching you,” an apparently direct reference to George Orwell’s 1984. The motif of these posters is a bulldozer, a reminder of the heroic vehicle that headed the ‘march on Belgrade’ from Cacak on 5<sup>th</sup> October; it also, no doubt, emphasises the DOS’ attitude towards its opponents. The Socialists have alleged that menacing leaflets of this nature have been sent to the homes of Socialist Party activists. Finally, Otpor has not hesitated to recruit under-age persons for its purposes, an action which is strictly incompatible with the duty of political organisations not to exploit the young.

### **The Electoral Campaign and the Media**

The election campaign was conducted with the same revolutionary fervour that followed the events of 5<sup>th</sup> October again with massive interference and support from the West. Inevitably, there were serious breaches of due electoral process. While there is little doubt that the Socialist Party has genuinely suffered a massive and sudden loss of support (and probably also of nerve), it is disappointing to observe the new democratic regime using many of the tactics for which they attack their Socialist enemies.

The clearest infractions of the electoral process came in the abuse of the rule imposing a “silence” on political parties in the three days before the election. The Socialist Party detailed nine such infractions on 21<sup>st</sup> December alone, which they submitted in a letter to the OSCE

on that day. These include mainly interviews with DOS politicians but also other untoward publication of bogus interviews and news items with a political bias. The party received no response from the OSCE delegation present in Belgrade.

There were other more surreptitious means by which electoral propaganda was produced in a period when there should have been none. On television, there were numerous commercial break advertisements for the new banknotes which have been produced since the present federal government took power in October. People were shown covering their walls with useless old hyperinflationary dinars and then turning to the new German-produced banknotes instead. The "new money for a new era" of which TV advertisements and posters spoke so proudly was little more than a covert plug for the DOS coalition.

Meanwhile, it is another paradox of the new order that the news programmes now pump out blanket coverage of the federal president which is of a slavish obsequiousness quite unknown in the Milošević era. Milošević was notable by his absence from Yugoslav TV screens while he was federal president, even during the Nato attacks on Yugoslavia - circumstances which many other state leaders would have exploited in order to strike a heroic and prominent pose. By contrast, one can now hardly switch on the TV without hearing about Vojislav Koštunica. His constant foreign visits are reported at very great (and very boring) length; the cameras lovingly show his every movement, including quite irrelevant things like him getting in and out of his official car; and he is allowed to speak at very great length on the TV, including of course during election time when the "silence" is supposed to be observed. Given that the main electoral appeal of the new administration is rapprochement with the West, and given that Dr. Koštunica lent his name to the DOS list for the Serbian elections, such news reports cannot under any circumstances be considered politically neutral.

In the same vein, the constant "news items" must be criticised which poured out of the press and electronic media on two topics which are also at the heart of the DOS's political platform: the allegations of corruption against the old regime and the delivery of humanitarian aid from around the world as a result of the DOS victory in September. Such news items are of major political significance and cannot be considered compatible with the rule on electoral silence.

The state of media pluralism is, therefore, now much worse than it was under Slobodan Milošević. All the media in Serbia is now controlled by the government. BHHRG representatives received many complaints to this effect from officials of the Radical Party of Serbia (led by Dr. Vojislav Šešelj) and from representatives of the Serbian Renewal Movement (led by Vuk Drašković) that the media situation was "worse than" or "as bad as" under Milošević. Although both of these parties have governed in coalition with the Socialists (especially the Radicals) the Serbian Renewal Movement has a long and distinguished history of opposition to the Socialists. Why should the Democratic Party and its DOS allies now be considered the only valid representatives of "democracy"? Under the Socialist led government, national television station was negative towards the opposition but the press was overwhelmingly on their side. The opposition also controlled numerous electronic media outlets, particularly radio stations, while foreign satellite television, widely available in Serbia, was overwhelmingly supportive of the opposition. Now, by contrast, the television is far more oriented towards the new president than it was towards the old one, while access to the media is denied to other non-Socialist politicians. While the Socialist leader was able to put his case for 2 hours on a private TV station, and while the legally required air times were made available to all parties on state TV, the practical situation is now far worse because the various non-DOS parties have no outlet in the media.

