

CENTAR ZA SLOBODNE IZBORE I DEMOKRATIJU
CENTER FOR FREE ELECTIONS AND DEMOCRACY

ELECTION DISPUTE RESOLUTION



**Overview of Electoral Dispute
Resolution in the 2026 Local
Elections**

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INTRODUCTORY NOTES

The document before you constitutes a continuation of CeSID’s ongoing **work on improving the electoral dispute resolution system in Serbia**, building on a series of [studies and analyses](#) published in previous electoral cycles. This analysis focuses on the **fairness, efficiency, effectiveness, and transparency of the work of local electoral commissions (LECs)**¹ in adjudicating complaints during the local elections held on 29 March 2026 in Arandelovac, Bajina Bašta, Bor, Kula, Knjaževac, Kladovo, Lučani, Majdanpek, Smederevska Palanka, and Sevojno.

In addition to assessing the performance of local electoral commissions, **the analysis examines the approaches taken by complainants**, the quality of evidence submitted, and the outcomes of proceedings, with a view to evaluating the extent to which the current system allows for timely and impartial protection of electoral rights. In the context of the recent local elections, it is essential to note that the **system remains in a transitional phase following recent legislative amendments**, which continue to impact the consistency and quality of decision-making. At the same time, low levels of public awareness and limited participation in complaint procedures further constrain the effective protection of electoral rights. Taken together, these factors once again underscore the need for further procedural improvements, strengthened institutional capacities of electoral bodies, and a greater emphasis on transparency and accessibility of legal remedies—particularly at the local level, where the majority of electoral disputes arise.

The analysis is based on **all 60 proceedings conducted before LECs** throughout the entire electoral process. Data on these proceedings (including key information on complainants, subject matter, and outcomes) were drawn from the publicly **available Register of Complaints** maintained and published by the Republic Electoral Commission of Serbia. In order to meet the objectives of the research project, CeSID conducted a comprehensive manual review of all cases and supplemented the Registry data with additional variables relating to evidentiary practices (i.e. whether any evidence was submitted in support of the complaint/request, and if so, what type), the legal basis of proceedings (further specified and categorized in line with previous analyses), and case outcomes (with particular attention to the grounds for dismissal of complaints and requests). This approach enabled a more detailed and robust understanding of the key challenges within the domestic electoral dispute resolution framework, to re-evaluate **previously identified priorities and recommendations for reform in light of new legislation, emerging findings, and evolving contextual factors**.

¹ **Fairness** in the protection of electoral rights entails the right to be informed of the proceedings and their course, a reasonable period to prepare arguments and establish the relevant facts, as well as the right to an impartial procedure for determining all facts, including, where applicable, the conduct of hearings and the issuance of decisions. **Efficiency** of electoral dispute resolution refers to the timeliness of proceedings, the adequacy of deadlines for filing complaints and appeals, and the prompt handling of all types of electoral disputes. **Effectiveness** of the protection of electoral rights entails the right to a written, reasoned decision that is neither arbitrary nor manifestly unreasonable, the right to appeal or judicial review, and the availability of an effective legal remedy. **Transparency** of electoral rights protection requires access to all relevant information on disputes (ideally in real time, as proceedings unfold), public hearings, and publicly available decisions, in accordance with the applicable legal framework.

CURRENT LEGAL FRAMEWORK

The system for the protection of electoral rights in Serbia was most recently reformed in 2022, as part of a broader overhaul of the electoral legislative framework. The current system is primarily regulated by the [Law on the Election of Members of Parliament](#) (Chapter XI), [the Law on Local Elections](#) (Chapter IX), and, indirectly, the [Law on the Election of the President](#), also adopted in 2022, alongside several other laws that indirectly govern the protection of electoral rights. These include the [Law on the Unified Voters Register](#) and the accompanying [Instruction for its implementation](#), the [Law on General Administrative Procedure](#), the [Law on Financing Political Activities](#), and the [Law on the Prevention of Corruption](#), as well as numerous by-laws, rulebooks, and regulations adopted by electoral commissions. Given that the subject of this analysis concerns **proceedings before local electoral commissions**, specifically, complaints related to irregularities in the conduct of voting and complaints submitted throughout the electoral process, the overview of the applicable legal framework will focus on the most relevant provisions in these areas, **exclusively in the context of local elections**.

Within the framework of local elections, the new legislative regime redefines the system for the protection of electoral rights, both in terms of the range of authorized complainants and the available legal remedies. **The right to initiate proceedings** is granted to various categories of actors, including submitters of proclaimed electoral lists, voters (to a limited extent, where their individual voting rights are affected), submitters of electoral lists in the process of certification, political parties in certain types of disputes, candidates and list leaders, parliamentary groups in specific procedures, accredited observers, as well as certain state and local authorities, such as the Ministry of Justice and heads of local self-government units. **In this context, the role of electoral list submitters has been expanded, while the participation of voters, compared to previous legislative arrangements, has been restricted to a narrower set of circumstances.**

The protection of electoral rights at the local level is structured as a **two-instance procedure**. A complaint is submitted to the local electoral commission within 72 hours of the adoption of a decision, the undertaking of an action, or an omission, and the commission is required to decide within the same timeframe. In the course of adjudication, the commission may annul the contested decision or replace it with a new one. **An appeal against the decision of the LECs may be lodged with the competent higher court, determined according to the seat of the assembly of the respective local self-government unit**, within 72 hours from the publication of the decision. The electoral commission is required to transmit the case file to the court within 24 hours, while the court must render its decision within 72 hours. The court's decision is final and not subject to extraordinary legal remedies.

