



International Foundation
for Electoral Systems

Election FAQs: Serbia

Presidential and Early Parliamentary

April 3, 2022

Europe & Eurasia

International Foundation for Electoral Systems

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Publication Date: March 24, 2022

Frequently Asked Questions (FAQs)

Election Snapshot 1

When is Election Day? 1

Why are these elections important? 1

Who are citizens voting for on Election Day? 2

What is the electoral system? 2

What is the legal framework for conducting the elections? 3

Who is eligible to run as a candidate? 3

What are the campaign expenditure and donation limits? 4

What is the election management body? What are its powers? 4

How is the election management body protecting the elections and voters from COVID-19? 5

What is the election management body doing to increase transparency of its operation? 5

Who can vote in these elections, and how many registered voters are there? 5

What provisions are in place that support the equal rights of women, persons with disabilities and other marginalized groups? 6

Is out-of-country voting allowed? 6

Who can observe during Election Day? How can they get accreditation? 6

Who is managing security on Election Day? 7

Where are vote counting and tabulation held? 7

When will official results be announced? 7

How will election disputes be adjudicated? 7

Resources 9

About IFES in Serbia 9

Disclosure 9

Election Snapshot

- Election Day: April 3, 2022
- Registered voters: 6,501,689 in Serbia, including 38,876 abroad
- Polling stations: 8,254 polling stations and 77 diplomatic and consular missions abroad
- Seats in National Assembly: 250
- Candidate lists: 19 candidate lists (2,912 candidates)
- Presidential candidates (in order of ballot): Miloš Vacić, Biljana Stojković, Branka Stamenković, Zdravko Ponoš, Milica Djurdjević Stamenkovski, Aleksandar Vučić, Miloš Jovanović and Boško Obradović
- Campaign expenditure and donation limits: Not to exceed 10 average monthly salaries for individuals or 30 average monthly salaries for legal entities; no expenditure limit

When is Election Day?

The Republic of Serbia will hold presidential and early parliamentary elections (as well as local elections in 14 cities and municipalities, including Belgrade City) on Sunday, April 3, 2022. Voting will take place from 7:00 a.m. until 8:00 p.m.¹ in 8,254 polling stations across the country² and for a 13-hour period ending no later than 8:00 p.m. Serbia time at 77 sites abroad³ (as a rule, in diplomatic and consular missions of Serbia). A second round of the presidential election will take place no later than April 17, 2022, if required.⁴ Polling stations in Serbia will be staffed by Polling Board members, which consist of a president and two members, plus deputies for each, in permanent composition, and representatives of electoral lists in expanded composition.⁵ Voters in 29 detention facilities and military institutions will be permitted to vote onsite, as special voter lists are compiled for military and voters in prisons and detention facilities based on information provided by these institutions.⁶

Why are these elections important?

Preparations for the elections are taking place amid deep political and social polarization, as well as an amended legal framework adopted in February 2022, just weeks before the announcement of the elections. The electoral legal framework was discussed in two parallel interparty dialogues. The first, facilitated by the European Union, included most of the opposition that boycotted the 2020 parliamentary elections and is not represented in the current mandate of the National Assembly. The second, facilitated by the government, included representatives of the National Assembly and other parties outside of it. The set of measures adopted aimed to address recommendations by the Organization for Security and Co-operation Office of Democratic Institutions and Human Rights. These changes are intended to improve the transparency of the

¹ Law on the Election of Members of Parliament, Article 91.

² There are 8,225 regular polling stations and 29 polling stations in detention facilities. Republic Electoral Commission, 2022.

³ Republic of Serbia Ministry of Foreign Affairs. "The REC Adopted a Decision to Open 77 Polling Stations Abroad." Ministry of Foreign Affairs, March 14, 2022. <https://www.mfa.gov.rs/en/press-service/statements/rec-adopted-decision-open-77-polling-stations-abroad>

⁴ Republic Electoral Commission. "Presidential Elections." Accessed March 14, 2022. <https://www.rik.parlament.gov.rs/tekst/en/275/presidential-elections.php>

⁵ Law on the Election of Members of Parliament, Article 34.

