

ADDENDUM TO THE ODIHR OPINION OF MARCH, 2026 ON DRAFT AMENDMENTS TO THREE PIECES OF SERBIA'S ELECTION-RELATED LEGISLATION

SERBIA

This Opinion has benefited from contributions made by Ms. Marla Morry, International Lawyer and Electoral Expert.

Based on English translation of the Draft Law provided by the National Assembly of the Republic of Serbia.



OSCE Office for Democratic Institutions and Human Rights

Ul. Miodowa 10, PL-00-251 Warsaw
Office: +48 22 520 06 00, Fax: +48 22 520 0605
www.legislationline.org

On 13 March 2026, the Secretary General of the National Assembly submitted to ODIHR further updated versions of the three Draft Laws amending the Law on the Election of the Members of Parliament, the Law on Local Elections, and the Law on the Constitutional Court. The submission noted that the updates were based on the ODIHR's 6 March 2026 Opinion on Draft Amendments to Three Pieces of Serbia's Election-Related Legislation and requested an analysis and opinion on the further updated Draft Laws. This Addendum assesses the extent to which the further updated versions of the three Draft Laws address the recommendations put forward in the 6 March Opinion.

1. Provision of Mandatory Training of Election Officials

Recommendation: *ODIHR recommends to reinstate the omitted draft provisions in order to provide for mandatory training of extended members of election bodies.*

The further updated draft amendments incorporate mandatory training also for the extended composition of the local electoral commissions and polling boards by way of Articles 4 and 8 of the Draft Law Amending the Law on the Election of Members of Parliament which propose to amend Articles 30 and 30 of the Law on the Election of Members of Parliament. As such, **the above-noted recommendation has been fully addressed in the further updated draft amendments.**

Recommendation: *Consideration should be given as to whether any changes to the law on presidential elections are required in order to harmonize the provisions [with the provisions on mandatory training in presidential elections].*

The further updated draft amendments do not address this recommendation and are therefore reiterated.

Recommendation: *Article 41 of the Law on the Elections of Members of Parliament should be amended to explicitly state that the mandatory training applies for replacement members [of polling boards].*

Articles 13 and 6 of the Draft Law Amending the Law on the Election of Members of Parliament and the Draft Law Amending the Law on Local Elections, respectively, provide for amendments to Articles 41 and 33 of the respective Laws, which require that the persons nominated to replace members of the polling boards must hold a valid certificate of completed training. **As such, this recommendation has been fully addressed by the further updated draft amendments.**

Recommendation: *Harmonize Article 32 of the Law on the Elections of Members of Parliament with the proposed amendment to Article 25 of the Law on Local Elections [with respect to the obligation of the local electoral commissions to cooperate with the Republic Electoral Commission in organizing and conducting trainings for working in the polling boards].*

Article 1 of the Draft Law Amending the Law on the Election of Members of Parliament now provides for a proposed amendment to Article 24 of the respective Law which lists as one of the competencies of the Republic Electoral Commission to cooperate with local electoral commissions in organizing and carrying out trainings for working in polling boards. However, the further updated draft amendments do not include any proposed change to Article 32 of the same Law which sets out the competencies of local electoral commissions, in order to oblige them to cooperate with the Republic Electoral Commission in organizing and carrying out trainings for working in polling boards. Such a change would harmonize Article 32 with a proposed amendment to Article 25 of the Law on Local Elections. **For this recommendation to be fully implemented, it is recommended to harmonize Article 32 of the Law on the Elections of Members of Parliament with the proposed amendment to Article 25 of the Law on Local Elections.**

Recommendation: *[On the timing of the introduction of training requirements] It is thus suggested that a shorter transitional period is more appropriate, to ensure that the mandatory training and certification is implemented for the upcoming elections, at least for persons who will hold leadership position in the mid- and lower-level election bodies, while training of all other members could be postponed to a later date established by the law.*

The date of coming into force of the proposed provisions on the mandatory training, established in transitional Articles 16 and 11 of the Draft Law Amending the Law on the Election of Members of Parliament and the Draft Law Amending the Law on Local Elections, respectively, has not been changed. Those provisions still provide for the mandatory training provisions to come into force on 1 January 2028.

However, transitional Article 10 of the Draft Law Amending the Law on Local Elections now obliges all chairs, deputy chairs, secretaries and deputy secretaries of local electoral commissions appointed prior to the entry into force of the Law to complete training for work in such commissions within six months from the entry into force of the Law and obliges all chairs, deputy chairs, secretaries and deputy secretaries appointed to such commissions after the entry into force of the Law but before the application of the provisions on mandatory training come into force (on 1 January 2028) to complete training for work in such commissions within three months of their appointment to the commission.

However, the transitional provisions for newly appointed local electoral commission members do not sufficiently address the recommendation to ensure implementation of training requirements ahead of the next elections, in particular, for those in leadership positions. For instance, beginning six months after entry into force of the Law, under Article 10, newly appointed officials would potentially be working for up to three months without having received any training, even for positions which will be filled in 2027, up to one and a half years after the Law has been adopted. Further, Article 10 is silent on who will conduct the training; it does not provide that the training will be conducted by the Republic Electoral Commission to ensure that these higher-level election officials receive professional, standardized training.

It is also noted that a corresponding transitional provision on the mandatory training of these higher-level election officials is not included in the Draft Law Amending the Law on the Election of Members of Parliament. In this regard, it is unclear if such training also applies for local electoral commissions that function during the parliamentary elections.

In light of the this, **the above-mentioned recommendation has been partially addressed by the further updated draft amendments but would benefit from further revision.**

Recommendation: *It is recommended to consider shortening the deadline for adoption of the instructions of the Republic Electoral Commission [on the mandatory training] to three months.*

Article 15 of the Draft Law Amending the Law on the Election of Members of Parliament has been changed to provide that the Republic Electoral Commission shall adopt the instructions on the mandatory training within three months following the date of entry into force of the Law. **As such, the above-noted recommendation has been fully addressed in the further updated draft amendments.**

Recommendation: *Consideration could be given to explicitly prohibiting in the law any discrimination in the implementation of the mandatory training program.*

Article 2 of the Draft Law Amending the Law on the Election of Members of Parliament now proposes to add a provision under proposed new Article 24a of the respective Law which states that the right to attend the mandatory training shall be granted to every eligible person under the Law, without discrimination on any grounds, including political affiliation and political beliefs. **As such, the above-noted recommendation has been fully addressed in the further updated draft amendments.**

Recommendation: *The law can provide that the certification of [an election official] will be cancelled following a decision issued by the respective higher electoral commission [on malfeasance committed during the course of an election official's work], applying an administrative standard of proof, and could also provide for a (range of) period of time during which the individual is banned from being admitted again to the training program.*

Article 2 of the Draft Law Amending the Law on the Election of Members of Parliament proposes in new Article 24a of the respective Law a provision stating that the completed training certificate ceases to be valid for a person who has been finally convicted and sentenced to imprisonment for a criminal offense against electoral rights, and that such a person may not attend the training again for three years after the completion of the sentence. While the recommendation suggests an administrative decision with the lower standard of proof of electoral malfeasance is sufficient to cancel a training certificate, the draft amendments propose the requirement of a criminal conviction, which carries with it the stricter standard of proof. **As such, the above-noted recommendation has been partially addressed by the further updated draft amendments.** It is noted that

ODIHR's Opinion also suggested to strengthen criminal sanctions for electoral malfeasance committed by election officials while conducting their duties which is not addressed in the further updated draft amendments.

2. Repeal of Restrictions on Signing Candidate Lists

Recommendation: *It is recommended to strengthen criminal laws and procedures and to enhance investigation and prosecution efforts to ensure that those responsible for forging signatures in support of electoral lists are brought to justice. Further, instituting administrative safeguards could alleviate such use of forged signatures.*

The further updated Draft Laws do not address the above-noted recommendation, with respect to strengthening criminal laws and establishing administrative safeguards to combat the practice of forged signatures in support of electoral lists.

3. Further Defining Legal Criteria for National Minority Status of Lists

Recommendation: *ODIHR advises to revise the proposed criterion [for excluding being granted the status of a national minority list] - if the list leader or first candidate on the list is generally known to primarily belong to a political party that does not represent a national minority – by removing the reference to “primarily” and to make clear whether the restriction applies only to candidates who are currently members of a non-minority party or if it also applies to those who have ever been a member of such a party.*

Article 14 of the Draft Law Amending the Law on the Election of Members of Parliament and Article 9 of the Draft Law Amending the Law on Local Elections which amend Articles 138 and 76 of the respective Laws no longer include the word “primarily”. In addition, the provision in both Draft Laws now refers to “active members of a political party that does not represent a national minority”, thereby clarifying that it applies only to current (and not former) members of such political party. **As such, the above-noted recommendation has been fully addressed by the further updated draft amendments.**

Recommendation: *ODIHR recommends not to limit the scope of the [above noted] exclusion [to only the leader and first candidate of the list [compared to the application of the exclusion to all candidates on the list] to preserve the provision's aim to prevent misuse of national minority status lists.*

Article 14 of the Draft Law Amending the Law on the Election of Members of Parliament and Article 9 of the Draft Law Amending the Law on Local Elections which amend Articles 138 and 76 of the respective Laws now broaden the application of the above-noted exclusion criteria to apply to all candidates on the list in addition to the list leader. **As such, the above-noted recommendation has been fully addressed by the further updated draft amendments.**

Recommendation: *ODIHR reiterates its concern with this proposed provision [establishing an exclusionary criterion “if the list or the first candidate on the list is a person who is generally known as a social activist on issues unrelated to national minorities and the protection or improvement of their rights”] and recommends removing it.*

Article 14 of the Draft Law Amending the Law on the Election of Members of Parliament and Article 9 of the Draft Law Amending the Law on Local Elections which amend Articles 138 and 76 of the respective Laws now have removed the basis of social activism of candidates as a basis for rejecting the status of a national minority electoral list. **As such, the above-noted recommendation has been fully addressed by the further updated draft amendments.**

Recommendation: *ODIHR recommends to reconsider the use of the proposed criterion [for determining national minority status of candidate lists “if at least six months before the decision to call an election takes effect, the majority of candidates on the list were registered in a special voter register of the national minority maintained in accordance with the law governing the national councils of national minorities” in light of concerns about the legality and constitutionality of using the special register in other types of elections.*

The above-noted recommendation has not been addressed by the further updated draft amendments.