The normative framework also **foresees additional oversight mechanisms**, including the possibility to request a sample-based verification of polling board records, as well as clearly defined instances in which **voting is to be annulled ex officio** due to serious irregularities in the electoral process. Although the range of authorized complainants is relatively broad, **practice indicates that the effective accessibility of legal protection remains uneven, particularly in light of constraints related to procedural awareness, short statutory deadlines, and differing**

capacities of stakeholders to effectively utilize available legal remedies. Moreover, the role of local electoral commissions and higher courts, which have only recently assumed key competences in this area, continues to evolve through practice, potentially affecting the consistency and predictability of decision-making.

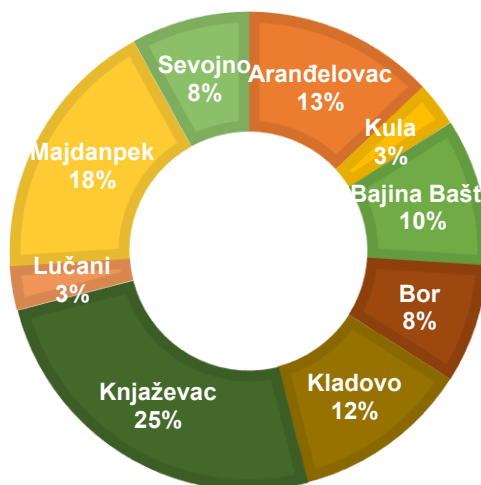
QUANTIFYING ELECTORAL DISPUTES

As outlined in the introductory and methodological notes, the analysis of electoral dispute resolution processes in the local elections held in March 2026 is based on a **dataset** available on the [Republic Electoral Commission's website](#). This **dataset comprises 60 proceedings across all stages of the electoral process** (the primary subject of this analysis), along with an additional 20 appeal proceedings examined only indirectly.

NUMBER AND DISTRIBUTION OF COMPLAINTS BY LOCAL SELF-GOVERNMENTS

A total of **60 complaints** were recorded across the observed local electoral commissions. The highest number was registered in **Knjaževac (15)**, followed by **Majdanpek (10)**, while the remaining local self-government units recorded a significantly lower number of cases. The majority of complaints were submitted either **on election day (28)** or **before election day (29)**, whereas the number of **post-election complaints was minimal (3)**.

Figure 1. Distribution of complaints by LSGs (%)



When observed at the municipal level, in several localities (Bajina Bašta, Kula, Lučani, and Sevojno), complaints were submitted **exclusively before election day**, primarily in relation to the certification or rejection of electoral lists, as well as other unlawful decisions of electoral commissions. By contrast, in Arandelovac, Kladovo, and Majdanpek, complaints were **predominantly filed on**

election day, indicating a higher incidence of irregularities or disputed situations during the voting process². **Knjaževac** stands out as the only municipality with a significant number of complaints across all three phases of the electoral process, including the post-election period. Overall, the distribution of complaints suggests that **key challenges were concentrated in the pre-election phase and on election day, while post-election complaints remained limited.**

Table 1. Distribution of complaints by LSGs, by time of submission (absolute numbers)

LEC	Number of complaints			
	Total	Before E-day	During E-day	Post E-day
Arandelovac	8	2	6	0
Bajina Bašta	6	6	0	0
Bor	5	1	3	1
Kladovo	7	1	6	0
Knjaževac	15	8	5	2
Kula	2	2	0	0
Lučani	2	2	0	0
Majdanpek	10	2	8	0
Sevojno	5	5	0	0

PARTICIPANTS IN ELECTORAL RIGHTS PROTECTION PROCEEDINGS

As in all previous analyses conducted by CeSID in the field of electoral rights protection, the overwhelming majority of proceedings were initiated by **submitters of proclaimed electoral lists**, 60%, i.e., 36 out of 60 cases. However, this share is significantly lower than in previous (national) elections, when it reached nearly 85% (in 2023) and 90% (in 2022). Proclaimed electoral lists were most active in Knjaževac, where they filed a total of 10 complaints, followed by Majdanpek with nine complaints.

Table 2. Applicants submitting complaints – proclaimed electoral lists (absolute numbers)

Proclaimed electoral list	LSG	Number of proceedings
Ne dam	Majdanpek	9
Knjaževac uz studente	Knjaževac	8
Kladovo ima nas	Kladovo	6
Vreme je da se Bor pita	Bor	4
Ujedinjeni Sevojno	Sevojno	2
Promene	Knjaževac	2
Samo da vidim	Bajina Bašta	1
SDPS	Bajina Bašta	1
Ujedinjeni za Bajinu Baštu	Bajina Bašta	1
Glas mladih opštine Kula	Kula	1
Zajedno za Lučane	Lučani	1

² For a proper understanding of the context, it is important to note that in Arandelovac, six identical complaints were submitted by different voters in relation to a single polling station.

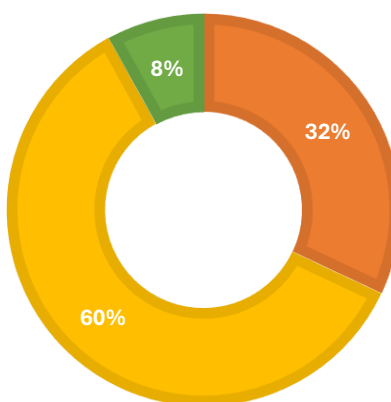
The second most represented category of participants in electoral rights protection proceedings was **voters**, 31%, i.e. 19 out of 60 cases. While this finding should be interpreted in light of the fact that these were local elections, where voters are generally more familiar with local institutions than in national electoral contexts, it is nonetheless encouraging: in previous elections, voter participation in electoral dispute resolution ranged between 5% and 10%. **Of these 19 proceedings, 11 (58%) were initiated by men, 6 (32%) by women, while 2 cases (10%) were submitted by groups of voters.** Voters filed the highest number of complaints in Arandelovac (8), followed by Knjaževac (5), Bajina Bašta (3), Sevojno (2), and Bor (1).



