

Unfree and Unfair in Northern Kosovo

7 February 2014

The municipal elections in Kosovo on 3 November were not really local, and come down to two very different stories depending on whether one looks at the Serb-held northern region or the rest of the country. In the government-controlled south, Election Day was inspirational as all communities turned out heavily and peacefully. North of the Ibar river, the elections were tragic, with hubris and assorted other flaws leading to a day ending in violence and confusion. These were not ordinary elections: **they were meant to mark a peaceful transfer of power over northern Kosovo**, from Serbia to the Kosovo government in Pristina. Their failure is a serious warning sign.

The South

Serbs in municipalities south of the Ibar river, voting in their second local election under Kosovo law, turned out in numbers that are indistinguishable from the majority Albanian population around them. **Voting in Kosovo-run elections is no longer an issue for the southern Serb community.**

The Belgrade-backed “Srpska” citizens’ initiative did well in Serb-majority areas but not as well as it hoped, and **all its mayoral candidates will have to compete in a second run-off round on 1 December**. In some areas, such as Parteš, the incumbent Independent Liberal Party (SLS) held the lead against Srpska. But the overall pattern south of the Ibar is fragmentation and coalition-building; the days of one-party dominance are over. A looming wave of Serb refugee voters turned into a ripple outside of Serb-majority areas, and **hardly any bothered to vote in the places they used to live**. If Belgrade planned to inject itself into Kosovo politics through the refugee vote, it has failed.

Officials struggled in many areas. In some polling stations (Pristina and South Mitrovica) officials did not know which documents were sufficient to identify a voter. In others, especially remote locations, staff appeared overwhelmed and waits could be long. But overall, early reports show few of the signs of gross fraud that marred previous elections. **Election Day in most of Kosovo showed the**

promise of a multi-ethnic democracy in action, not without problems but still offering a good model to aim for.

The North

The elections failed north of the Ibar.

The electoral process, from registration of parties and voters, to public outreach, civic education and finally the campaign, **was so deeply flawed as to produce a fundamentally unfree and unfair result** no matter what happened on Election Day – as our recent paper, available on this website, described. The actual voting made that flawed situation even worse. Overall, the day began in tension and chaos, settled in the late morning to a relative calm with some families voting together, and then disintegrated completely in the early evening as attacks on polling stations in North Mitrovica led to a close of stations and a chaotic withdrawal throughout northern Kosovo.

- The **voters' register was catastrophically inaccurate**, with many duplicates allowing for multiple voting, inclusion of voters who had died or moved away, and confusingly organised. Many voters were not on the right lists and had to cast provisional ballots; in some areas it looked like almost half the vote total. Even though his name appears on the voters' register – and he is a leading candidate for mayor – Balkans Group staff watched Krstimir Pantić cast a provisional ballot in North Mitrovica. During one hour of voting in North Mitrovica's Saint Sava school, we saw many voters leave in disgust, unable to find their names on the lists.
- **Polling places opened late and closed early without notice.** No provision had been made to transport Albanian members of polling station committees (PSCs) into Serb-majority areas, leaving them stranded by the government office in North Mitrovica. **The OSCE evacuated** from all four northern municipalities after three polling stations were attacked by unarmed men in Mitrovica, ending voting early.
- **Security was inexplicably poor** especially in North Mitrovica where tensions were readily apparent for hours before the attacks. Eyewitnesses described groups of 8 to 10 unarmed men, who had been standing nearby for hours, don ski masks and force their way into two polling stations. At a third, the Technical School, Balkans Group witnessed an equally unarmed crowd – ironically including boycott supporters – keep a similar group of masked men from trashing the polling station.

- **It remains unclear how these gangs managed to escape** from downtown Mitrovica and northern Kosovo past heavy Kosovo Police, EULEX and KFOR patrols – visible at many street locations and by the polling stations – in the crowded early evening hours.
- **Large numbers of hefty, intimidating men** were visible around polling stations and towns; some traveled in SUVs with Belgrade plates. Some were reputed to be smugglers or members of organised criminal groups, while others were unfamiliar to local observers and appear to be from outside Kosovo. They moved unmolested throughout the North all day.
- OSCE evacuated prematurely and in poor order, **leaving behind ballot boxes and other materials that were collected later by a variety of people including EULEX and Kosovo Police.** Interviews with OSCE staff indicate that in several polling stations the end of voting was not noted in the Poll Book (Art. 93.2 and 94 of the Law on General Elections) leaving open the possibility of ballot-box stuffing – traditionally the favoured method of fraud in the region. As a result, the vote totals are not safe throughout northern Kosovo.
- **Tensions were low in Leposavić, Zubin Potok and Zvečan.** The boycott campaign was present in all three and appeared to be noting names of voters approaching the polling stations but Balkans Group saw no real intimidation.
- **North Mitrovica was a battleground.** Turnout was very low in the morning hours. Around noon, Serbian officials made an intense effort to push voters to the polls, abusing their office by threatening people with loss of jobs or benefits for failing to vote. This violates the law (arts. 34 and 35, Law on General Elections) and skews the results. Likewise, the boycott campaign was nastier here, with insults and jeering directed at voters.

We don't know what happened in the crucial hour before the attack on the North Mitrovica polling stations:
who gave the order, who were the masked men who carried it out, and how did they escape without a

single

arrest?

The narrative taking hold in the North blames the Srpska list and Belgrade; many believe that heavy Albanian turnout in North Mitrovica (over 70 percent of the vote total came from polling stations in Albanian neighbourhoods by one count) led first to the early afternoon push and then, when that failed to produce enough votes, to the attack. The **overall feeling is of being helpless observers in a charade written by remote powers, of being served an account of successful local democracy at odds with the evidence of one's own eyes.** It is corrosive to everything essential for good government in the local region, and will erode the legitimacy of anyone elected in the process and of those in Belgrade, Pristina and the international community seen as endorsing it.

Whatever the answer to these questions, **the election in northern Kosovo did not produce safe or meaningful results and should be repeated.** Turnout in some areas was extremely low. Ballots were handled in violation of the law and are not safe. Intimidation – both for and against voting, and on behalf of – specific candidates and lists was pervasive

There was little attempt to explain the underlying issues at play; since this election marks the transition from Serbian to Kosovo law and administration for the four northern municipalities, such an explanation by Belgrade and Pristina is an essential precondition for a meaningful vote. The other shortcomings identified in Balkans Group’s earlier report need to be corrected as well; only then can northern Kosovo hold the election it needs.