Recommendation: *[In the March, 2026 Opinion] ODIHR reiterated its recommendation to establish clear and equitable criteria for submitting a national minority list, including by permitting groups of citizens to present candidate lists representing national minority status.*

Article 13 of the Draft Law Amending the Law on the Election of Members of Parliament and Article 8 of the Draft Law Amending the Law on Local Elections now include a provision to amend Articles 13 and 75 of the respective Laws to enable electoral lists submitted by groups of citizens to obtain the status of a national minority electoral list, provided that the citizen group includes a minimum of ten voters who, at least six months before the entry into force of the decision calling the elections, were registered in the special voter register of the relevant national minority, maintained in accordance with the law governing national councils of national minorities. The proposals also require such minority lists to contain the name of the national minority whose interests are represented by that group of citizens.

While it is a welcome development in line with the national law, OSCE commitments, and international law that the proposed changes allow for groups of citizens to present candidate lists representing national minority status, the condition that the citizens in the group have been registered (for at least six months before the calling of the election) in the special voter register of the relevant national minority is problematic for the same

reasons ODIHR explained in its 6 March Opinion with respect to the requirement that the candidates on such lists be registered on the special voter register of the relevant national minority. Specifically, ODIHR's Opinion noted concerns raised by interlocutors on using the special voter register for the determination of the national minority status of a list, since inclusion on the special register is voluntary and the special register is designated solely for use in National Minority Council Elections, and that using it for other electoral purposes might, in their view, raise constitutional and data protection concerns. With respect to such criterion being applied to the presenters of such candidate lists, ODIHR further notes that it may constitute a discriminatory requirement.

As such, the above-noted recommendation is considered partially addressed, and it is recommended to reconsider the use of the proposed requirement that the citizens in the group be registered on the special voter register of the respective national minority.

Further, ODIHR's 6 March Opinion noted concerns of some ODIHR interlocutors with the proposal to repeal a provision in the Law on the Election of Members of Parliament and Law on Local Elections in Articles 137 and 75 respectively, that provides that, in determining if a certain electoral list is to be given national minority status, the respective electoral commission may seek the opinion of the competent national minority council. **The further updated draft amendments reinstate the above-noted provisions, thereby addressing this concern.** Regarding reinstating this provision, ODIHR's Opinion stressed that any determination of national minority status of an electoral list must be based on clear, consistently applied and objective criteria. As such, if the opinion of the respective national minority council is sought, any final decision on the national minority status of a list must be made solely based on clear and objective criteria.

4. Setting Short Deadline for Constitutional Court Decisions; Extension of Period for Repeat Elections

Recommendation: *ODIHR reiterates its recommendation to establish, in line with international good practice outlined in its Urgent Opinion, a reasonably short deadline for the Constitutional Court to handle electoral petitions.*

Article 1 of the Draft Law on Amendments to the Law on the Constitutional Court now proposes to include in Article 76 of the respective Law a proposed deadline of 30 days for the Constitutional Court to decide on an electoral dispute upon receipt of the necessary documentation from the competent electoral commission, while the proposed deadline for submitting the necessary documentation by the respective commission has been shortened from eight to three days. The shortening of the deadline for the respective electoral commission to submit the necessary documentation to the Court is a positive change that will serve to speed up the resolution of disputes.

A 30-day adjudication deadline for the Constitutional Court had been proposed in the first version of the Draft Law that was assessed in ODIHR's Urgent Opinion of 15 April

2024, which welcomed the proposed introduction of a deadline for adjudication of post-election disputes by the Court but, with reference to international good practice, advised further consideration to be given to if 30 days is necessary for the effective resolution of disputes.¹ The Explanatory Note to the further updated Draft Law asserts that the 30-day period is considered appropriate, bearing in mind the circumstance that, in accordance with Article 37 of the Law on the Constitutional Court, there is an obligation to conduct a public hearing before the Constitutional Court in the procedure for resolving electoral disputes. While a guaranteed public hearing is certainly in line with international good practice, a 30-day deadline is considered rather long in the context of electoral dispute resolution.

In light of this, the above-noted recommendation is considered partially addressed, with reiteration of ODIHR's previous advice to further consider if 30 days is necessary for the effective resolution of disputes.

5. Other Draft Provisions

The further updated Draft Laws exclude previously proposed amendments related to the electoral dispute resolution process, that were not linked to ODIHR recommendations from its election observation reports. As such, the recommendations in ODIHR's 6 March Opinion concerning those other proposed amendments are moot. However, it is noted that ODIHR assessed one of the deleted proposed amendments as filling an existing gap in the Law on Local Elections, that was included in Article 7 of the Draft Law Amending the Law on Local Elections which introduced a new Article 43a in the respective Law. That proposed provision established the process for lodging of complaints against decisions on the electoral list, that is, decisions refusing to proclaim the electoral list and decisions rejecting the electoral list.

¹ See ODIHR's Urgent Opinion, paragraph 35. The Council of Europe's Venice Commission's [Code of Good Practice in Electoral Matters](#) advises that "decisions on the results of elections must also not take too long, especially where the political climate is tense [which] means....that...the appeal body must make its ruling as quickly as possible." Further, the Code states that, "Time-limits for lodging and deciding appeals must be short (three to five days for each at first instance)". At the same, the level of the respective court can be taken into consideration in deciding on an appropriate adjudication deadline, with a slightly longer deadline for a Supreme Court or Constitutional Court being justified (See paragraph II.3.3.d of the Guidelines) and paragraph 95 of the Explanatory Report).

**DRAFT LAW
AMENDING
THE LAW ON THE CONSTITUTIONAL COURT**

**DRAFT LAW
AMENDING
THE LAW ON THE CONSTITUTIONAL COURT**

Article 1

In the Law on the Constitutional Court ("Official Gazette of the Republic of Serbia", Nos. 109/07, 99/11, 18/13 – CC, 40/15 – other law, 103/15, 10/23 and 92/23), in Article 76, the words "within a specified time limit" shall be substituted by the words: "to the Constitutional Court, within **three** days following the date of receiving of the request,".

After paragraph 1, a new paragraph 2 shall be added, worded as follows:

„The Constitutional Court shall act upon a request for a ruling in an electoral dispute within 30 days following the date of the receipt from the electoral management body referred to in paragraph 1 of this Article, of the response and all the necessary electoral acts or documentation.”.

Article 2

In Article 77, paragraph 2, the word "ten" shall be substituted by the number: "30".

Article 3

This Law shall enter into force on the eighth day following the date of its publication in the "Official Gazette of the Republic of Serbia".

EXPLANATORY NOTE

I. CONSTITUTIONAL BASIS FOR ENACTING THE LAW

The constitutional basis for the adoption of the Law Amending the Law on the Constitutional Court is contained in the provisions of Article 175, paragraph 3 of the Constitution of the Republic of Serbia (Official Gazette of the RS, No. 98/06, 115/21), which lays down that the organisation of the Constitutional Court, the procedure before the Constitutional Court, and the legal effect of its decisions shall be regulated by law.”

II. REASONS FOR ENACTING THE LAW

Recommendation 24 in the ODIHR Report on parliamentary elections in Serbia held on 17 December 2023, suggests that the Law on the Constitutional Court should provide a reasonably short deadline for the Constitutional Court to decide on a request for a ruling in an electoral dispute and allow for a longer period to hold a repeat election.

In order to address the above-mentioned recommendation, appropriate amendments to Articles 76 and 77 of the Law on the Constitutional Court have been proposed, which regulate the Constitutional Court’s decision-making procedure in electoral disputes.

III. EXPLANATION OF SPECIFIC PROVISIONS

Article 1 of the Draft Law amends Article 76 of the Law on the Constitutional Court. Paragraph 1 of Article 76 of the Law on the Constitutional Court provides for a period of three days for the competent electoral management body to submit to the Constitutional Court its response and all necessary electoral acts or supporting documentation required for the proceedings on a request for a ruling in an electoral dispute.

In addition, paragraph 2 is added to Article 76 of the Law on the Constitutional Court, stipulating that the Constitutional Court is obliged to act upon a request for a ruling in an electoral dispute within 30 days from the date of receiving from the competent electoral management body a response and all necessary electoral acts or documentation. A 30-day period is considered appropriate, bearing in mind also the circumstance that, in accordance with Article 37 of the Law on the Constitutional Court, there is an obligation to conduct a public hearing before the Constitutional Court on constitutional law issues in the procedure for resolving electoral disputes.

Article 2 of the Draft Law amends paragraph 2 of Article 77 of the Law on the Constitutional Court so that the period for holding repeat elections, in the event that the electoral process has been annulled in whole or in part by a decision of the Constitutional Court, is extended from ten days to thirty days following the date of service of the Constitutional Court decision to the competent authority.

Article 3 of the Draft Law regulates the entry into force of the Law.

IV. FINANCIAL RESOURCES REQUIRED FOR IMPLEMENTATION

No funds from the Budget of the Republic of Serbia are required for the implementation of the Law Amending the Law on the Constitutional Court.

OVERVIEW OF THE PROVISIONS OF THE LAW ON THE CONSTITUTIONAL
COURT
WHICH ARE AMENDED AND SUPPLEMENTED

Article 76

The Constitutional Court shall forward one copy of the submitted request for deciding on an electoral dispute to the authority responsible for conducting elections whose activities are the subject of the electoral dispute, with an instruction to submit ~~within a specified time limit~~ TO THE CONSTITUTIONAL COURT, WITHIN **THREE** DAYS FOLLOWING THE DATE OF RECEIVING OF THE REQUEST, a response and the necessary electoral acts or documentation.