*Further contextual clarification is warranted in this regard. Of the eight complaints recorded in **Arandelovac**, as many as **six were identical, albeit submitted by different voters.** All complaints concerned alleged irregularities in the procedure for out-of-polling-station voting (Polling Station No. 1), specifically claiming that voters were denied their right to vote as the polling board failed to allow them to sign the required certificate for voting outside the polling station. All complaints contained identical wording, handwritten by different voters, and were submitted within a similar timeframe. The LEC upheld these complaints and annulled the voting at the polling station based on the submissions (according to the reasoning provided in the decisions, none of the 22 certificates of voting rights returned to the polling station had been signed). However, authorized representatives of the electoral list *Studenti za Arandelovac – Mladost pobeđuje* filed **appeals against the decisions of the LEC**, alleging incorrect application of the law. The Higher Court in Kragujevac upheld these appeals, annulled the decisions of the commission, and **dismissed the voters' complaints as incomplete**, citing critical deficiencies as prescribed by law.*

Figure 2. Submitters of complaints (%)

■ Voter ■ Proclaimed electoral list ■ Other categories



It is noteworthy that **none of the complaints submitted by voters was related to election day or to irregularities at polling stations**, except the six identical complaints concerning a single polling station in Arandelovac.

In addition to submitters of proclaimed electoral lists and voters, **other categories of applicants also participated in electoral rights protection proceedings**: members of electoral commissions (in two cases), accredited observers (in two cases), and a candidate for local assembly (in one case), accounting cumulatively for 8% of all cases.



Although the share of voters in electoral dispute resolution proceedings appears relatively high (due to the previously described situation in Arandelovac), the fact remains that citizens are not sufficiently active in protecting their electoral rights. The earlier conclusion, therefore, still holds: the process remains largely “appropriated” by political parties and electoral contestants participating in the race.

SUBJECT MATTER OF COMPLAINTS

Following the methodology previously developed by CeSID for the analysis of electoral dispute resolution processes under the current system, the subject matter of complaints has been classified into the following categories - see the table below

Table 3. Subject matter of complaints (absolute numbers and percentages)

Subject matter of complaint	Total	%
Unlawful decisions of electoral bodies	16	27
Irregularities in candidate nomination or obstruction of candidacy	12	20
Irregularities related to out-of-polling-station voting	9	15
Procedural issues	8	13
Irregularities related to voting – violations of secrecy and freedom of vote	5	8
Other criminal offenses against electoral rights	3	5
Irregularities related to the determination of results	3	5
Other	3	5
Campaigning at or in front of polling stations	1	2

In line with this, the majority of complaints concerning **unlawful decisions of electoral bodies** are related to the pre-election phase, and in particular to violations of the right to observe elections. Specifically, eight out of the 16 complaints in this category were filed against decisions of several local electoral commissions to grant domestic observer status to a civil society organization based in Novi Sad. In addition, complaints in this category addressed challenges to the order of candidates on the consolidated electoral list, issues related to the revision of electoral lists pursuant to conclusions adopted by electoral commissions, alleged irregularities in the adoption of the Overall Report on Election Results, and decisions on the correction of polling board minutes. *Of all these complaints, only one was upheld - in Knjaževac, where the local electoral commission had unjustifiably rejected a request by an observer mission to monitor the elections. Upon complaint, the initial decision was set aside, and a new decision was adopted following a renewed review of the organization’s Statute.*

Within the category of **irregularities in candidate nomination or obstruction of candidacy**, complaints were recorded concerning failures of electoral lists to comply with the legally prescribed

gender quota, irregularities in the collection of supporting signatures and certification of documents, as well as deficiencies in the documentation submitted with electoral lists. This category also included complaints challenging the use of individuals' names and surnames in the titles of electoral lists, as well as those contesting similarities between list names and those of unrelated political actors. *Out of the 12 complaints classified under this category, two were upheld: one in Sevojno, where a candidate included on the list was not eligible to stand for election, and another in Lučani, where a proclaimed list was successfully challenged on the grounds that the agreement establishing the group of citizens had been signed and certified before calling of elections, contrary to the Law on Local Elections.*

The third most common ground for complaints in these elections concerned irregularities related to **out-of-polling-station voting**. This issue has long represented a significant challenge within the electoral process, for at least two reasons: first, the procedure appears complex both to voters and to polling boards and authorized representatives responsible for conducting such voting; second, the organization and modalities of out-of-polling-station voting create considerable scope for manipulation of electoral materials (including applications for voting, certificates, signatures, and ballots), and consequently, of voters' will. Municipalities in which complaints related to such irregularities were recorded include Majdanpek, Arandelovac, and Knjaževac. *Within this category, as many as five complaints were upheld (out of the six identical complaints submitted in Arandelovac, one was dismissed); however, the decisions upholding these complaints were subsequently overturned on appeal.*