As the Serbian Parliament's supervisory committee for monitoring elections noted, the media "favoured the DOS", although dissent from this view was registered by the DOS member on the committee. The committee included representatives of all political parties as well as the DOS. According to a news report, "The committee assesses that the public media are granting advertising space to non-governmental organisations such as G17 Plus, CeSID [Centre for Free Elections and Democracy] and Otpor which, it is stated, 'are supporting the DOS campaign.' In addition to these organisations' advertisements, Serbian Radio-Television is broadcasting musical ads 'which have a clear political propaganda message' ... It is also

assessed that appearances by state officials in the media are being used for DOS campaign and partisan propaganda, despite the explicit prohibition contained in the rules on the presentation of participants in elections. The communiqué states that the publication 'of alleged embezzlement and arrests of all those who are not DOS members is being used for campaign purposes.' ..." [Beta News Agency, Belgrade, 18<sup>th</sup> December 2000]

Other major infractions of the electoral process were committed by the European Movement, a body funded by the European Union which campaigns for European integration in many European countries. Along with the posters of General Momčilo Perišić which were curiously prominent all over Serbia during the election, the main poster campaign visible to Serbian voters was that of the European Movement. With its slogan "Nije Svejedno" ("It is not all the same") these posters urged voters to go to the polls on 23<sup>rd</sup> December. Since the DOS coalition feared that voter apathy might damage its victory, these posters must be understood as a straightforward plug for the DOS. The European Movement also ran whole page advertisements about the benefits of change on voting day, 23<sup>rd</sup> December. Since the policy of the EU was explicitly directed against the person of Slobodan Milošević and since the text of the advertisements made it clear that the changes in Yugoslavia would be accompanied by positive changes in the EU's policy towards the country, it is indubitable that these advertisements by the European Movement constitute a flagrant infraction of Serbian election law.

Further infractions may have been committed by the observer organisation, CeSID. CeSID, which resembles the foreign-funded GONG in Croatia (see BHHRG report, **Croatian elections 2000**). Described as local, independent election monitoring organizations these groups receive ample (and overt) foreign funding since they are NGOs with no stated party political allegiance. However CeSID was quite obviously an ally of the DOS. All its members interviewed by BHHRG representatives in polling stations clearly supported the coalition, many of them openly so. One CeSID official even informed a German EU observer what the new name of the DOS would be when it ceased to be the opposition: she spoke with the tone of authority in her voice, and was, in turn, addressed by the German as if she was an actual representative of the DOS. The symbiosis between DOS and CeSID was even flaunted in the organisation's posters: their campaign to encourage people to volunteer as observers, was based on the slogan "*Nikad nije gotovo*", "It is never finished," once again with reference to the Otpor's September slogan. In many respects, therefore, the institutions promoting democracy in Serbia are, in fact, front organisations for but one of the eight parties contesting the election.

Finally, one of the most serious distortions of the electoral process came in the sudden and unexpected reduction in the price of petrol by 2 dinars on the eve of the elections. Representatives of the Democratic Party of Serbia said that this was due to the fact the reserves had been released which the owners had been unable to sell at a higher price. It was argued, in other words, that it was a pure market phenomenon. If this is the case, it is difficult to understand why the fact was advertised on posters around the country. The suspicion must be that there is more to this event than a simple movement of prices – especially since drivers complained that the petrol delivered at this lower price in fact had water in it.

### **Conduct of the Election**

BHHRG monitored the poll in Belgrade, Zemun, Batajnica, Novi Sad, Indiya, Stara Pazova, Sremski Karlovci and observed the count in two polling stations in central Belgrade. The Group's representatives have made the following observations:

**Electoral Procedures:** The situation in all the polling stations visited was calm and orderly although some older voters seemed somewhat 'phased' by some of the procedures introduced in this election for the first time. These included spraying the voters' fingers with a light radioactive liquid after they had cast their ballots and scanning the prospective voter's fingers to ensure that evidence of the liquid was not present thus ensuring that this person had not voted before. BHHRG saw cases where some people abandoned the idea of voting

altogether and walked away from the polling station when they saw these devices: as this report is written fears of contamination from radioactive materials are rife in the Balkans.