THE CONSTITUTIONAL COURT SHALL ACT UPON A REQUEST FOR A RULING IN AN ELECTORAL DISPUTE WITHIN 30 DAYS FOLLOWING THE DATE OF THE RECEIPT FROM THE ELECTORAL MANAGEMENT BODY REFERRED TO IN PARAGRAPH 1 OF THIS ARTICLE, OF THE RESPONSE AND ALL THE NECESSARY ELECTORAL ACTS OR DOCUMENTATION.

Article 77

If an irregularity in the electoral procedure was established and it had a decisive influence on the election result, the Constitutional Court shall, by its decision, annul the entire electoral procedure or parts thereof, which must be precisely specified.

In the case referred to in paragraph 1 of this Article, the entire electoral procedure or the parts thereof shall be repeated within ~~ten~~ **30** days following the date of service of the Constitutional Court decision to the competent authority.

**DRAFT LAW
AMENDING THE LAW ON THE ELECTION OF MEMBERS OF
PARLIAMENT**

DRAFT LAW

AMENDING THE LAW ON THE ELECTION OF MEMBERS OF PARLIAMENT

Articles 1

In the Law on the Election of Members of Parliament (Official Gazette of the RS, No. 14/22), in Article 24, paragraph 1, point 14) shall be amended to read as follows:

"14) prescribe training programmes and organise and carry out training for work in local electoral commissions and polling boards, **in cooperation with local electoral commissions;**".

In paragraph 1, point 22), the word: "this" shall be deleted.

Article 2

After Article 24, an article heading and Article 24a shall be added, worded as follows:

"Training for work in local electoral commissions and polling boards

Article 24a

The Republic Electoral Commission shall organise and carry out training for work in local electoral commissions and polling boards related to conducting parliamentary elections, presidential elections and local elections for councillors of local self-government units' assemblies.

The right to attend the training referred to in paragraph 1 of this Article shall be granted to every person who meets the conditions prescribed by this Law for membership in an electoral management body, without discrimination on any grounds, including political affiliation and political beliefs.

Upon successful completion of the training, the Republic Electoral Commission shall issue a relevant certificate, which shall be valid for three years.

By way of derogation from paragraph 3 of this Article, a certificate of completed training shall cease to be valid on the date on which a judgment becomes final whereby the person to whom the certificate was issued has been sentenced to unconditional imprisonment for a criminal offence against electoral rights, and that

person shall be prohibited from attending training for work in electoral commissions or polling boards for the three years following the completion of the sentence imposed.

The Republic Electoral Commission shall keep records of issued certificates referred to in paragraph 2 of this Article, which shall include: the serial number of the certificate, the name and surname, UMCN, place and address of residence, telephone number and e-mail address of the person to whom the certificate was issued.

Local self-government units' assemblies and city municipalities' assemblies, as well as local electoral commissions, shall be entitled to use the data from the records referred to in paragraph 3 of this Article in the process of appointing members of local electoral commissions and polling boards.

The prescription of training programmes and the manner of organising and carrying out training for work in local electoral commissions and polling boards shall be regulated by instructions issued by the Republic Electoral Commission.”.

Article 3

In Article 29, paragraph 4 shall be amended to read as follows:

"When nominating a member and substitute member to a local electoral commission, as well as the secretary and deputy secretary of a local electoral commission, the authorised nominator shall nominate a person who holds a valid certificate of completed training for work in local electoral commissions.".

Article 4

In Article 30, after paragraph 1, a new paragraph 2 shall be added, worded as follows:

“When nominating a member and substitute member to a local electoral commission, the nominator of a proclaimed electoral list shall nominate a person who holds a valid certificate of completed training for work in local electoral commissions.”.

Former paragraphs 2 through 5 shall become paragraphs 3 through 6.

Article 5

In Article 35, paragraph 3 shall be amended to read as follows:

“When nominating a member and substitute member to a polling board, a parliamentary group shall nominate a person who holds a valid certificate of completed training for work in polling boards.”.

Article 6

In Article 37, paragraph 3 shall be amended to read as follows:

“When nominating a member or substitute member to a polling board in the standing composition, the head of the municipal or city administration shall nominate a person who holds a valid certificate of completed training for work in polling boards.”.

Article 7

In Article 38, after paragraph 2, a paragraph 3 shall be added, worded as follows:

“When nominating a member and substitute member to a polling board, the ministry in charge of foreign affairs or the ministry in charge of justice shall nominate a person who holds a valid certificate of completed training for work in polling boards.”.

Article 8

In Article 39, after paragraph 2, a new paragraph 3 shall be added, worded as follows:

“When nominating a member and substitute member to a polling board, the nominator of a proclaimed electoral list shall nominate a person who holds a valid certificate of completed training for work in polling boards.”.

Former paragraphs 3 and 4 shall become paragraphs 4 and 5.

Article 9

In Article 41, after paragraph 3, a paragraph 4 shall be added, worded as follows:

“For the purpose of replacing the chair, deputy chair, member, or substitute member of a polling board, the authorised nominator shall nominate a person who holds a valid certificate of completed training for work in polling boards.”.

Article 10

In Article 72, paragraph 1 shall be amended to read as follows:

"A voter may, by his or her signature, support more than one electoral list."

Article 11

Article 77 shall be deleted.

Article 12

In Article 78, paragraph 1, the words "or rejection" shall be deleted.

Article 13

In Article 137, paragraph 4 shall be amended to read as follows:

“The nominator of a national minority electoral list may be: a political party registered in the Register of Political Parties as a national minority political party; a coalition composed exclusively of political parties registered in the Register of Political Parties as national minority political parties; as well as a group of citizens formed by at least ten voters who, at least six months before the entry into force of the decision calling the elections, were registered in the special voter register of the relevant national

minority, maintained in accordance with the law governing national councils of national minorities.”.

After paragraph 4, new paragraphs 5-7 shall be added, worded as follows:

An electoral list may be granted the status of a national minority electoral list:

- 1) if the name of the electoral list contains the full name of the national minority political party nominating the electoral list or the name of the national minority whose interests are represented by the political party nominating the electoral list, and
- 2) if, at least six months before the decision to call an election takes effect, the majority of candidates for MPs on that electoral list were registered in a special voter register of the national minority whose interests are represented by the political party nominating the electoral list.

If an electoral list, which is proposed to obtain the status of a national minority electoral list, is nominated by a coalition, the name of the electoral list must contain the names of all the political parties that formed the coalition, or the names of all the national minorities represented by the political parties that formed the coalition.

If an electoral list, which is proposed to obtain the status of a national minority electoral list, is nominated by a group of citizens, the name of the electoral list must contain the name of the national minority whose interests are represented by that group of citizens.

Article 14

Article 138 shall be amended to read as follows:

“Article 138

The Republic Electoral Commission shall, by decision, reject a proposal to grant the status of a national minority electoral list if it does not meet the conditions prescribed by this Law, as well as if the list leader or the candidate for MP on that electoral list is a person who is publicly recognisable as an active member of a political party that is not a national minority political party.”.

Article 15

The Republic Electoral Commission shall adopt the instructions referred to in Article 2 of this Law within three months following the date of entry into force of this Law.

Article 16

This Law shall enter into force on the eighth day following the date of its publication in the "Official Gazette of the Republic of Serbia", except for Articles 3 to 9, which shall apply from 1 January 2028.

REVIEW OF THE AMENDED PROVISIONS OF THE LAW ON THE ELECTION OF MEMBERS OF PARLIAMENT

Competences of the Republic Electoral Commission:

Article 24

The Republic Electoral Commission shall:

- 1) ensure lawful conduct of the elections;
- 2) prescribe instructions for carrying out electoral activities;
- 3) publish a calendar of electoral activities;
- 4) prescribe forms for conducting electoral activities;
- 5) monitor the application of, and issue opinions regarding the application of this Law;
- 6) appoint, dismiss and establish termination of office of a member and substitute member of the electoral management body, in accordance with this Law;
- 7) prescribe uniform standards for election material;
- 8) provide election material for conducting elections;
- 9) Prescribe the manner of handover of the election materials before and after voting;
- 10) designate polling stations, in accordance with this Law;
- 11) decide on the submitted electoral list;
- 12) compile and publish a manual for the practical application of the rules governing how polling boards conduct voting and determine voting results at polling stations;
- 13) prescribe the manner of monitoring voter turnout;
- ~~14) prescribe training programs and carry out training for members and substitute members of local electoral commissions and polling boards;~~
- 14) PRESCRIBE TRAINING PROGRAMMES AND ORGANISE AND CARRY OUT TRAINING FOR WORK IN LOCAL ELECTORAL COMMISSIONS AND POLLING BOARDS, IN COOPERATION WITH LOCAL ELECTORAL COMMISSIONS;
- 15) Inform and educate voters on the manner of exercising the electoral right, as well as other participants in the election procedure;
- 16) decide on complaints, in accordance with this Law;
- 17) further specify the procedure for filing complaints and the handling of complaints by the Republic Electoral Commission;
- 18) determine election results, render and publish a comprehensive report on the election results;
- 19) coordinate and supervise the work of electoral management bodies;
- 20) prescribe the code of conduct for members and substitute members of electoral management bodies;
- 21) submit to the National Assembly a report on the conducted elections;
- 22) perform other tasks stipulated by this Law.

In supervising the work of local electoral commissions, the Republic Electoral Commission is authorized to annul *ex officio* decisions of local electoral commissions made contrary to the provisions of this Law.

The forms required for the submission of the electoral list shall be prescribed by the Republic Electoral Commission within three days following the day when the decision on calling the elections came into force.

The Republic Electoral Commission shall adopt its Rules of Procedure.

The Instructions for conducting electoral activities and the Rules of Procedure of the Republic Electoral Commission shall be published in the "Official Gazette of the Republic of Serbia".