⁶ Law on Elections of Members of Parliament, Article 56.

election process and campaign finance, increase representation of the opposition in the composition of election administration, institute mid-level election commissions, introduce further measures to tackle the abuse of office and administrative resources and regulate the status of election observers.⁷

These elections are also taking place during the ongoing war in Ukraine, which has dominated the campaign in public messaging and media appearances, according to the Regulatory Body on Electronic Media. The European Union has increased pressure on Serbia to join its sanctions regime against Russia in retaliation for its invasion of Ukraine. This pressure features heavily among political discussions framed around the elections.

Who are citizens voting for on Election Day?

Serbian citizens will be voting for the president and members of the National Assembly. For the April 3, 2022 elections, one seat will be open for the presidency and 250 seats open in the National Assembly. The presidential candidates, in order of which they will be printed on the ballot are: Miloš Vacić (Serbian Patriots), Biljana Stojković (Moramo coalition), Branka Stamenković (Sovereignist List), Zdravko Ponoš (United for Victory for Serbia), Milica Djurdjević Stamenkovski (Serbian Zavetnici Party), incumbent Aleksandar Vučić (ruling Serbian Progressive Party), Miloš Jovanović (Nada coalition) and Boško Obradović (Serbian Dveri Movement and Movement for the Renewal of Kingdom of Serbia).⁸

There will be 19 candidate lists for the parliamentary elections, with a total of 2,912 candidates across all lists.⁹ Around 14 percent of candidates are under the age of 30.¹⁰

What is the electoral system?

The president is elected for a five-year term and can serve a maximum of two terms.¹¹ To be elected in the first round, a candidate must receive more than 50 percent (the majority) of the votes cast.¹² Otherwise, within 15 days, a second round between the two candidates who received the highest number of votes.¹³ The 250 members of the National Assembly are elected for four-year mandates.¹⁴ Members of the National Assembly represent a single nationwide constituency, are elected through a closed list, and are awarded seats through a proportional system.¹⁵ Prior to the 2020 parliamentary elections, the threshold for candidate lists to participate in the distribution of mandates was lowered from five percent to three percent of votes cast.¹⁶ Lists representing national minorities are exempted from this threshold requirement.¹⁷

⁷ Organization for Security and Co-operation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR). "Republic of Serbia Presidential and Early Parliamentary Elections: ODIHR Needs Assessment Mission Report." Warsaw, Poland: OSCE/ODIHR, December 6, 2021. https://www.osce.org/files/f/documents/9/0/509426_1.pdf

⁸ Republic Electoral Commission, 2022.

⁹ Ibid.

¹⁰ Center for Free Elections and Democracy, 2022.

¹¹ Law on the Election of the President, Article 1.

¹² Ibid., Article 21.

¹³ Ibid., Article 22.

¹⁴ Law on the Election of Members of Parliament, Article 1.

¹⁵ OSCE/ODIHR Serbia Presidential and Early Parliamentary Elections: Needs Assessment Mission Report, 2021.

¹⁶ Technical Election Assessment Mission in Serbia, IFES, March 2021. https://www.ifes.org/sites/default/files/technical_election_assessment_mission_in_serbia_march_2021.pdf.

¹⁷ Ibid.

To translate the proportional number of votes into whole seats in the National Assembly, the D'Hondt method is used.¹⁸ If the quotient calculated for two or more electoral lists is the same, the final seat is allocated to the list that received the largest number of votes overall. When the seats are allocated applying the highest quotient system, the quotients of national minority electoral lists that won less than three percent of the votes cast shall be increased by 35 percent.¹⁹

What is the legal framework for conducting the elections?

Elections are regulated by the 2006 Constitution,²⁰ the 2022 Law on the Election of Members of Parliament,²¹ the 2022 Law on the Election of the President of the Republic²² and the 2022 Law on Local Elections.²³ Additionally, elements of the electoral process are governed by the Law on the Unified Electoral Roll,²⁴ the Law on Administrative Disputes,²⁵ the Law on Financing Political Activities (amended in 2022)²⁶ and the Law on National Councils of National Minorities.²⁷ The legal framework is supplemented by the Republic Electoral Commission's Rules of Procedures.²⁸ Serbia is also party to international and regional instruments on organizing democratic elections.

Who is eligible to run as a candidate?