Other novelties included the introduction of the transparent, Perspex ballot box. Use of such boxes is recommended by the OSCE despite the fact that there is no evidence that they prevent electoral fraud – their appearance in recent polls in Macedonia (widely acknowledged as fraudulent even by the OSCE itself) is testament to their failure to improve polling practices. However, when one large ballot paper – like the one used on this occasion – is lightly folded it is often possible to see through the glass how a person has voted. In the highly charged atmosphere that surrounded the Serbian elections this could have discomfited voters and prejudiced the way they cast their ballots.

Thanks to a law introduced by the outgoing government – apparently by the Serbian Radical Party – there are no mobile boxes and no additional lists whereby people not on the electoral register can vote. This is to be applauded as such lists are used in many places to augment the turnout. However, Adrian Severin, the Romanian president of the OSCE parliamentary assembly, thought this a retrograde step.

**Electoral Commissions:** Inevitably, the balance of power in local electoral commissions has changed since October. Now, commission chairmen are nearly all members of DOS although BHHRG was told that their membership was ‘unofficial’ as they are required by law to be impartial. Otherwise, commissions had a full complement of party members although at one polling station in Belgrade there was no representative from the SPS on the commission. The counts observed were properly conducted.

**Party and local observers:** There were few party observers in the polling stations but there were CeSID observers in most polling stations visited. Although BHHRG saw some middle aged women, for example, taking part in the observation the majority of CeSID monitors were young men with the Otpor ‘look. Very often a similar kind of person operated the spray and scanning device. Bearing in mind the widespread public displays of the Otpor slogan “we are watching you” it is hard not to conclude that voters would assume that these people were supporters of the opposition. A similar domestic election monitoring group in Croatia – GONG – had their offices in the same Zagreb building as the main opposition party in the January 2000 poll.

**Turnout:** Turnout was uniformly low during the day. For example: at one polling station in Zemun, 120 people out of 1206 had voted by 10.15 am; in Novi Belgrade at 11.00 am., 300 out of 1783 had voted. In another Novi Belgrade polling station, 227 out of 1221 voted by 11.30. By 4.30 pm, 836 had voted out of 1709 in Novi Sad, No. 38. Video film taken of the polling stations visited shows few people in the room while observers were present, many of them old women. Similarly, the transparent boxes were barely a quarter full for half of the day.

However, by 6.00 pm, at Vozhduvats polling station in Belgrade a large queue waited to vote and the second BHHRG team also noted that turnout increased towards the end of the day, this, despite the fact that election commission chairmen had told observers that they expected the largest number of people to cast their votes between 11.30 am and lunchtime. It was also pointed out that there had been scant campaigning at local level by the opposition in the run up to the poll. In the experience of BHHRG it is unusual for people to vote late in the day during the winter months in the Balkans and FSU.

It cannot be ruled out that people were urged to vote as the day went on as a low turnout was damaging for the DOS coalition which, not only needed a ringing endorsement from the electorate to cement its hold on power but also the two thirds majority in the new parliament needed to change the Serbian constitution.

**Military Voting:** For the first time, the military voted in specially designated polling stations. BHHRG saw troops ‘drilled’ and voting together in such a polling station in Novi Belgrade. This is a retrograde step especially as the OSCE, in particular, has criticized the use of special voting arrangements for the military in other post-Communist countries. The VJ has 90,000 troops and, therefore, represents a significant component of the voting public.

Therefore, it will have been important for the authorities to ensure that there were no loose canons in its midst. However, as the opposition has promised to stop compulsory military service it is likely that, despite a hostility to Nato expressed by some recruits, many servicemen will have supported them.