Nomination of a member and substitute member to the local electoral commission in the standing composition

Article 29

A single MP or parliamentary groups which have less than the number of MPs required to form a parliamentary group shall also be deemed a parliamentary group in terms of nominating members and substitute members to the local electoral commission in the standing composition formed by the Republic Electoral Commission if:

- 1) all such MPs have been elected from the same electoral list;
- 2) the electoral list on which they have been elected has not won the number of seats required to form a parliamentary group;
- 3) none of them has joined any parliamentary group;
- 4) all such MPs have signed the nomination of a member / substitute member of the local electoral commission in the standing composition.

For the purpose of forming a local electoral commission in the standing composition, the Republic Electoral Commission shall timely prescribe and publish on its website the order of positions according to which parliamentary groups shall nominate members and substitute members to that local electoral commission.

Should a parliamentary group fail to submit a nomination of a member or substitute member of the local electoral commission in the standing composition in due time, the Republic Electoral Commission shall appoint to the local electoral commission in the standing composition a person nominated by the head of the administrative district.

~~When nominating a candidate for a member, substitute member, secretary and deputy secretary to a local electoral commission, the authorized nominator shall, if possible, give priority to a person who has completed training for work in local electoral commissions and has experience in conducting the elections.~~

WHEN NOMINATING A MEMBER AND SUBSTITUTE MEMBER TO A LOCAL ELECTORAL COMMISSION, AS WELL AS THE SECRETARY AND DEPUTY SECRETARY OF A LOCAL ELECTORAL COMMISSION, THE AUTHORISED NOMINATOR SHALL

NOMINATE A PERSON WHO HOLDS A VALID CERTIFICATE OF COMPLETED TRAINING FOR WORK IN LOCAL ELECTORAL COMMISSIONS.

Local electoral commission in the extended composition

Article 30

A member and substitute member of the local electoral commission in the extended composition shall be appointed by the local electoral commission at the proposal of the nominator of the proclaimed electoral list, which must be submitted no later than seven days before the Election Day.

WHEN NOMINATING A MEMBER AND SUBSTITUTE MEMBER TO A LOCAL ELECTORAL COMMISSION, THE NOMINATOR OF A PROCLAIMED ELECTORAL LIST SHALL NOMINATE A PERSON WHO HOLDS A VALID CERTIFICATE OF COMPLETED TRAINING FOR WORK IN LOCAL ELECTORAL COMMISSIONS.

Local electoral commissions shall issue a decision on the nomination of a member and substitute member to the local electoral commission in the extended composition within 24 hours of receiving the nomination.

The decision on the appointment of a member and substitute member to the local electoral commission in the extended composition shall apply from the day following the day of its adoption.

A member / substitute member of the local electoral commission in the extended composition who has been dismissed or whose office has been terminated by force of law may be substituted at the request of the nominator of the proclaimed electoral list on whose proposal he/she was appointed only while the local electoral commission operates in the extended composition.

The local electoral commission shall operate in the extended composition until the consolidated report on voting results becomes final.

Polling board in the standing composition

Article 35

The polling board in the standing composition shall consist of a chair, two members, a deputy chair and two substitute members appointed by the local electoral commission at the proposal of parliamentary groups.

The procedure for nominating members and substitute members to the polling board in the standing composition shall be prescribed in more detail by the Republic Electoral Commission.

~~When nominating a candidate for the chair and deputy chair of a polling board, the parliamentary group shall, if possible, give priority to the person who has completed training for work in polling boards and has experience in conducting elections.~~

WHEN NOMINATING A MEMBER AND SUBSTITUTE MEMBER TO A POLLING BOARD, THE PARLIAMENTARY GROUP SHALL NOMINATE A PERSON WHO HOLDS A VALID CERTIFICATE OF COMPLETED TRAINING FOR WORK IN POLLING BOARDS.

Nomination of a member and substitute member to the polling board in the standing composition

Article 37

The nomination of a member and substitute member to the polling board in the standing composition shall be submitted by the parliamentary group to local electoral commissions on the form prescribed by the Republic Electoral Commission.

Should a parliamentary group fail to submit a nomination of a member or substitute member to the polling board in the standing composition in due time, the local electoral commission shall appoint to the polling board in the standing composition a person nominated by the head of the municipal or city administration.

~~When nominating a member or substitute member to the polling board in the standing composition, the head of the municipal or city administration shall, if possible, give priority to a person who has completed training for work in polling boards and has experience in conducting elections.~~

WHEN NOMINATING A MEMBER OR SUBSTITUTE MEMBER TO THE POLLING BOARD IN THE STANDING COMPOSITION, THE HEAD OF THE MUNICIPAL OR CITY ADMINISTRATION SHALL NOMINATE A PERSON WHO HOLDS A VALID CERTIFICATE OF COMPLETED TRAINING FOR WORK IN POLLING BOARDS.

Polling board in the standing composition abroad and in penal institutions

Article 38

A member and substitute member of the polling board in the standing composition abroad shall be appointed by the Republic Electoral Commission at the proposal of the Ministry in charge of foreign affairs, preferably from among voters residing abroad, and the chair of the polling board shall be appointed from among employees of the diplomatic and consular missions of the Republic of Serbia abroad (hereinafter: diplomatic and consular mission).

A member and substitute member of the polling board in the standing composition within the penal institution shall be appointed by the Republic Electoral Commission at the proposal of the Ministry in charge of justice, and none of them may be a person working for that Ministry or voting within the penal institution.

WHEN NOMINATING A MEMBER AND SUBSTITUTE MEMBER TO A POLLING BOARD, THE MINISTRY IN CHARGE OF FOREIGN AFFAIRS OR THE MINISTRY IN CHARGE OF JUSTICE SHALL NOMINATE A PERSON WHO HOLDS A VALID CERTIFICATE OF COMPLETED TRAINING FOR WORK IN POLLING BOARDS.

Polling board in the extended composition

Article 39

A member and substitute member of the polling board in the extended composition shall be appointed by the local electoral commission at the proposal of the nominator of the proclaimed electoral list.

A member and substitute member of the polling board in the extended composition abroad and within penal institutions shall be appointed by the Republic Electoral Commission at the proposal of the nominator of the proclaimed electoral list.

WHEN NOMINATING A MEMBER AND SUBSTITUTE MEMBER TO A POLLING BOARD, THE NOMINATOR OF A PROCLAIMED ELECTORAL LIST SHALL NOMINATE A PERSON WHO HOLDS A VALID CERTIFICATE OF COMPLETED TRAINING FOR WORK IN POLLING BOARDS.

The nominator of the proclaimed electoral list shall submit a nomination of a member and substitute member of the polling board in the extended composition on a form prescribed by the Republic Electoral Commission.

The procedure for nominating a member and substitute member of the polling board in the extended composition shall be prescribed in more detail by the Republic Electoral Commission.

Replacement of a member of the polling board

Article 41

A member or substitute member of the polling board in the standing composition may be replaced at the request of the authorized nominator no later than three days before the Election Day.

Exceptionally, the chair or deputy chair of the polling board may be replaced prior to the opening of the polling station for voting, at the latest, if they die, become ill or lose their electoral right.

The decision on the replacement of a member or substitute member of the polling board shall be made by the commission that has appointed him/her to the polling board, or by its duly authorized member.

FOR THE PURPOSE OF REPLACING THE CHAIR, DEPUTY CHAIR, MEMBER, OR SUBSTITUTE MEMBER OF A POLLING BOARD, THE AUTHORISED NOMINATOR SHALL NOMINATE A PERSON WHO HOLDS A VALID CERTIFICATE OF COMPLETED TRAINING FOR WORK IN POLLING BOARDS.

Article 72

~~A voter may support by his/her signature only one electoral list.~~

A VOTER MAY SUPPORT BY HIS OR HER SIGNATURE MORE THAN ONE ELECTORAL LIST.

Statements of voters supporting the electoral list shall be certified by a notary public or municipal / city administration, and in municipalities or cities where notaries public have not been appointed, statements of voters supporting the electoral list may be certified by the basic court, court unit or basic court's registry office.

The amount of fee for the certification of signatures of voters supporting the electoral list shall be determined by the Ministry in charge of justice.

A certified statement of a voter supporting the electoral list shall be valid even when such errors have been made at completing the statement form that allow determining with certainty which electoral list is supported, provided that the statement has been certified by the competent authority.

It is forbidden to collect signatures of support from voters at their workplace or to expose voters, in any way, to pressure to support the electoral list.

Seven days prior to the Election Day, at the latest, the Republic Electoral Commission shall publish on its website, for each proclaimed electoral list the number of verified voters' statements who supported the electoral list with their signature per each local self-government unit, accompanied by the data on the number of statements in each local self-government unit verified by each of the authorised certifiers individually (notary public, municipal or city administration or basic court, court unit or basic court's registry office).

~~Rejecting to proclaim the electoral list~~

~~Article 77~~

~~The Republic Electoral Commission shall reject, by its decision, to proclaim the electoral list if a person nominated as an MP candidate does not have the right to vote, or is listed as an MP candidate on a previously proclaimed electoral list, or is a leader of a previously proclaimed electoral list, if it is incompliant with the legal rules on gender representation on the electoral list, and if the name of the nominator of the electoral list and the name of the electoral list are not determined in accordance with the law.~~

Rectifying deficiencies

Article 78

If the nominator of the electoral list has not submitted all the documents required to be enclosed with the electoral list and if there are other deficiencies in terms of proclaiming the electoral list which do not constitute grounds for dismissal ~~or rejection~~ of the electoral list, the Republic Electoral Commission shall issue a conclusion ordering the nominator to rectify such deficiencies within 48 hours after that conclusion was published on their website, and instruct the nominator on what documents should be submitted, or what should be done in order to rectify such deficiencies, and warn the nominator of the legal consequences in case of failure to timely rectify deficiencies.

Should the nominator of the electoral list fail to submit the documents, or to rectify the deficiencies indicated in the conclusion, the Republic Electoral Commission shall, within 24 hours from the expiration of the deadline for complying with the conclusion, issue a decision rejecting to proclaim that electoral list.