Within the **category of procedural issues**, complaints were recorded regarding the inadequate arrangement of polling stations before voting, inconsistent application of indelible ink, the use of mobile phones, and similar matters. In one instance, a breakfast event for tourists was organized at a polling station concurrently with the voting process, while in another case, remarks were not published alongside the polling board record, despite being formally noted. *None of these complaints was upheld.*



*The approach adopted by certain LECs in adjudicating **complaints related to procedural issues**, and in particular in the reasoning of their decisions, is indicative of broader challenges in the application of the legal framework. For example, in Kladovo, a complaint was filed concerning the failure of the LEC to carry out a required action, **namely to publish, before the opening of polling stations, the number of voters who had applied to vote outside the polling station.** This obligation is explicitly prescribed by the Law on the Election of Members of Parliament, which provides that: “The local electoral commission shall, before the opening of polling stations, publish on its website the total number of voters within its jurisdiction who have notified it, by election day, of their intention to vote outside the polling station.” In rejecting the complaint as unfounded, the electoral commission in Kladovo stated: “On 29 March 2026, LEC adopted information on the number of registered voters voting outside the polling station and published it on the website of the Republic Electoral Commission of Serbia, which was uploaded at 08:01, **most likely due to technical shortcomings.**”*

Within the category of complaints concerning **violations of the secrecy and freedom of the vote**, observed practices included family and group voting, the keeping of lists tracking the order of voters who had cast their ballots, and the organized transportation of voters to polling stations, among others. *None of these complaints were upheld, with a note that no supporting evidence was submitted in any of these cases.*

Among the **remaining categories** of complaints were those alleging signature falsification, so-called “Bulgarian train” voting schemes, the maintenance of parallel voter registers, and irregularities in the determination of results following the close of voting. *All such complaints were either rejected or dismissed.*



*In the most recent elections, challenges in the protection of electoral rights were predominantly linked to the **conduct of electoral bodies and the early stages of the electoral process**, while irregularities on election day and after the close of polling were only rarely the subject of formal proceedings.*

*Particular concerns relate to the **legality of the work of electoral commissions**, as well as to irregularities in the **candidate nomination process** and the **organization of out-of-polling-station voting**, which continues to represent one of the most sensitive aspects of the electoral process.*

EVIDENCE AND OUTCOMES OF PROCEEDINGS

Establishing irregularities

Establishing irregularities in the electoral process is constrained by a range of **structural and procedural limitations**. Irregularities often occur within a very short timeframe and in the absence of independent witnesses, while participants rarely possess material evidence. Moreover, the use of photographs and video recordings as evidence is restricted or prohibited, significantly limiting the ability to document contested situations. Proceedings are highly **formalized and conducted within exceptionally short decision-making deadlines**, leaving little room for the collection and presentation of evidence. At the same time, complaint proceedings do not provide for mechanisms such as adversarial hearings or public sessions, further complicating the establishment of facts. Taken together, along with **limited awareness among participants and concerns about potential repercussions**, these factors contribute to many irregularities remaining unreported or insufficiently substantiated in formal proceedings.

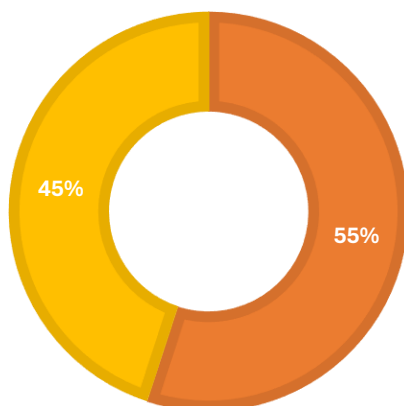
From a formal legal perspective, the requirement to submit evidence is governed by the [Law on Local Elections](#), which in Article 81 provides that a complaint must be clear and contain all elements necessary for it to be acted upon, in particular [...] “evidence.” A corresponding provision—applicable to requests for the annulment of elections, is set out in Article 149 of the [Law on the Election of Members of Parliament](#), with both laws stipulating that **incomplete submissions constitute grounds for dismissal**.

Out of the 60 complaints analyzed, as many as 33 did not formally contain any evidence³, despite the legal requirement that evidence be submitted as an essential element of a valid complaint. As a rule, such complaints should have been dismissed as incomplete, without examination of their merits. However, the analysis reveals **inconsistent practice among electoral commissions: in 12 cases, commissions proceeded to examine the merits of such complaints, rejecting six and upholding six.**

This approach raises several important concerns. First, inconsistent practice **undermines legal certainty and the predictability of electoral proceedings**, as complainants cannot reliably anticipate how their submissions will be treated. Furthermore, engaging with the merits despite formal deficiencies may create an **impression of arbitrariness and selective application of rules**, particularly in the absence of clear criteria governing such an approach. At the same time, this practice risks **eroding procedural standards and may incentivize the submission of insufficiently substantiated complaints**, relying on the possibility that commissions will nevertheless consider them on their merits. On the other hand, it may be assumed that, in certain cases, commissions sought to safeguard electoral rights and remedy evident irregularities, even where complaints were formally deficient. Nevertheless, in the absence of a clear and consistent approach, such practice remains problematic, as it undermines the principle of equality of arms and the consistent application of the law.

Figure 3. Use of evidence in EDR (%)

■ Complaints without supporting evidence ■ Complaints with supporting evidence



The majority of evidence submitted in support of complaints consisted of minutes from sessions of electoral commissions, contested decisions and rulings, court judgments, electoral lists, statutes, and similar documentation.

³ In 29 complaints, no evidence was explicitly indicated or submitted, while in 4 cases proposals were made to hear members of the polling board as witnesses.