Any citizen who is eligible to vote can stand for the presidential and parliamentary elections.²⁹ Presidential candidates and lists of candidates for parliamentary elections must collect at least 10,000 notarized signatures of voters.³⁰ Three groups can submit a list: a political party in the Register of Political Parties, a coalition of political parties, or a group of citizens.³¹ Electoral lists must be submitted directly to the Republic Electoral Commission (REC), both in writing and electronically, no later than 20 days before Election Day (by March 13, 2022). Once a list is submitted with required documentation, voters' signatures can be collected and notarized. Following submission of the list, the REC has 48 hours to certify it.³²

¹⁸ The D'Hondt method is used to determine seat allocation in party list proportional representation. The total votes cast for each party in the electoral district—in the case of Serbia, throughout the country—is divided iteratively, first by one, then by two, then by three, etc., until the maximum numbers calculated correspond to the number of seats to be distributed.

¹⁹ Law on the Election of Members of Parliament (2022), Article 140.

²⁰ Constitution of the Republic of Serbia (2006)

<https://www.rik.parlament.gov.rs/extfile/en/65/Novi%20Ustav%20RS%20prevod%20na%20engleski%20.doc>

²¹ Law on the Election of the President of the Republic (2022)

https://www.rik.parlament.gov.rs/extfile/en/1647/Zakon%20o%20izboru%20predsednika%20Republike%20_ENGLESKI-ocisceno.pdf

²² Law on the Election of Members of Parliament (2022)

https://www.rik.parlament.gov.rs/extfile/en/1638/Zakon%20o%20izboru%20narodnih%20poslanika_ENGLESKI-ociscen%20final.pdf

²³ Law on Local Elections (2022) <https://www.rik.parlament.gov.rs/extfile/en/1656/Zakon%20o%20lokalnim%20izborima%20-%20ENGLESKI-ocisceno.pdf>

²⁴ Law on the Unified Electoral Roll (2022) <https://www.rik.parlament.gov.rs/extfile/en/119/4.%20ZAKON%20O%20JBS.pdf>

²⁵ Law on Administrative Disputes (2022)

<https://www.rik.parlament.gov.rs/extfile/en/146/2.zakon%20o%20upravnim%20sporovima%20ENG.pdf>

²⁶ Law on Financing Political Activities (Amended in 2022)

<https://www.rik.parlament.gov.rs/extfile/en/158/Law%20on%20Financing%20Political%20Activities-19.pdf>

²⁷ Law on National Councils of National Minorities (2022) <https://www.rik.parlament.gov.rs/extfile/en/170/ZoNSNM-eng.pdf>

²⁸ Rules of Procedure of The Republic Electoral Commission (2022)

https://www.rik.parlament.gov.rs/extfile/en/1251/Poslovnika%20RIKa%20-%20preciscen%20tekst%20DECEMBAR%202021_ENG.pdf

²⁹ Law on the Election of the President of the Republic, Article 3, and Law on the Election of Members of Parliament, Article 3.

³⁰ Law on the Election of the President of the Republic, Article 14, and Law on the Election of Members of Parliament, Article 71(3).

³¹ Law on the Election of Members of Parliament, Article 62.

³² Law on the Election of Members of Parliament, Articles 70–72 and 74.

What are the campaign expenditure and donation limits?

Parties are financed through donations, membership fees, loans and state funding. The law provides for annual state funding to parties of up to 0.07 percent of the state budget, set aside as a lump sum for the entire campaign.³³ The presidential and parliamentary election campaign budget for 2022 is around 1.8 billion Serbian dinars (USD 16.8 million).³⁴ Entities with a mandate in the National Assembly may also use annual funds available for campaigning, which is estimated at 1.4 billion Serbian dinars (USD 13.1 million) for 2022.³⁵ In addition, contestants can finance campaigns from their own funds and donations.³⁶ Donations are not permitted from foreign, state, public or anonymous sources or from non-profit and charitable organizations or trade unions.³⁷ While there is currently no expenditure cap, the maximum value of any annual donation to a political entity from an individual may not exceed 10 average monthly salaries, and the maximum value from a legal entity cannot be more than 30 average monthly salaries.³⁸ As of December 2021, the average monthly salary equaled 53,349 Serbian dinars (USD 500).³⁹

All participating political entities must submit interim financial reports to the Agency for the Prevention of Corruption five days before elections (by March 29, 2022) and within 30 days of the publication of results.⁴⁰

What is the election management body? What are its powers?