If the nominator of the electoral list rectifies all the deficiencies indicated in the conclusion, the Republic Electoral Commission must, within 24 hours from the rectification of the deficiencies, issue a decision proclaiming that electoral list.

National minority electoral list

Article 137

For the purposes of this Law, the national minority electoral list shall mean the electoral list for which the Republic Electoral Commission has determined that the main goal of its submission is to represent and advocate the interests of the national minority, as well as to protect and enhance rights of national minority members, in compliance with the international legal standards.

The Republic Electoral Commission shall establish that the electoral list enjoys the status of a national minority electoral list in terms of this Law, by a special decision issued at the same time when proclaiming it, at the proposal of the nominator of the electoral list which shall be submitted together with the electoral list.

The Republic Electoral Commission may seek opinion of the competent national minority council on whether a certain electoral list may hold the status of a national minority electoral list.

~~The nominator of the national minority electoral list may only be a political party of the national minority or a coalition composed exclusively of national minority political parties.~~

NOMINATOR OF A NATIONAL MINORITY ELECTORAL LIST MAY BE: A POLITICAL PARTY REGISTERED IN THE REGISTER OF POLITICAL PARTIES AS A NATIONAL MINORITY POLITICAL PARTY; A COALITION COMPOSED EXCLUSIVELY OF POLITICAL PARTIES REGISTERED IN THE REGISTER OF POLITICAL PARTIES AS NATIONAL MINORITY POLITICAL PARTIES; AS WELL AS A GROUP OF CITIZENS FORMED BY AT LEAST TEN VOTERS WHO, AT LEAST SIX MONTHS BEFORE THE ENTRY INTO FORCE OF THE DECISION CALLING THE ELECTIONS, WERE REGISTERED IN THE SPECIAL VOTER REGISTER OF THE RELEVANT NATIONAL MINORITY, MAINTAINED IN ACCORDANCE WITH THE LAW GOVERNING NATIONAL COUNCILS OF NATIONAL MINORITIES.

AN ELECTORAL LIST MAY OBTAIN THE STATUS OF A NATIONAL MINORITY ELECTORAL LIST IF:

- 1) THE NAME OF THE ELECTORAL LIST CONTAINS THE FULL NAME OF THE NATIONAL MINORITY POLITICAL PARTY NOMINATING THE ELECTORAL LIST OR THE NAME OF THE NATIONAL MINORITY WHOSE INTERESTS ARE REPRESENTED BY THE POLITICAL PARTY NOMINATING THE ELECTORAL LIST, AND
- 2) IF, AT LEAST SIX MONTHS BEFORE THE DECISION TO CALL AN ELECTION TAKES EFFECT, THE MAJORITY OF CANDIDATES FOR MPS ON THAT ELECTORAL LIST WERE REGISTERED IN A SPECIAL VOTER REGISTER OF THE NATIONAL MINORITY WHOSE INTERESTS ARE REPRESENTED BY THE POLITICAL PARTY NOMINATING THE ELECTORAL LIST.

IF AN ELECTORAL LIST, WHICH IS PROPOSED TO OBTAIN THE STATUS OF A NATIONAL MINORITY ELECTORAL LIST, IS NOMINATED BY A COALITION, THE NAME OF THE ELECTORAL LIST MUST CONTAIN THE NAMES OF ALL THE POLITICAL PARTIES THAT FORMED THE COALITION, OR THE NAMES OF ALL THE NATIONAL MINORITIES REPRESENTED BY THE POLITICAL PARTIES THAT FORMED THE COALITION.

IF AN ELECTORAL LIST, WHICH IS PROPOSED TO OBTAIN THE STATUS OF A NATIONAL MINORITY ELECTORAL LIST, IS NOMINATED BY A GROUP OF CITIZENS, THE NAME OF THE ELECTORAL LIST MUST CONTAIN THE NAME OF THE NATIONAL MINORITY WHOSE INTERESTS ARE REPRESENTED BY THAT GROUP OF CITIZENS.

Prohibition to circumvent the law

Article 138

~~The Republic Electoral Commission shall adopt a decision rejecting a proposal to grant an electoral list the status of a national minority electoral list if the list leader or an MP candidate on that electoral list is a person who is generally known to be a member of another political party which is not a national minority political party or if other circumstances are established which undoubtedly indicate the intention to circumvent the law.~~

ARTICLE 138

THE REPUBLIC ELECTORAL COMMISSION SHALL ADOPT A DECISION REJECTING A PROPOSAL TO GRANT AN ELECTORAL LIST THE STATUS OF A NATIONAL MINORITY ELECTORAL LIST IF IT DOES NOT MEET THE CONDITIONS PRESCRIBED BY THIS LAW, AS WELL AS IF THE LIST LEADER OR AN MP CANDIDATE ON THAT ELECTORAL LIST IS A PERSON WHO IS PUBLICLY RECOGNISABLE AS AN ACTIVE MEMBER OF A POLITICAL PARTY THAT IS NOT A NATIONAL MINORITY POLITICAL PARTY.

REVIEW OF THE PROVISIONS OF THE LAW THAT ARE BEING AMENDED

Competences of the Republic Electoral Commission

Article 24

The Republic Electoral Commission shall:

- 1) ensure lawful conduct of the elections;
- 2) prescribe instructions for carrying out electoral activities;
- 3) publish a calendar of electoral activities;
- 4) prescribe forms for conducting electoral activities;
- 5) monitor the application of, and issue opinions regarding the application of this Law;
- 6) appoint, dismiss and establish termination of office of a member / deputy member of the electoral management body, in accordance with this Law;
- 7) prescribe uniform standards for election material;
- 8) provide election material for conducting elections;
- 9) prescribe the manner of handover of the election material before and after voting;
- 10) designate polling stations, in accordance with this Law;
- 11) decide on the submitted electoral list;
- 12) compile and publish a manual for the practical application of the rules governing how polling boards conduct voting and determine the results of voting at the polling station;
- 13) prescribe the manner of monitoring the turnout of voters;
- ~~14) PRESCRIBE TRAINING PROGRAMS AND IMPLEMENT TRAININGS FOR MEMBERS / DEPUTY MEMBERS OF LOCAL ELECTORAL COMMISSIONS AND POLLING BOARDS;~~
- 14) PRESCRIBE TRAINING PROGRAMMES AND ORGANISE AND CARRY OUT TRAININGS FOR WORK IN LOCAL ELECTORAL COMMISSIONS AND POLLING BOARDS;
- 15) inform and educate voters on the manner of exercising the right to vote, as well as other participants in the election procedure;
- 16) decide on complaints, in accordance with this Law;
- 17) prescribe in more detail the manner of filing complaints and actions upon complaints in the Republic Electoral Commission;
- 18) determine election results, render and publish general report on the election results;
- 19) coordinate and supervise the work of electoral management bodies;
- 20) prescribe the code of conduct of members and deputy members of the electoral management bodies;
- 21) submit to the National Assembly a report on the conducted elections;
- 22) perform other tasks stipulated by THIS Law.

In supervising the work of local electoral commissions, the Republic Electoral Commission is authorized to annul ex officio decisions of the local electoral commission made contrary to the provisions of this Law.

The forms required for the submission of the electoral list shall be prescribed by the Republic Electoral Commission within three days following the day when the decision on calling the elections came into force.

The Republic Electoral Commission shall adopt its Rules of Procedure. The Instructions for conducting electoral activities and the Rules of Procedure of the Republic Electoral Commission shall be published in the "Official Gazette of the Republic of Serbia".

Nomination of a member / deputy member of the local electoral commission in the standing composition

Article 29

A single MP or parliamentary groups which have less than the number of MPs required to form a parliamentary group shall also be deemed a parliamentary group in terms of nominating members / deputy members of the local electoral commission in the standing composition formed by the Republic Electoral Commission if:

- 1) All such MPs are elected from the same electoral list;
- 2) The electoral list on which they were elected has not won the required number of seats to form a parliamentary group;
- 3) None of them has joined any parliamentary group;
- 4) All such MPs have signed the nomination of a member / deputy member of the local electoral commission in the standing composition.

For the purpose of forming a local electoral commission in the standing composition, the Republic Electoral Commission shall timely prescribe and publish on its website the order of positions according to which parliamentary groups shall nominate members and deputy members of that local electoral commission.

Should a parliamentary group fail to submit a proposal for the appointment of a member or deputy member of the local electoral commission in the standing composition in due time, the Republic Electoral Commission shall appoint to the local electoral commission in the standing composition a person nominated by the head of the administrative district.

~~WHEN NOMINATING A CANDIDATE FOR A MEMBER, DEPUTY MEMBER, SECRETARY AND DEPUTY SECRETARY OF A LOCAL ELECTORAL COMMISSION, THE AUTHORIZED NOMINATOR SHALL, IF POSSIBLE, GIVE PRIORITY TO A PERSON WHO HAS COMPLETED TRAINING FOR WORK IN THE LOCAL ELECTORAL COMMISSION AND HAS EXPERIENCE IN CONDUCTING ELECTIONS.~~

WHEN NOMINATING A MEMBER AND DEPUTY MEMBER OF THE STANDING COMPOSITION OF A LOCAL ELECTORAL COMMISSION, AS WELL AS THE SECRETARY AND DEPUTY SECRETARY OF A LOCAL ELECTORAL COMMISSION, THE AUTHORISED NOMINATOR SHALL NOMINATE A PERSON WHO HAS VALID CERTIFICATE OF COMPLETED TRAINING FOR WORK IN THE LOCAL ELECTORAL COMMISSION.

Polling board in the standing composition

Article 35

The polling board in the standing composition shall consists of a chairperson, two members, a deputy chairperson and two deputy members appointed by the local electoral commissions at the proposal of parliamentary groups.

The procedure for nominating members and deputy members of the polling board in the standing composition shall be prescribed in more detail by the Republic Electoral Commission.