One of the cases in which, in addition to formal documentation, a **voter statement was submitted** as evidence was recorded in Bajina Bašta. Specifically, a complaint was lodged by a voter challenging the certification of an electoral list on the grounds of allegedly forged and falsified supporting statements, claiming that he had deliberately provided his signature in order to demonstrate that violations of the law were taking place. According to the complainant, the support was given outside the legally prescribed timeframe for collecting signatures, while, upon submission of the list, the dates and the order of entries in the signature register were altered. A notarized and signed statement was submitted together with the complaint, accompanied by a note indicating that a copy of an identity card was also provided to demonstrate discrepancies between signatures; however, this document was not included in the version of the complaint published in the Register. Following its established practice, the electoral commission rejected the complaint, providing the following **reasoning**: “As regards the allegations in the complaint concerning falsified signatures, the Commission did not examine these claims, nor are they relevant for decision-making, as the statements in question were given before a competent authority, i.e. the Municipal Administration of Bajina Bašta. Such statements have the legal force of a public document, and the Commission is required to consider them legally valid unless proven otherwise in an appropriate procedure prescribed by law.” This position was subsequently upheld by the Higher Court in Užice when adjudicating the voter’s appeal.

Out of the 27 complaints in which evidence was submitted, only two were upheld: one in Lučani (concerning irregularities in the certification of an electoral list) and one in Knjaževac (concerning an unlawful decision of the commission to deny observer access). In the first case, the evidence consisted of the complete supporting documentation (including the agreement on the establishment of the citizens’ group, the electoral timetable, and related materials), while in the second case, the evidence included a record of prior authorizations granted by electoral commissions to the association in previous electoral processes.

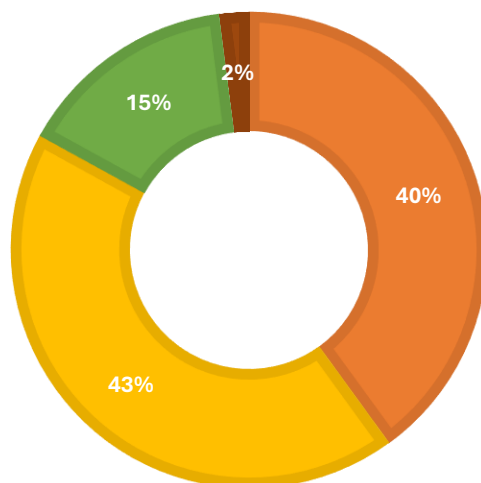
Decision-making by LECs and outcomes of proceedings

Overall, out of all 60 complaints, LECs upheld only 9 (15%). A total of 43% (26 complaints) were rejected on the merits, while 40% (24 complaints) were dismissed on procedural grounds. One complaint was partially upheld. For a proper understanding of these figures, it is important to note that five⁴ of the nine upheld complaints were in Arandelovac and were based on standardized submissions; all of these were subsequently overturned on appeal by the competent higher court. By comparison, in the 2023 parliamentary elections, the share of rejected complaints was identical (43%), while the proportion of dismissed complaints was even higher (54%). Out of a total of 929 proceedings, only six complaints were upheld.

⁴ The sixth complaint in Arandelovac was dismissed as having been submitted by an unauthorized person, as it was filed by an individual not included in the extract from the voter register for the polling station in question.

Figure 4. Outcomes of complaints before LECs (%)

■ Dismissed on procedural grounds ■ Rejected on the merits ■ Upheld ■ Partailly upheld



With regard to **dismissed complaints**, the most common ground for dismissal was incompleteness - 41%, followed by inadmissibility at 25%. A total of 13% were dismissed as filed out of time, while an additional 13% were dismissed on multiple grounds. The remaining complaints were dismissed either as submitted by unauthorized persons or on the basis that the matter had already been adjudicated.

The table below provides an overview of all nine complaints that were upheld as well-founded by **electoral commissions**.

Table 4. Overview of successful complaints before LECs

Submitter	LSG	Type of irregularity	Short description	Evidence
Voter	Sevojno	Irregularities in candidate nomination / Obstruction of candidacy	A candidate included on the proclaimed list did not possess voting rights within the territory of Sevojno	No
Voter	Knjaževac	Irregularities in candidate nomination / Obstruction of candidacy	The proclaimed list did not comply with the legally prescribed gender quota	Electoral list, Decision on the Removal of Deficiencies, Decision on partial upholding of the complaint

Proclaimed electoral list	Lučani	Irregularities in candidate nomination / Obstruction of candidacy	The submitter of the proclaimed list signed and certified the agreement on the establishment of the group of citizens prior to the decision calling the elections	Insight into documents
Other	Knjaževac	Unlawful decisions of election authorities	An observer mission was unlawfully denied the right to observe the elections	Previous authorizations for election observation in other electoral processes
Voter	Arandelovac	Out-of-polling-station voting	Voters were deprived of their right to vote by not being provided with certificates for voting to sign	No
Voter	Arandelovac	Out-of-polling-station voting		No
Voter	Arandelovac	Out-of-polling-station voting		No
Voter	Arandelovac	Out-of-polling-station voting		No
Voter	Arandelovac	Out-of-polling-station voting		No

For illustrative purposes and to facilitate a comprehensive understanding of electoral dispute resolution processes in Serbia, particularly the **issue of inconsistent practice**, several noteworthy examples of decision-making by electoral commissions are presented below.