The Republic Election Commission (REC) is the main election management body (EMB) in Serbia, along with local election commissions (LECs) and polling boards. All three EMBs have both permanent and expanded compositions.⁴¹ In permanent composition, the REC is made up of a chairperson, 16 members, and one deputy for each of the 16 members.⁴² The REC also has members without voting power—a secretary, deputy secretary and two representatives of the Statistical Office of the Republic of Serbia.⁴³ When in expanded composition, the REC comprises the permanent composition, along with one representative of each submitter of the accepted candidate lists, or of each proposer of a candidate for the president, each of whom has a deputy. For the 2022 elections, based on the agreement reached during the interparty dialogue led by the government, the REC's permanent composition will be temporarily expanded to include six additional members and deputy members of non-parliamentary representatives. This will also apply to the permanent compositions of LECs and polling boards, for which the REC will name one additional member and deputy, based on the proposal of the National Assembly.

³³ Law on Financing Political Activities, Article 20.

³⁴ OSCE/ODIHR Interim Report, Presidential and Early Parliamentary Elections, 3 April 2022, Republic of Serbia.

³⁵ Ibid.

³⁶ Law on Financing Political Activities, Article 7.

³⁷ Ibid., Article 12.

³⁸ Ibid., Article 10.

³⁹ Statistical Office of the Republic of Serbia. "Average Salaries and Wages per Employee, December 2021," December 2021.

<https://publikacije.stat.gov.rs/G2022/HtmlE/G20221047.html>

⁴⁰ OSCE/ODIHR Interim Report, Presidential and Early Parliamentary Elections, 3 April 2022, Republic of Serbia.

⁴¹ Law on Local Elections, Article 6.

⁴² Law on the Election of Members of Parliament, Article 17.

⁴³ Ibid., Article 21.

Some general responsibilities of the REC are to ensure the elections run effectively and within the law, organize and deliver election materials and instructions for lower-level EMBs, define the locations of polling stations, approve electoral lists and lead voter information efforts.

While the REC oversees the electoral process at the national level, LECs provide oversight at the local self-government level. This marks the first time LECs will be established for national elections, as prescribed by the legal amendments in February 2022.⁴⁴ LEC members in permanent composition are determined by representation in relevant local assemblies. Polling board members are appointed 10 days before Election Day.⁴⁵ The number of polling board members is determined by a parliamentary group's representation in the National Assembly on the day of the decision.⁴⁶ In its permanent composition, each polling board has a president and two members, plus one deputy for each. In its expanded composition, each certified electoral list may nominate one member and a corresponding deputy.

How is the election management body protecting the elections and voters from COVID-19?

On March 12, 2022, the government relaxed COVID-19 restrictions in Serbia. As a result, no specific provisions on COVID-19 are anticipated to be in effect on Election Day.

What is the election management body doing to increase transparency of its operation?

The Republic Electoral Commission (REC) is providing transparent information on its pre-election activities, including by livestreaming all sessions via YouTube and sharing highlights on its [website](#) and [Instagram](#) accounts on a near-daily basis.⁴⁷ The REC uses these platforms to share accurate information for voters, observers and government authorities, which mitigates information interference and emphasizes proactive measures to resist potential vulnerabilities.

Who can vote in these elections, and how many registered voters are there?

The right to vote is granted to all citizens who reach 18 years of age by Election Day and have a permanent residence in Serbia, except those whose legal capacity was revoked through a court decision.⁴⁸ For the 2022 elections, the Republic Electoral Commission confirmed 6,501,689 voters were registered in the Republic of Serbia,⁴⁹ including 38,876 voters registered abroad.⁵⁰

⁴⁴ Law on Local Elections, Article 26.

⁴⁵ Law on the Election of Members of Parliament, Article 34.

⁴⁶ *Ibid.*, Article 36.

⁴⁷ Find updates on the REC's website or its Instagram account, @riksrbije.

⁴⁸ Law on the Election of the President of the Republic, Article 3 and Law on the Election of Members of Parliament, Article 3.

⁴⁹ Republic Electoral Commission, 2022.

⁵⁰ Center for Free Elections and Democracy, Serbia, 2022.

