

**PARTICIPATION OF NATIONAL MINORITIES IN
ELECTION PROCESS IN SERBIA WITH SPECIAL
EMPHASES ON THE ELECTION OF NATIONAL
COUNCILS OF NATIONAL MINORITIES**

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STRUCTURE OF THE PRESENTATION

- Introduction: Republic of Serbia and the position of national minorities. Numbers, legal and political framework, definition of the issue of participation of national minorities in elections...
- Part One – Democratic elections in Serbia – four levels of democratic elected bodies / Assemblies.
- Part Two - Political organizations of national minorities in Serbia and their success in representing national minorities.
- Part Three – Legal solutions promoting the inclusion of persons belonging to national minorities in elections and the actual effects of these measures (use of minority languages on voting materials, natural threshold for minority political parties and candidates...
- Part Four - National Councils and electoral process

MULTIETHNICITY OF SERBIA

ETHNICITY	SERBIA	%	CENTRAL SERBIA	%	VOIVODINA	%
TOTAL	7.498.001		5.466.009		2.031.992	
Serbs	6.212.838	82,8	4.891.031	89,4	1.321.807	65,05
Albanians	61.647	0,82	59.952	1,10	1.695	0,08
Bosniaks	136.087	1,81	135.670	2,48	417	0,02
Bulgarians	20.497	0,27	18.839	0,34	1.658	0,08
Bunjevaks	20.012	0,27	246	0,00	19.766	0,97
Vlachs	40.054	0,53	39.953	0,73	101	0,00
Hungarians	293.299	3,91	3.092	0,06	290.207	14,28
Macedonians	25.847	0,34	14.062	0,26	11.785	0,58
Germans	3.901	0,05	747	0,01	3.154	0,16
Romas	108.193	1,44	79.136	1,45	29.057	1,43
Romanians	34.576	0,46	4.157	0,08	30.419	1,50
Ruthenians	15.905	0,21	279	0,01	15.626	0,77
Slovaks	59.021	0,79	2.384	0,04	56.637	2,79
Slovenians	5.104	0,07	3.099	0,06	2.005	0,10
Ukrainians	5.354	0,07	719	0,01	4.635	0,23
Croats	70.602	0,94	14.056	0,26	56.546	2,78
Czechs	2.211	0,03	563	0,01	1.648	0,08

- Jews, Egyptians, Greeks, Ashkali

ADDRESSING THE TOPIC: PARTICIPATION OF NATIONAL MINORITIES IN ELECTORAL PROCESSES

- Democracy based on the principle of peoples sovereignty requires electoral rules and practice, ensuring wide and effective participation of citizens in electoral process. It is desirable that the political representative body – assembly represents as much as possible the heterogeneity of people and the interests of citizens: political, cultural, economic etc.
- The participation and adequate representation of national minorities requires specific measures to be implemented, hence without those measures they are often neglected, excluded and ignored even in cases where there is no direct exclusion – discrimination. Just to mention few sensitive issues: gerrymandering – creating voting system, electoral district making virtually impossible for national minority candidate or parties to acquire mandate, not allowing the use of minority language in electoral process (in media, in voting materials...), prescribing the candidacy requirements so that minority candidates are not able to fulfill requirements, making the establishment of minority political parties heavy... All these problems were present in Serbia as well, and some of them are still.

DEMOCRATIC ELECTIONS IN SERBIA – FOUR LEVELS OF DEMOCRATIC ELECTED BODIES / ASSEMBLIES.

- National Assembly: One house, 250 members, Proportional electoral system, 1 electoral district, with 5% threshold.
- Parliament of AP Vojvodina: One house, 120 members, Combined electoral system: 60 MP elected in proportional system with 5% threshold, 60 MP-s by majority vote in 60 single electoral districts.
- Assemblies of local self-governments (Towns and municipalities) One house, 19-90 members, proportional electoral system, 5% threshold.
- National councils of national minorities. One house, 15-35 members, proportional electoral system, no threshold, 1 electoral district.

POLITICAL PARTIES OF NATIONAL MINORITIES IN SERBIA

- According to the Law on political parties, political party whose activities are specifically directed towards the representation and protection of rights of a national minority will be registered as national minority political party.(Article 3) NMPP should have only 1000 members for the registration and not 10.000 (Art.9)
- 53 registered NMPP out of 91
- Bosnjak political parties: 12/2 parliamentary/3 MP
- Roma political parties: 6/1 parliamentary c. 1 MP
- Hungarian political parties 6/1 parliamentary/5 MP
- Albanian political parties 6/1 parliamentary/1MP
- Vlach political parties 3/1 parliamentary
- Slovak political parties 2/0 parliamentary
- Croat political parties 2/1 parliamentary c. 1MP
- One or more political parties of Rumanians, Ruthenians, Montenegrins, Macedonians, Bulgarians, Bunjevacs, Russians.