~~WHEN NOMINATING A CANDIDATE FOR THE CHAIRPERSON AND DEPUTY CHAIRPERSON OF A POLLING BOARD, THE PARLIAMENTARY GROUP SHALL, IF POSSIBLE, GIVE PRIORITY TO A PERSON WHO HAS COMPLETED TRAINING FOR WORK IN THE POLLING BOARD AND HAS EXPERIENCE IN CONDUCTING ELECTIONS.~~

WHEN NOMINATING A MEMBER AND DEPUTY MEMBER OF A POLLING BOARD, THE PARLIAMENTARY GROUP SHALL NOMINATE A PERSON WHO HAS VALID CERTIFICATE OF COMPLETED TRAINING FOR WORK IN THE POLLING BOARD.

Nomination of a member / deputy member of the polling board in the standing composition

Article 37

The nomination of a member / deputy member of the polling board in the standing composition shall be submitted by the parliamentary group to the local electoral commission on the form prescribed by the Republic Electoral Commission.

Should a parliamentary group fail to submit a nomination of a member or deputy member of the polling board in the standing composition in due time, the local electoral commissions shall appoint to the polling board in the standing composition a person nominated by the head of the municipal or city administration.

~~WHEN NOMINATING A MEMBER OR A DEPUTY MEMBER TO THE POLLING BOARD IN THE STANDING COMPOSITION, THE HEAD OF THE MUNICIPAL OR CITY ADMINISTRATION SHALL, IF POSSIBLE, GIVE PRIORITY TO A PERSON WHO HAS COMPLETED TRAINING FOR WORK IN THE POLLING BOARD AND HAS EXPERIENCE IN CONDUCTING ELECTIONS.~~

WHEN NOMINATING A MEMBER OR A DEPUTY MEMBER OF A POLLING BOARD IN THE STANDING COMPOSITION, THE HEAD OF THE MUNICIPAL OR CITY ADMINISTRATION SHALL NOMINATE A PERSON WHO HAS VALID CERTIFICATE OF COMPLETED TRAINING FOR WORK IN THE POLLING BOARD.

Polling board in the standing composition abroad and within penal institutions

Article 38

A member / deputy member of the standing polling boards abroad shall be appointed by the Republic Electoral Commission at the proposal of the Ministry in charge of foreign affairs, preferably from among voters residing abroad, and the chairperson of the polling board shall be appointed from among employees of the diplomatic and consular missions of the Republic of Serbia abroad (hereinafter: diplomatic and consular mission).

A member / deputy member of the polling board in the standing composition within the penal institution shall be appointed by the Republic Electoral Commission

at the proposal of the Ministry in charge of justice, and none of them may be a person working in that Ministry or voting within the institution.

WHEN NOMINATING A MEMBER AND DEPUTY MEMBER OF A POLLING BOARD, THE MINISTRY IN CHARGE OF FOREIGN AFFAIRS OR THE MINISTRY IN CHARGE OF JUSTICE SHALL NOMINATE A PERSON WHO HAS VALID CERTIFICATE OF COMPLETED TRAINING FOR WORK IN THE POLLING BOARD.

Collecting signatures of voters who support the electoral list

Article 72

~~A VOTER MAY SUPPORT BY HIS/HER SIGNATURE ONLY ONE ELECTORAL LIST.~~

A VOTER MAY, BY HIS/HER SIGNATURE, SUPPORT MORE THAN ONE ELECTORAL LIST.

Statements of voters supporting the electoral list shall be certified by a notary public or municipal / city administration, and in municipalities or cities where notaries public have not been appointed, statements of voters supporting the electoral list may be certified by the basic court, court unit or intake office of the basic court.

The amount of fee for the certification of signatures of voters supporting the electoral list shall be determined by the Ministry in charge of justice.

A certified statement of voter supporting the electoral list shall also be valid when such errors have been made at completing statement forms that allow determining with certainty which electoral list is supported, provided that the statement has been certified by the competent authority.

It is forbidden to collect signatures of support from voters at their workplace or to expose voters, in any way, to pressure to support the electoral list.

Seven days prior to the Election Day, at the latest, the Republic Electoral Commission shall publish on its website, for each proclaimed electoral list the number of verified voters' statements who supported the electoral list with their signature per each local self-government unit, accompanied by the data on the number of statements in each local self-government unit verified by each of the authorised certifiers individually (notary public, municipal or city administration or basic court, court unit or basic court's registry office).

REJECTING TO PROCLAIM THE ELECTORAL LIST

ARTICLE 77

~~THE REPUBLIC ELECTORAL COMMISSION SHALL REJECT, BY ITS DECISION, TO PROCLAIM THE ELECTORAL LIST IF A PERSON NOMINATED AS AN MP CANDIDATE DOES NOT HAVE THE RIGHT TO VOTE, OR IS LISTED AS AN MP CANDIDATE ON A PREVIOUSLY PROCLAIMED ELECTORAL LIST, OR IS A LEADER OF A PREVIOUSLY PROCLAIMED ELECTORAL LIST, IF IT IS INCOMPLIANT WITH THE LEGAL RULES ON GENDER REPRESENTATION ON THE ELECTORAL LIST, AND IF THE NAME OF THE SUBMITTER OF THE ELECTORAL LIST AND THE NAME OF THE ELECTORAL LIST ARE NOT DETERMINED IN ACCORDANCE WITH THE LAW.~~

Rectifying deficiencies

Article 78

If the submitter of the electoral list has not submitted all the documents required to be enclosed with the electoral list and if there are other deficiencies in terms of proclaiming the electoral list which do not constitute grounds for dismissal ~~OR REJECTION~~ of the electoral list, the Republic Electoral Commission shall issue a conclusion ordering the submitter to rectify such deficiencies within 48 hours after that conclusion was published on the website, and instruct the submitter what documents should be submitted, or what should be done in order to rectify such deficiencies, and warn the submitter of the legal consequences in case of failure to timely rectify deficiencies.

Should the submitter of the electoral list fail to submit the documents, or to rectify the deficiencies indicated in the conclusion, the Republic Electoral Commission shall, within 24 hours from the expiration of the deadline for complying with the conclusion, issue a decision rejecting to proclaim that electoral list.

If the submitter of the electoral list rectifies all the deficiencies indicated in the conclusion, the Republic Electoral Commission must, within 24 hours from the rectification of the deficiencies, issue a decision proclaiming that electoral list.

National minority electoral list

~~ARTICLE 137~~

~~FOR THE PURPOSES OF THIS LAW, THE NATIONAL MINORITY ELECTORAL LIST SHALL MEAN THE ELECTORAL LIST FOR WHICH THE REPUBLIC ELECTORAL COMMISSION HAS DETERMINED THAT THE MAIN GOAL OF ITS SUBMISSION IS TO REPRESENT THE INTERESTS OF THE NATIONAL MINORITY, AS WELL AS TO PROTECT AND ENHANCE RIGHTS OF NATIONAL MINORITY MEMBERS, IN COMPLIANCE WITH THE INTERNATIONAL LEGAL STANDARDS.~~

~~THE REPUBLIC ELECTORAL COMMISSION SHALL ESTABLISH THAT THE ELECTORAL LIST ENJOYS THE STATUS OF A NATIONAL MINORITY ELECTORAL LIST IN TERMS OF THIS LAW, BY A SPECIAL DECISION ISSUED AT THE SAME TIME WHEN PROCLAIMING IT, AT THE PROPOSAL OF THE SUBMITTER OF THE ELECTORAL LIST WHICH SHALL BE SUBMITTED TOGETHER WITH THE ELECTORAL LIST.~~

~~THE REPUBLIC ELECTORAL COMMISSION MAY SEEK OPINION OF THE COMPETENT NATIONAL MINORITY COUNCIL ON WHETHER A CERTAIN ELECTORAL LIST MAY HOLD THE STATUS OF A NATIONAL MINORITY ELECTORAL LIST.~~

~~THE SUBMITTER OF THE NATIONAL MINORITY ELECTORAL LIST MAY ONLY BE A POLITICAL PARTY OF A NATIONAL MINORITY OR A COALITION COMPOSED EXCLUSIVELY OF POLITICAL PARTIES OF NATIONAL MINORITIES.~~

~~ARTICLE 137~~

~~FOR THE PURPOSES OF THIS LAW, THE NATIONAL MINORITY ELECTORAL LIST SHALL MEAN THE ELECTORAL LIST WHOSE MAIN~~

GOAL IS TO REPRESENT THE INTERESTS OF THE NATIONAL MINORITY, AS WELL AS TO PROTECT AND ENHANCE RIGHTS OF NATIONAL MINORITY MEMBERS, IN COMPLIANCE WITH THE CONSTITUTION, LAWS AND THE INTERNATIONAL LEGAL STANDARDS.

THE ELECTORAL LIST NOMINATOR SHALL SUBMIT, TOGETHER WITH THE ELECTORAL LIST, THE PROPOSAL TO DETERMINE THE STATUS OF THE ELECTORAL LIST AS A NATIONAL MINORITY LIST.

THE REPUBLIC ELECTORAL COMMISSION SHALL, BY SPECIAL DECISION, DECIDE ON THE PROPOSAL TO DETERMINE THE STATUS OF THE ELECTORAL LIST AS A NATIONAL MINORITY LIST FOR THE PURPOSES OF THIS LAW, WHEN ASSESSING WHETHER THE CONDITIONS FOR ITS PROCLAMATION HAVE BEEN MET.

THE NOMINATOR OF THE NATIONAL MINORITY ELECTORAL LIST MAY ONLY BE A POLITICAL PARTY REGISTERED IN THE REGISTER OF POLITICAL PARTIES AS A POLITICAL PARTY OF A NATIONAL MINORITY OR A COALITION COMPOSED EXCLUSIVELY OF POLITICAL PARTIES REGISTERED IN THE REGISTER OF POLITICAL PARTIES AS NATIONAL MINORITY POLITICAL PARTIES.

