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*Plenary sitting*

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**B9-0133/2024**

5.2.2024

## **MOTION FOR A RESOLUTION**

to wind up the debate on the statements by the Council and the Commission

pursuant to Rule 132(2) of the Rules of Procedure

on the situation in Serbia following the elections  
(2024/2521(RSP))

**Klemen Grošelj, Petras Auštrevičius, Malik Azmani, Olivier Chastel,  
Katalin Cseh, Karin Karlsbro, Michael Kauch, Ilhan Kyuchuk, Karen  
Melchior, Javier Nart, Urmas Paet, Dragoș Pîslaru, María Soraya  
Rodríguez Ramos, Ramona Strugariu, Dragoș Tudorache, Hilde  
Vautmans**

on behalf of the Renew Group

**B9-0133/2024**

**European Parliament resolution on the situation in Serbia following the elections (2024/2521(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Serbia,
  - having regard to the statement of preliminary findings and conclusions of the International Election Observation Mission on the 17 December 2023 early parliamentary elections in the Republic of Serbia,
  - having regard to Serbia’s 2006 Constitution and its 2022 Law on Election of Members of Parliament,
  - having regard to the joint statement by the High Representative of the Union for Foreign Affairs and Security Policy, Josep Borrell, and the Commissioner for Neighbourhood and Enlargement, Olivér Várhelyi, of 19 December 2023 on the parliamentary elections in Serbia,
  - having regard to the speech on the elections in Serbia of 17 January 2024 delivered by the Commissioner for Justice, Didier Reynders, on behalf of the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP / HR), Josep Borrell, in the Parliament plenary,
  - having regard to the open letter on the post-election situation in Serbia signed by the chairs of the Committees on Foreign Affairs of several EU countries,
  - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas on 17 December 2023, Serbia held early parliamentary elections and local elections in 65 municipalities, including Belgrade; whereas these were the third parliamentary elections in less than four years;
- B. whereas prior to the election day, Serbia had failed to implement key recommendations of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the Venice Commission, including those on ensuring a level playing field, measures to prevent the misuse of public office and state resources, separation between official duties and campaign activities, and effective mechanisms to prevent intimidation and pressure on voters, including vote buying;
- C. whereas the campaign was dominated by the decisive involvement of the Serbian President, which, together with the ruling party’s systemic advantages, created unjust conditions;
- D. whereas the campaign was marred by harsh rhetoric, bias in the media, pressure on public sector employees and the misuse of public resources;
- E. whereas the media was dominated by the overwhelming presence of the Serbian

President and most media was under the strong influence of the government, which left little margin for the opposition parties despite the changes in the legislation; whereas Russian-sponsored outlets Sputnik Serbia and Russia Today Balkan actively contributed to spreading disinformation about opposition candidates;

- F. whereas the campaign and electronic media oversight bodies remained largely ineffective in deterring violations during the election period;
- G. whereas the election day was marked by numerous procedural deficiencies, including inconsistent application of safeguards during voting and counting, frequent instances of overcrowding, breaches in secrecy of the vote and numerous instances of group voting;
- H. whereas there were credible allegations of voter migration and bussing of voters during local elections to support the ruling party, particularly in Belgrade;
- I. whereas the government-led inter-agency Working Group on Co-ordination and Follow-up of the Implementation of Recommendations for the Improvement of the Electoral Process has made limited progress in addressing outstanding issues;
- J. whereas since the elections, thousands of citizens have gathered in repeated protests that have unfolded in front of key institutions, such as the Belgrade city hall and the Central Election Commission; whereas several opposition leaders, including Marinika Tepić, have resorted to hunger strikes in order to protest against what they perceive as stolen elections; whereas during the December 2023 protests, the police used excessive force, beat up protesters and detained around 30 students; whereas one of the prosecutors requesting the detention of the students for up to 30 days and charging them with the criminal offence of violent behaviour and with inciting violent change of constitutional order is the same prosecutor who released Milan Radoičić from custody within 24 hours after the attack in Banjska in the north of Kosovo;
- K. whereas independent Serbian organisations denouncing the irregularities during the recent election have been subjected to continuous attacks from government officials; whereas despite the fact that they brought to light a lot of concrete evidence pointing to election fraud, no competent Serbian institution has followed up on it;
- L. whereas both the Serbian President and Kremlin-controlled media have alleged that other countries have interfered in the electoral process in Serbia in brutal ways, but have not provided substantiated evidence for these claims; whereas Prime Minister Brnabić thanked Russian intelligence services for providing information on the planned activities of the opposition;
- M. whereas since the elections, leading Serbian politicians, including the President, have unjustly vilified Members of the European Parliament and other members of the International Election Observation Mission;
- N. whereas campaign spending by third parties remained unregulated, leaving a prior OSCE/ODIHR and Venice Commission recommendation unaddressed and impacting the effectiveness of campaign regulations;
- O. whereas over the past decade since President Vučić came to power, there has been a

continuous erosion of media freedom in Serbia, characterised by threats and even physical attacks against journalists; whereas Reporters Without Borders has placed Serbia among the lowest in Europe in its World Press Freedom Index, with the country dropping 12 places to 91 in 2023;