LEGAL SOLUTIONS PROMOTING THE INCLUSION OF PERSONS BELONGING TO NATIONAL MINORITIES IN ELECTIONS

- Elections for the National Assembly:
 - - Voting materials in some minority languages (minutes, ballot papers etc.) if minority languages is official in municipality
 - - No threshold/natural threshold 0.4% of all votes for PPNM
- Elections for the Assembly of AP Vojvodina:
 - - Voting materials in some minority languages (minutes, ballot papers etc.) if minority languages is official in municipality
 - - Less signatures of citizens needed for the candidacy of lists of PPNM (3000 and not 6000)
 - - No threshold/natural threshold 1.8% of all votes for PPNM

LEGAL SOLUTIONS PROMOTING THE INCLUSION OF PERSONS BELONGING TO NATIONAL MINORITIES IN ELECTIONS

- Elections for local Assemblies:
 - - Voting materials in some minority languages (minutes, ballot papers etc.) if minority languages is official in municipality.
 - - Representation of the representatives of national minorities in local electoral commissions
 - - No threshold/natural threshold 1.3%-4% of all votes for PPNM depending from the number of seats in local assembly.
 - 10.000 signatures needed for the candidacy!

ACTUAL EFFECTS OF AFFIRMATIVE MEASURES

- Elections for the National Assembly of Serbia (May, 2012)
- 4 NMPP participated alone (AVH 5, SDAS 2, NOA 1,* MP 0)
- 2 Minority coalitions (APD 1, Together BHCSR: 1)
- Several minority political parties were supporting large political parties some of them have MP). Relatively sufficient participation of national minorities on elections in terms of turnout *Albanians

- Elections for the Assembly of AP Vojvodina (May, 2012)
- 2 Hungarian political parties participated with separate lists in proportional elections (AVH 4, HMF, 0)
- 1 Coalition of minority parties participated with separates list (Together BHSC 0)
- In single voting districts Hungarian, Croat, Bunjevac, political parties had own candidates (AVH 3 mandates, others 0)
- Relatively sufficient participation of national minorities on elections in terms of turnout

ACTUAL EFFECTS OF AFFIRMATIVE MEASURES

- Local elections (May, 2012)
- No complete analyses exist
- Majority of NMPP not participated with separate lists on local elections! Only Hungarian, Bosniak and Albanian political parties were able to successfully mobilized minority voters and gain substantial representation in local assemblies. Among the Hungarian political parties it is worth to note that AVH acquired 120 seats, all other Hungarian parties 10 seats.
- These three national minorities are behaving as groups with strong political and national identity, represented by national minority political parties.

WHAT ARE NATIONAL COUNCILS OF NATIONAL MINORITIES?

- Directly elected self-governments of national minorities in Serbia
- Institutions of the cultural autonomy with decision-making, advisory and consent rights in public decision-making processes which concern the specific identity of the respective minority group: mother tongue education, culture, media, language use...
- Allowing some democratic representation also for politically not organized national minorities

LEGAL BACKGROUND

□ LEGAL FRAMEWORK

- Law on protection of rights and freedoms of national minorities, Art. 19. (2002)
- Constitution of Serbia, Art. 75 (2006)
- Law on national councils of national minorities (2009)

Altogether 19 national minorities elected their national councils in June 2010.

COMPETENCES OF NATIONAL COUNCILS

- ❑ Education, Culture, Information, Official use of language
 - Participation in public decisions (mainly administrative)
 - Decision making, consent rights, opinion
 - Participation in managing public schools, public cultural institutions
 - Ownership (founding rights) rights over public schools, libraries, museums / Establishment of the network of Hungarian educational, cultural, and media institutions under the umbrella of the National council.

- ❑ Freedom to autonomously regulate internal organization
- ❑ Financial background – Budgetary transfers’, donations

ELECTORAL SYSTEM FOR THE ELECTION OF NATIONAL COUNCILS

- Direct democratic elections with prior registration of voters
- National councils of national minorities are composed of 15-35 members depending from the number of members of the national minority
- proportional electoral system, 1 electoral district.
- Candidacy at least 1% of registered minority voters should support the list with signature
- Lists might be supported by NMPP or NGO

ELECTIONS IN 2010

- Special register of minority voters (individual citizens voluntarily register themselves)
- Proportional voting system (party lists) All five lists acquired at least one seat in 35 seat Council

NATIONAL COUNCIL OF HUNGARIAN NATIONAL MINORITY

Eligible voters	138 660	
Participation in the election	55,46%	
Votes	Number	Percentage
<i>Total</i>	76 900	100,00%
<i>Valid</i>	76 287	99,2%
<i>Invalid</i>	613	0,8%

CLOSING REMARKS

- Variety of affirmative measures exists in Serbia for the participation of national minorities in the electoral process, although many minority groups are without adequate representation, why?
 - - candidacy requirements
 - - natural threshold is sometimes high
 - - small minorities and their political parties has no place to promote their ideas
 - - use of minority languages restricted to officially multilingual districts
 - - elections for national councils has no media coverage, no public support for real electoral race.
 - - major political parties rarely addressing minority communities in adequate way

THANK YOU