### **Results:**

Kostunica's alliance, the Democratic Opposition of Serbia (DOS), secured 176 seats in the 250-member legislature, more than the two-thirds majority needed to enact constitutional changes in Serbia.

The Socialist Party (SPS) won 37 seats, the ultra-nationalist Radical Party got 23 and the hard-line Serbian Unity Party won 14.

According to final tabulations, 64% of voters cast their ballot for DOS, 14% for the SPS, 9% for the Radical Party and 5% for the Serbian Unity Party.

Other parties, such as the neo-communist Yugoslav Left (JUL) of Milosevic's wife Mirjana Markovic and the once-popular Serbian Renewal Movement (SOP), both failed to clear the 5% hurdle to win seats in parliament.

Turnout: about 58% of 6.5 million registered voters.

19 seats will be recontested on 10<sup>th</sup> January 2001 after complaints made to the Central Election Commission by the Serbian Radical Party were accepted.

### **The judiciary and the rule of law**

It is a matter of very considerable concern that the new regime will interfere with the judiciary and undermine the rule of law. It is a matter of even greater concern that this will have been brought about with the aid of Western governments and institutions. This danger is particularly acute where the arrest and trial of the former Federal President, Slobodan Milošević and other members of the previous government are concerned

The danger is that the new Serbian government rather than the law enforcement bodies will decide whether or not to arrest Mr. Milošević. Unfortunately, there are many indications that this will be the case. The Serbia Deputy Prime Minister-designate, Nebojša Čović said on 28<sup>th</sup> December that Mr. Milošević would be arrested in January and put on trial. [*Glas Javnosti*, Belgrade, 28<sup>th</sup> December 2000; UPI report from the same date.] It should be obvious to any democrat that the decision to arrest Mr. Milošević is a matter for the police and judicial authorities, not for the government. Mr. Čović is now a member of the opposition, although he was once the Socialist Party Mayor of Belgrade: but if Serbia is now a country where a leading government official decides on whether or not to arrest a political opponent, then that country has genuinely become a dictatorship.

It is highly unfortunate that the West has encouraged this highly unwelcome development. After two US senators, Arlen Specter of Pennsylvania and George Voinovich of Ohio, travelled to Belgrade after the elections they were reported on 30<sup>th</sup> December as having said, "We have tried to impress *upon the leaders here* that the issue of Milosevic is important internationally and in the U.S" (emphasis added). Surely US Senators should understand that it is not for their interlocutors in the government or parliament to take such a decision under any circumstances, still less when the potential arrestee is the leader of the opposition. And yet the West does indeed seem to have forgotten this elementary lesson of democracy: the *Financial Times* wrote in an editorial on 29<sup>th</sup> December 2000, "It is welcome that Mr. Djindjić plans to bring Mr. Milošević to trial in Belgrade." No doubt, many powerful governments would like to arrest the leaders of their opposition: it is very unwelcome that the representatives of the democratic West should collaborate in such a flagrant infraction of the rule of law.

## **Conclusion**

By the time the parliamentary election was held on 23<sup>rd</sup> December 2000 it had been made very plain to the population of Serbia that the post-coup authorities in Belgrade and the international community expected them to vote for the DOS coalition. Threats to bring people to court for perceived wrongdoing under the previous regime as well as fears for their jobs will have led many people to vote accordingly.

However, others will have just stayed at home – it was admitted that there was a higher and much more enthusiastic response from the public to the September federal presidential election. Some who may, indeed, have been opposition supporters will have abstained as the result of the election was a foregone conclusion.

It should not be forgotten that people who have experienced totalitarian regimes have a nose for power and what it means for their own lives. It is the memory of the oppression associated with Tito's Yugoslavia rather than the more easygoing Milosevic era that has been re-ignited and recently put to use so effectively in Serbia. Unfortunately, the West has added its own contribution to this tried and tested totalitarian brew by making unrealistic promises of economic assistance and future prosperity to the unwitting Serbian public. It is difficult to be optimistic about the future on their behalf.