1. Expresses its serious concern about the overall election environment and the many reported and identified irregularities by the OSCE/ODIHR in its preliminary report, which fell far below the expected standards for an EU candidate country; reminds the Serbian authorities that the proper functioning of Serbia's democratic institutions is at the core of Serbia's EU accession process and the EU accession methodology;
2. Calls for an independent international investigation by respected international legal experts and institutions into the election irregularities, as certain allegations, including those regarding organised voter migration at local level, go beyond the scope covered by the OSCE/ODIHR reports;
3. Notes, with concern, that some of the election irregularities leading up to the December 2023 elections constitute potential criminal activities under Serbian law and its Constitution; urges the Serbian authorities and the judiciary to thoroughly and promptly investigate all allegations related to the election process, vote buying and illegal campaign financing;
4. Is concerned about assessments that some participants in the protest on 24 December 2023 have received disproportionately harsh treatment by the police and the judiciary; condemns the excessive use of police force during the protests, which is in stark contrast to the practices of the Serbian police in previous protest cases in the country; urges the EU and Member States' diplomatic missions to continue monitoring the ongoing legal cases related to the protests;
5. Notes, with concern, that Serbia has not implemented many long-standing OSCE/ODIHR recommendations on major issues in the electoral process, despite being repeatedly urged to do so, including by the Commission; urges Serbia to immediately begin implementing all the outstanding recommendations of the OSCE/ODIHR and the Venice Commission, without delay or selectiveness;
6. Emphasises that no further steps should be taken in Serbia's EU accession process until there is a substantial improvement in electoral conditions and in addressing legal issues related to alleged irregularities;
7. Is concerned about the unjustified passivity of the Regulatory Authority for Electronic Media (REM), which has increased compared to previous elections; notes, with concern, that REM has only published monitoring results for the public broadcaster and private cable channels, but not private national channels close to the ruling party;
8. Calls for the adoption of measures to strengthen the independence and efficiency of the Regulatory Authority for Electronic Media (REM), addressing concerns raised by various stakeholders regarding its composition and political influence;
9. Calls on Serbia to implement the long-standing OSCE/ODIHR and Venice Commission recommendation to conduct a comprehensive audit of the Unified Voter Register to

address concerns about accuracy, including allegations of voter migration and entries of deceased persons;

10. Expresses deep concern over instances of pressure on public sector employees, misuse of public resources and voter inducement schemes during the campaign period, and calls for measures to ensure that voters can make choices free from undue pressure;
11. Urges the Republic of Serbia to strengthen campaign regulations to ensure fair conditions for all participating political forces, including the introduction of effective enforcement mechanisms, the establishment of an expenditure limit and measures to address disinformation and potential foreign interference;
12. Calls for a reform of the effectiveness of the campaign oversight mechanisms, including of the Agency for the Prevention of Corruption and the ad hoc Committee for Campaign Oversight, to ensure timely and transparent handling of complaints related to the misuse of public resources;
13. Calls for the timely and transparent resolution of election disputes, emphasising the importance of maintaining independence and impartiality in the electoral dispute resolution process;
14. Calls on Serbia to regulate campaign spending by third parties to ensure transparency and prevent circumvention of campaign finance rules;
15. Calls for a thorough review of media regulations to address concerns about media independence, the diversity of views and ruling party influence; calls for an inclusive approach to media coverage, ensuring fair access to public and private broadcasters for all political parties and discouraging practices that limit diversity of views;
16. Urges the Serbian authorities to address allegations of verbal insults, attacks and intimidation against journalists, ensuring a safe and enabling environment for media professionals to perform their duties;
17. Underlines that the EU institutions must do more to ensure that the rights and freedoms of Serbian journalists and media are protected; points out that access to pre-accession funding should be used as leverage to stop the media freedom situation from deteriorating further;
18. Strongly condemns unsubstantiated claims that EU Member States are organising post-election protests; regrets that the protests have been used as an excuse to spread anti-EU narratives in the media close to the ruling party;
19. Strongly disapproves of the unjustified vilification directed at its Members and members of the International Election Observation Mission by leading Serbian politicians, and calls for a return to respectful and constructive discourse, emphasising the importance of mutual respect in the democratic process;
20. Urges the Republic of Serbia to address concerns about the participation of national minorities in the electoral process, ensuring the consistent application of criteria for minority status and addressing vulnerabilities to pressure and vote buying;

21. Urges the Republic Election Commission to take necessary steps to address concerns about the transparency and efficiency of its functioning, including the timely publication of monitoring results during the campaign period;
22. Urges the Republic of Serbia to consider legislative amendments to strengthen the role of citizen observers, ensuring their effective contribution to transparency and accountability in the electoral process;
23. Expresses its commitment to supporting Serbia in further strengthening its democratic institutions and electoral processes, emphasising the importance of addressing the identified challenges to ensure free, fair and transparent elections that truly and fully reflect the will of the Serbian people;
24. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Organization for Security and Co-operation in Europe, the Council of Europe and the President, Government and Parliament of the Republic of Serbia.