Concerning the issuance of observer accreditations, two contrasting approaches can be observed. Electoral commissions in Kula, Bajina Bašta, and Sevojno accredited the observer mission of the civil society organization “Perspektiva mladih,” which prompted several complaints on the grounds that, according to its Statute, the organization does not pursue objectives in the field of elections, as required by law. In rejecting these complaints as unfounded, the commissions re-examined the organization’s Statute and established that it “engages in education in the fields of democracy and the importance of active youth participation in the electoral process.” The electoral commission in Bajina Bašta further reasoned that the organization is also engaged in raising public awareness of the importance of human rights, noting that the Constitution guarantees the right to vote as a human right, from which it follows that electoral rights fall within the organization’s objectives. Given that these were local elections, the commission additionally relied on broader objectives related to the development of democracy and the rule of law, stating that “the electoral process constitutes an integral part of democracy.” By contrast, the electoral commission in Knjaževac refused to grant observer accreditation to the organization “KROV.” As grounds for refusal, the commission stated that a review of the Statute did not indicate that the organization was established to pursue objectives in the field of elections, nor could such objectives be inferred

from its other stated aims. At the same time, electoral commissions in Bajina Bašta, Sevojno, and Bor accepted the organization's application and granted observer accreditation. Upon deciding on a related complaint, the commission set aside its previous decision, reassessed the Statute, and concluded that the organization's activities—such as the protection of human rights, fostering regional cooperation, and raising public awareness of the need for participation in decision-making—constitute objectives that are also pursued within the electoral domain.



A similarly noteworthy approach was observed in Arandelovac in relation to **six identical complaints concerning irregularities in out-of-polling-station voting**. The electoral commission [found the complaints to be well-founded](#), concluding that the complainants had been unjustifiably prevented from voting by the polling board. In its reasoning, the commission noted that the voters had duly registered for out-of-polling-station voting, that there was no evidence that the polling board had enabled them to exercise their right to vote, that an inspection of the voter register extract confirmed that the complainants had not voted, and that the polling board itself had recorded that **none of the 22 certificates for out-of-polling-station voting had been signed**. However, in reaching this decision, the commission **failed to take into account formal deficiencies of the complaints**, including the absence of mandatory elements (such as the date, subject matter, indication of the action contested and the actor responsible, supporting evidence, and other required details), as well as issues of irregularity and lack of clarity. The Higher Court in Kragujevac subsequently found that the LEC should have dismissed the complaints, as they did not contain the mandatory elements prescribed by Article 81 of the Law on Local Elections, in particular, the complainant's signature. The complaints had been submitted in PDF format via email, without an electronic signature or a digitized form of signature.



A particularly noteworthy case was observed in Knjaževac, where the citizens' group Knjaževac uz studente filed a [complaint against a decision of the electoral commission rejecting the certification of its electoral list](#). The list had been submitted within the prescribed deadline, accompanied by all required documentation and 632 certified voter signatures, while the legal threshold is 300 signatures. In the process of reviewing the list, the commission **identified alleged deficiencies and issued a conclusion requiring their rectification within 48 hours by submitting additional signatures**. According to the commission's reasoning, the deficiency concerned the fact that **two signatures among the first 300 were deemed invalid**, while the remaining 332 signatures were not taken into consideration at all. In its decision, the commission stated that: "If it were to occur that a name on the list does not have a valid supporting signature, the system may nonetheless recognize it as valid and include it among the voters who supported the electoral list, even though this is not the case in reality, as in the present situation. In such circumstances, **those voters would be prevented from potentially giving their support to another list, as they would be 'locked in' within the 300 voters who have already supported this list.**" An appeal was subsequently lodged with the Higher Court in Zaječar, which upheld the appeal, annulled the electoral commission's decision, and proclaimed the contested electoral list. It remains unclear on what basis the commission assessed the validity of only the first 300 signatures, rather than all submitted signatures in alphabetical order, as prescribed by the applicable regulations.

A recurring issue in the evidentiary framework concerns the treatment of **remarks recorded in the polling board minutes**. Complaints were identified in which it was explicitly stated that **remarks had been noted in the official record, yet were neither published on the website nor included in the electoral materials**. This issue was particularly significant in Knjaževac, where a prolonged legal dispute arose in relation to Polling Station No. 8 and the determination of final results. In this case, it was indicated that remarks existed, but they were not made publicly available. Acting upon a complaint, the LEC proceeded to amend the polling board minutes without having access to those remarks; even in the corrected version of the minutes, it was still indicated that remarks existed, but [without insight into their content](#): *“The remark noted in the polling board minutes was not submitted by the polling board upon handover of the electoral materials after voting and therefore could not be published on the website of the REC.”* Furthermore, LEC failed to publish the record of the session at which the correction of the polling board minutes was adopted, and did not submit it to the court in response to the appeal. According to the Higher Court in Zaječar, *“the fact that the minutes of the session (...) were neither published on the REC website nor submitted to the court with the response to the appeal constitutes a **serious violation of the principles of transparency and the right to an effective legal remedy** (...). Such conduct by the electoral commission, in the court’s view, undermined the legitimacy of the elections and rendered the right to complaint and appeal ineffective.”* **Of particular importance for the overall process is the clear position that, under the provisions of the Law on Local Elections, LECs are obliged to publish on the REC website all complaints and remarks concerning the work of polling boards, as well as any irregularities identified at polling stations.**

As a general observation regarding the work of LECs, notable differences were identified in the **practice of pseudonymization of personal data** within the Register of Complaints. By way of reminder, the [Instruction on the Pseudonymization of Personal Data](#), adopted in 2023, prescribes the methods for protecting sensitive information, such as personal identification numbers, identity document numbers, addresses, contact details, and similar data. The analysis of complaints available in the Register maintained by the REC indicates a heterogeneous practice. While a significant number of electoral commissions comply with this obligation, there are instances where commissions have **published complaints containing fully identifiable personal data of complainants**. This was observed, for example, in Bor and Bajina Bašta. Accordingly, there is a clear need for **targeted and timely capacity-building of secretaries of LECs** (as the officials responsible under the Instruction) in order to ensure more effective protection of personal data in line with the applicable legal framework.