What provisions are in place that support the equal rights of women, persons with disabilities and other marginalized groups?

The law requires a gender quota of at least 40 percent as a prerequisite for registration of a list, with at least two of every five candidates on a candidate list from the less represented sex.⁵¹ Women make up 39.76 percent of the current National Assembly.⁵² The Republic Election Commission (REC) also is subject to a gender quota. Specifically, if two individuals are nominated to the REC, there should be one member of each sex. If there are three nominees, two members should be of one sex and one of the other. This formula continues for all nominees, no matter how many there are.⁵³

Voters with disabilities may request mobile voting outside of polling stations if the relevant local election commission is notified no earlier than 72 hours before voting begins (by March 31, 2022), or the respective polling board is informed no later than 11:00 a.m. on Election Day.⁵⁴ Individuals with disabilities who can reach and enter a polling station may request the help of an assistant of their choosing.⁵⁵ Polling board members are required to report this assistance in official minutes.

Further, to allow for the equal participation of minorities, political parties of national minorities and coalitions consisting of the political parties of national minorities must gather 50 percent of the support signatures needed for a majority list (5,000 signatures). In the distribution of mandates, these parties also receive an increase of 35 percent if their share of votes is under the three percent threshold.⁵⁶ For voters from national minority groups, ballots will be printed in their language following the Serbian text, if a local municipality recognizes that minority language.⁵⁷

Is out-of-country voting allowed?

Serbian citizens residing abroad are able to vote in elections as long as they are listed in the voters' list and they file a request to vote at a diplomatic or consular mission abroad. In order for the polling station to be established, at least 100 voters must be registered with the relevant mission.⁵⁸ Registration for out-of-country voting was open from the day elections were called until 20 days before the election (deadline was March 12, 2022). On Election Day, registered voters must come to the diplomatic or consular mission to cast their ballots.⁵⁹

Who can observe during Election Day? How can they get accreditation?

Foreign and domestic observers alike can be accredited to observe election activities. There are separate application processes for domestic observers, foreign observers, and representatives of

⁵¹ Law on the Election of Members of Parliament, Article 73.

⁵² National Assembly of the Republic of Serbia. "Gender Structure of Parliament." Accessed March 14, 2022. <http://www.parlament.gov.rs/national-assembly/national-assembly-in-numbers/gender-structure.1745.html>

⁵³ Law on the Members of Parliament, Article 19.

⁵⁴ Law on the Election of Members of Parliament, Article 96.

⁵⁵ Ibid., Article 97.

⁵⁶ Ibid., Article 140.

⁵⁷ Ibid., Article 44.

⁵⁸ Law on the Unified Electoral Roll, Article 5.

⁵⁹ Law on the Election of Members of Parliament, Article 56; Republic Electoral Commission. "Presidential Elections." Accessed March 14, 2022. <https://www.rik.parlament.gov.rs/tekst/en/275/presidential-elections.php>

foreign states. Application due dates are seven days before the election for domestic observers (March 26, 2022) and 10 days before the election for foreign observers or observers representing foreign states (March 23).⁶⁰ For observers, authorizations are issued within three days of applying and meeting the legal requirements.⁶¹

Who is managing security on Election Day?

To ensure the security of electoral material, the Serbian police protect the printing of ballots and escort ballots from the printing office to local election commissions (LECs). Every political party represented in the electoral list can nominate one person to be present during the printing, counting, and packing of ballots, and to monitor the delivery of those materials to LECs.⁶² Accredited election observers may also observe the process. The Republic Electoral Commission is obliged to provide timely notice to stakeholders of the time and location of the printing and handover of materials. Stakeholders generally perceive this process as transparent and sufficiently secure.⁶³

Where are vote counting and tabulation held?

Vote counting and tabulation is conducted at polling stations, led by members of the polling board.⁶⁴ Polling board members are required to prepare polling station minutes that include the number of voters, number of valid and invalid ballots and the number of votes received per electoral list.⁶⁵ These materials are handed over to the Local Election Commission no later than 12 hours after the polling station closes.⁶⁶

When will official results be announced?

Within 96 hours after the close of polls, or by April 7, 2022, the Republic Electoral Commission will publish the general elections report for all polling stations. This will contain the number of voters entered in the electoral roll, the number of voters who turned out, the number of ballot papers found in ballot boxes, the number of invalid ballot papers, the number of valid ballot papers and the number of votes received by each candidate.⁶⁷ The deadline may be subject to change should the results of the election be disputed.