AN ELECTORAL LIST MAY BE DETERMINED TO HAVE THE STATUS OF A NATIONAL MINORITY ELECTORAL LIST:

1) IF THE NAME OF THE ELECTORAL LIST CONTAINS THE FULL NAME OF THE POLITICAL PARTY OF THE NATIONAL MINORITY NOMINATING THE ELECTORAL LIST OR THE NAME OF THE NATIONAL MINORITY WHOSE INTERESTS ARE REPRESENTED BY THE POLITICAL PARTY NOMINATING THE ELECTORAL LIST, AND

2) IF, AT LEAST SIX MONTHS BEFORE THE DECISION TO CALL AN ELECTION TAKES EFFECT, THE MAJORITY OF CANDIDATES FOR MPS ON THAT ELECTORAL LIST WERE REGISTERED IN A SPECIAL VOTER REGISTER OF THE NATIONAL MINORITY MAINTAINED IN ACCORDANCE WITH THE LAW GOVERNING THE NATIONAL COUNCILS OF NATIONAL MINORITIES.

IF THE ELECTORAL LIST IS NOMINATED BY A COALITION, THE ELECTORAL LIST MAY BE DETERMINED TO HAVE THE STATUS OF A NATIONAL MINORITY ELECTORAL LIST IF THE NAME OF THE ELECTORAL LIST CONTAINS THE NAMES OF ALL THE POLITICAL PARTIES THAT FORMED THE COALITION, OR THE NAMES OF ALL THE NATIONAL MINORITIES WHOSE INTERESTS ARE REPRESENTED BY THE POLITICAL PARTIES THAT FORMED THE COALITION.

NO COMPLAINT MAY BE FILED AGAINST THE DECISION ON THE PROPOSAL OF THE ELECTORAL LIST NOMINATOR TO DETERMINE THE STATUS OF NATIONAL MINORITY LIST, BUT SUCH A DECISION MAY BE CHALLENGED BY A COMPLAINT AGAINST THE DECISION ON THE ELECTORAL LIST.

Prohibition to circumvent the law

~~ARTICLE 138~~

~~THE REPUBLIC ELECTORAL COMMISSION SHALL REJECT, BY ITS DECISION, MOTION TO GRANT CERTAIN ELECTORAL LIST STATUS OF THE NATIONAL MINORITY ELECTORAL LIST IF THE LIST LEADER OR MP CANDIDATE ON THAT ELECTORAL LIST IS A PERSON WHO IS GENERALLY KNOWN TO BE A MEMBER OF ANOTHER POLITICAL PARTY WHICH IS NOT A NATIONAL MINORITY POLITICAL PARTY OR IF OTHER CIRCUMSTANCES ARE ESTABLISHED WHICH UNDOUBTEDLY INDICATE THE INTENTION TO CIRCUMVENT THE LAW.~~

ARTICLE 138

THE REPUBLIC ELECTORAL COMMISSION SHALL, BY DECISION, REJECT A PROPOSAL TO DETERMINE THAT A PARTICULAR ELECTORAL LIST HAS THE STATUS OF A NATIONAL MINORITY ELECTORAL LIST IF IT DOES NOT MEET THE CONDITIONS PRESCRIBED BY THIS LAW, AS WELL AS IF THE LIST LEADER OR THE FIRST CANDIDATE FOR MP ON THAT ELECTORAL LIST IS A PERSON WHO IS PUBLICLY RECOGNISABLE PRIMARILY AS A MEMBER OF A POLITICAL PARTY THAT IS NOT A NATIONAL MINORITY POLITICAL PARTY, OR AS A SOCIAL ACTIVIST ON ISSUES THAT ARE NOT RELATED TO NATIONAL MINORITIES OR TO THE PROTECTION AND ENHANCEMENT OF THEIR RIGHTS.

Appeal against the decision of the Republic Electoral Commission on the complaint

Article 156

The complainant may file an appeal against the decision of the Republic Electoral Commission by which a complaint was dismissed or rejected with the Administrative Court within 72 hours following the publication of that decision on the website.

An appeal due to the fact that the decision on a complaint was not made within the prescribed deadline may be filed within 72 hours following the expiration of the deadline in which the decision on the complaint should have been made.

A submitter of the proclaimed electoral list, a submitter of the electoral list, a political party, a parliamentary group, a candidate for MP, a voter and a person whose name is in the name of the electoral list or of the submitter of the electoral list may file an appeal with the Administrative Court within 72 hours following the publication of that decision on the website, if the granting of the complaint results in direct violation of the legal interest.

AN APPEAL SHALL BE LODGED BY FILING A SUBMISSION WITH THE REPUBLIC ELECTORAL COMMISSION

**DRAFT LAW
AMENDING THE LAW ON LOCAL ELECTIONS**

DRAFT LAW
AMENDING THE LAW ON LOCAL ELECTIONS

Article 1

In the Law on Local Elections (Official Gazette of the RS, nos. 14/22 and 35/24), in Article 15, after paragraph 1, paragraphs 2 and 3 shall be added, worded as follows:

"Only a person who holds a valid certificate of completed training for work in an electoral management body may be appointed as a member or substitute member of a local electoral management body."

Training for work in electoral commissions and polling boards shall be organised and carried out by the Republic Electoral Commission in accordance with the law governing the election of MPs to the National Assembly."

Article 2

In Article 22, after paragraph 3, a new paragraph 4 shall be added, worded as follows:

"Only a person who holds a valid certificate of completed training for work in electoral commissions may be appointed as secretary and deputy secretary of the electoral commission."

Former paragraph 4 shall become paragraph 5.

Article 3

In Article 25, paragraph 1, after point 20), a new point 20a) shall be added, worded as follows:

"20a) co-operates with the Republic Electoral Commission in organising and carrying out training for work in polling boards;"

Article 4

In Article 28, paragraph 3 shall be deleted.

Article 5

In Article 30, paragraph 3 shall be deleted.

Article 6

In Article 33, after paragraph 3, a paragraph 4 shall be added, worded as follows:

“For the purpose of replacing the chair, deputy chair, member, or substitute member of a polling board, the authorised nominator shall nominate a person who holds a valid certificate of completed training for work in polling boards.”.

Article 7

In Article 43, paragraph 2 shall be amended to read as follows:

"A voter may, by his or her signature, support more than one electoral list."

Paragraphs 3 and 4 shall be deleted.

Article 8

In Article 75, paragraph 4 shall be amended to read as follows:

“The nominator of a national minority electoral list may be: a political party registered in the Register of Political Parties as a national minority political party; a coalition composed exclusively of political parties registered in the Register of Political Parties as national minority political parties; as well as a group of citizens formed by at least ten voters who, at least six months before the entry into force of the decision calling the elections, were registered in the special voter register of the relevant national minority, maintained in accordance with the law governing national councils of national minorities.”.

After paragraph 5, new paragraphs 6-8 shall be added, worded as follows:

An electoral list may be granted the status of a national minority electoral list if:

- 1) the name of the electoral list contains the full name of the national minority political party nominating the electoral list or the name of the national minority whose interests are represented by the political party nominating the electoral list, and
- 2) if, at least six months before the decision to call an election takes effect, the majority of candidates for councillors on that electoral list were registered in a special voter register of the national minority whose interests are represented by the political party nominating the electoral list.

If an electoral list, which is proposed to obtain the status of a national minority electoral list, is nominated by a coalition, the name of the electoral list must contain the names of all the political parties that formed the coalition, or the names of all the national minorities represented by the political parties that formed the coalition.

If an electoral list, which is proposed to obtain the status of a national minority electoral list, is nominated by a group of citizens, the name of the electoral list must contain the name of the national minority whose interests are represented by that group of citizens.”.

Article 9

Article 76 shall be amended to read as follows:

“Article 76

The electoral commission shall adopt a decision rejecting a proposal to grant an electoral list the status of a national minority electoral list if it does not meet the

conditions prescribed by this Law, as well as if the list leader or a candidate for a councillor on that electoral list is a person who is publicly recognisable as an active member of a political party that is not a national minority political party.”.

Article 10

Chairs, deputy chairs, secretaries and deputy secretaries of electoral commissions appointed prior to the entry into force of this Law shall complete training for work in local electoral commissions within six months from the entry into force of this Law.

Chairs, deputy chairs, secretaries and deputy secretaries of electoral commissions appointed after the entry into force of this Law but before the start of the application of Articles 1 and 2 of this Law shall complete training for work in local electoral commissions within three months of their appointment to the local electoral commission.

Article 11

This Law shall enter into force on the eighth day following the date of its publication in the "Official Gazette of the Republic of Serbia", except for Articles 1, 2, 4, 5 and 6, which shall apply from 1 January 2028.

REVIEW OF THE AMENDED PROVISIONS OF THE LAW ON LOCAL ELECTIONS

Eligibility for membership in local electoral management bodies

Article 15

Only a person who has the electoral right and a permanent residence in the territory of a local self-government unit, and who is neither a councillor nor a candidate for councillor, may be appointed as a member or substitute member of a local electoral management body.

ONLY A PERSON WHO HOLDS A VALID CERTIFICATE OF COMPLETED TRAINING FOR WORK IN AN ELECTORAL MANAGEMENT BODY MAY BE APPOINTED AS A MEMBER OR SUBSTITUTE MEMBER OF A LOCAL ELECTORAL MANAGEMENT BODY.

TRAINING FOR WORK IN ELECTORAL COMMISSIONS AND POLLING BOARDS SHALL BE ORGANISED AND CARRIED OUT BY THE REPUBLIC ELECTORAL COMMISSION IN ACCORDANCE WITH THE LAW GOVERNING THE ELECTION OF MPs TO THE NATIONAL ASSEMBLY.

Participants in the work of electoral commissions without the right to make decisions

Article 22

Participants in the work of electoral commissions without the right to make decisions shall be the Secretary of the electoral commission and the Deputy Secretary of the electoral commission.

The Secretary and Deputy Secretary of the electoral commission shall be appointed by the Assembly at the proposal of the President of the Assembly.