It is important to note that LECs have generally **operated within prescribed deadlines and demonstrated procedural efficiency**. Proceedings were conducted under expedited procedures, and decisions were published promptly on the portal of the REC, thereby contributing to transparency.

Three years after the previous report on electoral dispute resolution, **the same key findings and conclusions continue to apply concerning evidence and case outcomes**. Statistical data and the review of “successful” cases indicate that proving irregularities in the electoral process remains extremely difficult - at times, virtually impossible. This is primarily due to the fact that while the legal

framework clearly requires the submission of evidence, it **does not define what constitutes admissible or sufficient evidence for the annulment of elections**. Existing practice (not only in the current electoral cycle) has shown that photographs and video recordings are generally not accepted as evidence, most often because they were obtained unlawfully, while also raising questions regarding the **evidentiary value of polling board minutes and the accompanying remarks**. *It should be recalled that the polling board minutes constitute the key, and in practice, often the only document reflecting the conduct and quality of election day, containing records of all events relevant to the voting process. These minutes are completed by members of the polling board, appointed by proclaimed electoral lists and funded from the state budget, with the mandate to ensure that voting is conducted lawfully and efficiently.* **The fact that remarks may simply not be submitted together with the minutes, or may be subject to manipulation**, undermines the ability to establish, with certainty, what occurred at a given polling station, often resulting in complaints being rejected as unfounded.

Particular attention should also be drawn to the **absence of accountability for polling board members in cases where minutes are completed inaccurately** or where remarks, as a separate annex to the minutes, are not submitted to the competent commissions. At the same time, another persistent structural challenge affecting the evidentiary process lies in the **political composition of election administration bodies** (both electoral commissions and polling boards), which may, in certain cases, lead to **proceedings being influenced by political considerations rather than by objective circumstances and facts**.

Another important issue to highlight in relation to case outcomes is the **disproportionality of legal remedies in relation to the seriousness of (proven) irregularities in the electoral process**. Specifically, the domestic legal framework provides exclusively for the annulment of elections as a sanction for a range of more serious irregularities; it does not envisage monetary, administrative, or any other types of sanctions that could be applied in cases of irregularities that do not have a decisive impact on voting at a polling station or on the overall results. This feature of the electoral system in Serbia is particularly significant in situations where **irregularities arise from unintentional errors or omissions by members of polling boards or by voters**, i.e. in circumstances where the error itself does not necessarily imply a lack of electoral integrity. In this regard, it would be advisable for future discussions on amendments to the legislative framework to consider the introduction of a **graduated system of sanctions available to electoral commissions**. Such an approach would likely reduce the current level of impunity among polling board members, while also serving a deterrent function by preventing improper conduct in future electoral processes.



A very small number of initiated proceedings were resolved in favor of complainants, confirming that the evidentiary threshold for proving irregularities in the electoral process remains exceptionally high. While the legal requirement to submit evidence was introduced to prevent abuse, in practice, combined with a restrictive approach to the admissibility of evidence and very short deadlines, it often limits the effective protection of electoral rights.

*An additional concern is the **inconsistent practice of electoral commissions**, which in certain cases, proceed to examine the merits even where complaints do not meet formal requirements, thereby undermining legal certainty and the consistent application of the law.*

Decisions on appeals

Jurisdiction for deciding on appeals in local elections lies with higher courts, based on territorial competence. During this electoral process, a **total of 20 appeals were filed**: 9 were adjudicated by the Higher Court in Zaječar, 6 by the Higher Court in Kragujevac, and 5 by the Higher Court in Užice.

Exactly half of the appeals (10) were rejected or dismissed, one resulted in a partial decision, while 8 appeals were upheld and the contested decisions annulled. Of these 8, five relate to standardized cases from Arandjelovac, while the remaining three were upheld in Zaječar due to irregularities in the work of the LEC of Knjaževac.

CONCLUSIONS AND RECOMMENDATIONS

Three key findings emerge from the analysis of electoral dispute resolution in the local elections held in March 2026: (1) **the structure and nature of irregularities**, (2) **the role of participants in the proceedings**, and (3) **the practice of decision-making bodies**.

First, the findings confirm that the main challenges in the protection of electoral rights are concentrated in the **early stages of the electoral process and in the conduct of electoral bodies**, while **irregularities on election day and after the close of polling are rarely the subject of formal proceedings**. Particular concerns relate to the **legality of the work of electoral commissions**, the **candidate nomination process**, and the organization of out-of-polling-station voting, which remains one of the most sensitive aspects of the electoral process. At the same time, **proving irregularities continues to be extremely difficult**, primarily due to a restrictive approach to evidence, short deadlines, and limited procedural mechanisms, all of which significantly affect case outcomes.

Second, although **voter participation in electoral dispute resolution** has formally increased compared to previous electoral cycles, it **remains limited** and partly shaped by specific local circumstances, while the process of protecting electoral rights continues to be predominantly driven by political actors. At the same time, **a significant number of complaints fail to meet basic formal requirements, including the submission of evidence**, further constraining the effective use of available legal remedies.