The results will be published in the Official Gazette of the Republic of Serbia.⁶⁸

How will election disputes be adjudicated?

Election disputes are adjudicated by local election commissions (LECs) in the first degree and Republic Electoral Commission (REC) and Administrative Court of Serbia in the second and third

⁶⁰ Law on the Election of Members of Parliament, Articles 161–163.

⁶¹ *Ibid.*, Article 165.

⁶² Law on the Election of Members of Parliament, Article 48.

⁶³ Technical Election Assessment Mission in Serbia, IFES, March 2021.

https://www.ifes.org/sites/default/files/technical_election_assessment_mission_in_serbia_march_2021.pdf

⁶⁴ Law on the Election of Members of Parliament, Article 101.

⁶⁵ *Ibid.*, Article 105.

⁶⁶ *Ibid.*, Article 106.

⁶⁷ *Ibid.*, Article 121.

⁶⁸ *Ibid.*, Article 122.

degrees of the process, respectively. Election participants and voters have three legal remedies to protect their electoral rights. They may:

- Request to annul voting at a polling station;
- Enter an objection; and
- Lodge a complaint.

Any electoral list submitter or voter can file a request with the relevant LEC to annul voting results due to irregularities at a polling station. Election participants may only file such a request at their registered polling place, within 72 hours of the polling station's closing. The LEC must issue a decision on the request and publish it online within 72 hours of receipt.⁶⁹ Appeals of an LEC decision to the REC and subsequent appeals of an REC decision to the Administrative Court must both be filed within 72 hours of the decision. Both the REC and Administrative Court must issue a decision within 72 hours of receipt of an appeal and publish it online within 24 hours of the decision.⁷⁰ Only election participants have the right to enter an objection or lodge a complaint on the decision of either the LEC or REC. For both types of legal remedies, the same deadlines apply. When the REC upholds a complaint, the decision or act is annulled.⁷¹ If the REC does not issue a decision within the timeline, the complaint is upheld. Irregularities identified in campaign finance or the abuse of state resources are under the competence of the Agency for the Prevention of Corruption.⁷²

⁶⁹ Law on the Election of Members of Parliament, Article 148.

⁷⁰ Ibid., Articles 154–157.

⁷¹ Ibid., Article 155.

⁷² Law on Financing Political Activities, Section VI.

Resources

- [Constitution of the Republic of Serbia](#)
- [Law on the Election of the President of the Republic](#)
- [Law on the Election of Members of Parliament](#)
- [Law on Local Elections](#)
- [Law on the Unified Electoral Roll](#)
- [Law on Financing Political Activities](#)
- [Law on Administrative Disputes](#)
- [Republic Electoral Commission](#)
- [Instruction for Implementing the Law on the Unified Electoral Roll](#)
- [Rules of Procedure of the Republic Electoral Commission](#)
- [OSCE/ODIHR Needs Assessment Mission Report](#)

About IFES in Serbia

The International Foundation for Electoral Systems' (IFES) democratic assistance in Serbia began in 1997 with the engagement of a number of key governmental actors and nongovernmental stakeholders to support efforts to reform and strengthen the electoral process. IFES is currently implementing a series of activities focused on supporting the professional development of election administration and anti-corruption oversight bodies in Serbia. Building the capacity of domestic institutions, IFES supports both the Republic Electoral Commission to organize and conduct elections and the Agency for the Prevention of Corruption in Serbia to fulfill its election administration and oversight mandates in accordance with the law and international standards. IFES also is supporting local civil society and media to build their capacity to monitor, report and advocate on electoral corruption challenges, as well as to deliver targeted voter education for marginalized communities to empower them to participate in the electoral process.

Disclosure

These FAQs reflect decisions made by the Republic Electoral Commission of the Republic of Serbia as of the publication date, March 24, 2022, to the best of our knowledge. This document does not represent any International Foundation for Electoral Systems policy or technical recommendations.

This paper is made possible by the generous support of the American people through the United States Agency for International Development (USAID). The information herein is provided by the author(s) and does not necessarily reflect the views of USAID or the United States Government.