Finally, the **practice of LECs** continues to be characterized by **inconsistency, particularly in the interpretation of procedural requirements and the approach to evidence**. In some cases, commissions examine the merits even when formal requirements are not met, while in others a strictly formalistic approach is applied, raising concerns regarding legal certainty, equality of arms, and consistent application of the law. At the same time, the new legislative framework has retained the **party-based composition of electoral commissions and polling boards**, reflecting the continued strong influence of political parties and electoral contestants on the administration of elections. **This non-professionalized electoral administration generates a range of long-**

standing systemic challenges, most notably the susceptibility of decision-making to political interests and occasional attempts to misuse the system for partisan purposes. In this context, a particularly significant issue is the systemic absence of accountability for unprofessional and/or unlawful conduct by members of electoral management bodies—there are no criminal or misdemeanor proceedings, nor is there a clear record of the performance and conduct of polling board members.

Among the positive aspects, it is evident that the **system functions effectively in terms of the speed and urgency of proceedings, as well as in terms of transparency**, which has significantly improved compared to earlier periods. Decisions in all proceedings are publicly available on the REC website, complainants are duly informed of outcomes, and the public is granted access to accompanying documentation where available. Overall, the system is **structurally sound in that it guarantees a two-instance protection of electoral rights**, including the possibility to challenge first-instance decisions.

In light of the new legal framework, emerging findings, and evolving circumstances identified through this analysis, CeSID has undertaken a **re-evaluation of previously formulated recommendations and proposed strategic interventions, with a particular focus on the work of LECs and higher courts as key actors in the protection of electoral rights**. Building on the analytical framework established in 2021, the proposed interventions are structured across four areas: (1) the institutional model of electoral dispute resolution, (2) rules and procedures for the investigation and adjudication of complaints and disputes, (3) legal remedies, sanctions, and enforcement of decisions, and (4) public information and education.

(1) Institutional Model of Electoral Dispute Resolution

Electoral participants, particularly those directly involved in elections, must have clear and accessible information on which institution is competent to adjudicate specific types of disputes, as well as on all relevant procedural and substantive rules governing the handling and determination of complaints and appeals.

Recommendation	Institution	Priority	Timeframe
#1 Professionalize the work LECs and reduce the influence of political actors in decision-making	National Assembly, LECs, REC	High	Mid-term
#2 Harmonize the practice of adjudicating complaints, particularly concerning incomplete submissions and the assessment of evidence	REC, LECs	High	Short-term
#3 Clarify the legal status of polling board minutes and accompanying remarks as evidence	REC, LECs	High	Short-term
#4 Ensure consistent application of rules on pseudonymization and personal data protection	REC, LECs	High	Short-term

(2) Rules and Procedures for the Investigation and Adjudication of Complaints and Disputes

The legal framework must provide clear guidance on all legal aspects of electoral dispute resolution, including the burden of proof, clearly defined categories of admissible evidence, available legal remedies, and applicable procedural deadlines. International standards require that these procedures be established on time, before the commencement of elections, and that all stakeholders be fully informed of them.

Recommendation	Institution	Priority	Timeframe
#5 Redefine the legal framework and clearly prescribe what constitutes admissible and sufficient evidence for proving irregularities related to voting	National Assembly	High	Short-term
#6 Harmonize legislation to enable the initiation of proceedings through electronic means, in line with the applicable laws on electronic procedures and general administrative procedure; clearly regulate the modalities of electronic communication with parties	National Assembly, REC, LECs	High	Short-term

(3) Legal Remedies, Sanctions, and Enforcement of Decisions

Legal remedies must be clearly defined and known in advance of the electoral process, and mechanisms must be in place to ensure their effective enforcement. Only under such conditions can an electoral dispute resolution system be considered credible and effective.

Recommendation	Institution	Priority	Timeframe
#7 Consider amending the legislative framework to introduce a graduated system of legal remedies in electoral rights protection proceedings, in order to improve efficiency and prevent abuse through intentional annulment of voting at polling stations	National Assembly	High	Mid-term
#8 Strengthen the application of sanctions against members of polling boards and electoral commissions who fail to perform their duties in accordance with the law—through a more proactive role of the prosecution / Introduce a system for monitoring the performance of polling board members and commission members	Ministry of Justice, Public Prosecutor's Office, REC	High	Short-term
#9 Strengthen the role of the prosecution in addressing electoral irregularities	Public Prosecutor's	Medium	Mid-term

	Office, Ministry of Justice		
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(4) Public Information and Education

Public information and education should ensure that all electoral stakeholders, as well as the broader public, are fully aware of their rights and obligations.

Recommendation	Institution	Priority	Timeframe
#10 Conduct regular training for members of local electoral commissions in the field of electoral dispute resolution	REC, Judicial Academy, Higher Courts	High	Short-term
#11 Develop an annual training plan for political parties and organizations at the local level and regularly implement training aimed at strengthening their capacity and awareness of electoral dispute resolution mechanisms and their use	Civil society organisations	High	Short-term
#12 Develop an annual training plan for representatives of higher courts and regularly conduct training (once per year or ahead of elections) to strengthen capacity in fact-finding and adjudication of appeals	REC, Judicial Academy, Higher Courts	High	Short-term
#13 Organize and implement educational campaigns for voters and provide public information on how to use electoral rights protection mechanisms and how to engage in appeal procedures	Civil society organisations, REC	High	Short-term
#14 Prepare standardized complaint submission forms in advance and ensure their availability at polling stations in sufficient numbers	REC, LECs	High	Short-term