The Assembly's Secretary and Deputy Secretary, the head of the municipal or city administration, the deputy head of the municipal or city administration, or a person from the ranks of employees in the municipal or city administration holding a university degree in law may be appointed as a Secretary or Deputy Secretary of electoral commissions.

ONLY A PERSON WHO HOLDS A VALID CERTIFICATE OF COMPLETED TRAINING FOR WORK IN ELECTORAL COMMISSIONS MAY BE APPOINTED AS SECRETARY AND DEPUTY SECRETARY OF THE ELECTORAL COMMISSION.

The provisions of this Law governing the termination of office in the authority responsible for conducting elections shall also accordingly apply to both the Secretary and the Deputy Secretary of the electoral commission.

Competences of electoral commissions

Article 25

The electoral commission shall:

- 1) ensure lawful conduct of local elections;
- 2) organize technical preparation for local elections;
- 3) publish a calendar of electoral activities;

- 4) prescribe forms for conducting electoral activities;
- 5) appoint, dismiss and establish termination of office of members and substitute members of electoral management bodies;
- 6) issue a decision proclaiming, dismissing or rejecting to proclaim electoral list, as well as a conclusion ordering the nominator of the electoral list to rectify deficiencies in the electoral list;
- 7) issue a decision establishing that a proclaimed electoral list has been withdrawn;
- 8) issue a decision establishing that the position of a candidate for councillor on the electoral list remains vacant;
- 9) designate polling stations;
- 10) provide election material for conducting local elections;
- 11) determine the form, layout and colour of ballot papers and control lists for the validation of the ballot box;
- 12) determine the number of ballot papers to be printed, as well as the number of spare ballot papers;
- 13) approve the printing of ballot papers and oversee their printing;
- 14) prescribe the manner of handover of the election material before and after the voting;
- 15) provide information to voters on whether their vote has been recorded in the excerpt from the voter register;
- 16) submit data to the authorities in charge of gathering and processing the statistical data;
- 17) decide on complaints, in accordance with this Law;
- 18) establish at its session the preliminary results of local elections for all polling stations that have been processed within 24 hours following the closing of polling stations;
- 19) determine election results, render and publish a comprehensive report on the election results;
- 20) submit to the Assembly a report on the conducted elections;
- 20a) CO-OPERATES WITH THE REPUBLIC ELECTORAL COMMISSION IN ORGANISING AND CARRYING OUT TRAINING FOR WORK IN POLLING BOARDS;
- 21) perform other tasks stipulated by this Law.

The forms required for the submission of the electoral list shall be prescribed by the electoral commission within three days following the day when the decision on calling the elections came into force.

The electoral commission shall adopt its Rules of Procedure and publish it on the website.

In its work, the electoral commission shall accordingly apply the instructions and other acts of the Republic Electoral Commission relating to the election of Members of Parliament.

Polling board in the standing composition

Article 28

A polling board in the standing composition shall consists of a Chair, two members, a Deputy Chair and two substitute members appointed by the electoral commission at the proposal of councillors' groups.

The procedure for nominating members and substitute members to polling boards in the standing composition shall be prescribed by the electoral commission.

~~When nominating a candidate for the Chair and Deputy Chair of the polling board, the councillors' group shall, if possible, give priority to a person who has completed training for work in polling boards and has experience in conducting elections.~~

Nomination of a member and substitute member to the polling board in the standing composition

Article 30

The nomination of a member and substitute member to the polling board in the standing composition shall be submitted by the councillors' group to the electoral commission on the prescribed form.

Should a councillors' group fail to submit the nomination of a member or substitute member to the polling board in the standing composition in due time, the electoral commission shall appoint to the polling board in the standing composition a person nominated by the head of the municipal or city administration.

~~When nominating a member or substitute member to the polling board in the standing composition, the head of the municipal or city administration shall, if possible, give priority to a person who has completed training for work in polling boards and has experience in conducting elections.~~

Replacement of a polling board member

Article 33

A member or substitute member of the polling board in the standing composition may be replaced at the request of the authorized nominator no later than three days before the Election Day.

Exceptionally, the chair or deputy chair of the polling board may be replaced prior to the opening of the polling station for voting, at the latest, if they die, become ill or lose their electoral right.

The decision on the replacement of a member or substitute member of the polling board shall be made by the electoral commission, i.e. by its duly authorized member.

FOR THE PURPOSE OF REPLACING THE CHAIR, DEPUTY CHAIR, MEMBER OR SUBSTITUTE MEMBER OF A POLLING BOARD, THE AUTHORISED NOMINATOR SHALL NOMINATE A PERSON WHO HOLDS A VALID CERTIFICATE OF COMPLETED TRAINING FOR WORK IN POLLING BOARDS.

The number of signatures required to proclaim an electoral list

Article 43

In order to be proclaimed, the electoral list must be supported by the signatures of:

- 1) 200 voters in the local self-government unit with up to 20,000 registered voters on the day of calling the elections;
- 2) 300 voters in the local self-government unit with up to 30,000 registered voters on the day of calling the elections;
- 3) 500 voters in the local self-government unit with up to 50,000 registered voters on the day of calling the elections;
- 4) 600 voters in the local self-government unit with up to 70,000 registered voters on the day of calling the elections;
- 5) 800 voters in the local self-government unit with up to 100,000 registered voters on the day of calling the elections;
- 6) 1.000 voters in the local self-government unit with up to 500,000 registered voters on the day of calling the elections;
- 7) 3,000 voters in the local self-government unit with more than 500,000 registered voters on the day of calling the elections.

~~A voter may support by his/her signature only one electoral list.~~

A VOTER MAY SUPPORT BY HIS OR HER SIGNATURE MORE THAN ONE ELECTORAL LIST.

~~If the nominator of the electoral list submits valid written statements of voters who support that electoral list in a number larger than required to proclaim the electoral list, the~~

~~electoral commission shall take into account only the number of signatures required to proclaim the electoral list, in the alphabetical order of the surnames of voters who have signed the statements in support of the electoral list.~~

~~Voters whose written statements in support of an electoral list have not been taken into account shall be deemed not to have supported that electoral list, and their written statements in support of another electoral list may be taken into account when deciding on that other electoral list.~~

National minority electoral list

Article 75

For the purposes of this Law, the national minority electoral list shall mean the electoral list for which the electoral commission has determined that the main goal of its submission is to represent and advocate the interests of the national minority, as well as to protect and enhance rights of national minority members, in compliance with the international legal standards.

The electoral commission shall establish that the electoral list enjoys the status of a national minority electoral list in terms of this Law, by a special decision issued at the same time when proclaiming it, at the proposal of the nominator of the electoral list which shall be submitted together with the electoral list.

The electoral commission may seek opinion of the competent national minority council on whether a certain electoral list may hold the status of a national minority electoral list.

~~The nominator of the national minority electoral list may only be a political party of the national minority or a coalition composed exclusively of national minority political parties.~~

NOMINATOR OF A NATIONAL MINORITY ELECTORAL LIST MAY BE: A POLITICAL PARTY REGISTERED IN THE REGISTER OF POLITICAL PARTIES AS A NATIONAL MINORITY POLITICAL PARTY; A COALITION COMPOSED EXCLUSIVELY OF POLITICAL PARTIES REGISTERED IN THE REGISTER OF POLITICAL PARTIES AS NATIONAL MINORITY POLITICAL PARTIES; AS WELL AS A GROUP OF CITIZENS FORMED BY AT LEAST TEN VOTERS WHO, AT LEAST SIX MONTHS BEFORE THE ENTRY INTO FORCE OF THE DECISION CALLING THE ELECTIONS, WERE REGISTERED IN THE SPECIAL VOTER REGISTER OF THE RELEVANT NATIONAL MINORITY, MAINTAINED IN ACCORDANCE WITH THE LAW GOVERNING NATIONAL COUNCILS OF NATIONAL MINORITIES.

An electoral list may hold the status of a national minority electoral list within the meaning of the provisions of this Law governing the number of signed statements of voters

supporting the electoral list and the method of allocation of seats, only if, according to the latest census, members of the national minority represented by that electoral list reside in the territory of the local self-government unit, and if the percentage of members of that national minority in the total population on the territory of the local self-government unit is under 50%.

AN ELECTORAL LIST MAY OBTAIN THE STATUS OF A NATIONAL MINORITY ELECTORAL LIST IF:

1) THE NAME OF THE ELECTORAL LIST CONTAINS THE FULL NAME OF THE NATIONAL MINORITY POLITICAL PARTY NOMINATING THE ELECTORAL LIST OR THE NAME OF THE NATIONAL MINORITY WHOSE INTERESTS ARE REPRESENTED BY THE POLITICAL PARTY NOMINATING THE ELECTORAL LIST, AND

2) IF, AT LEAST SIX MONTHS BEFORE THE DECISION TO CALL AN ELECTION TAKES EFFECT, THE MAJORITY OF CANDIDATES FOR COUNCILLORS ON THAT ELECTORAL LIST WERE REGISTERED IN A SPECIAL VOTER REGISTER OF THE NATIONAL MINORITY WHOSE INTERESTS ARE REPRESENTED BY THE POLITICAL PARTY NOMINATING THE ELECTORAL LIST.

IF AN ELECTORAL LIST, WHICH IS PROPOSED TO OBTAIN THE STATUS OF A NATIONAL MINORITY ELECTORAL LIST, IS NOMINATED BY A COALITION, THE NAME OF THE ELECTORAL LIST MUST CONTAIN THE NAMES OF ALL THE POLITICAL PARTIES THAT FORMED THE COALITION, OR THE NAMES OF ALL THE NATIONAL MINORITIES REPRESENTED BY THE POLITICAL PARTIES THAT FORMED THE COALITION.

IF AN ELECTORAL LIST, WHICH IS PROPOSED TO OBTAIN THE STATUS OF A NATIONAL MINORITY ELECTORAL LIST, IS NOMINATED BY A GROUP OF CITIZENS, THE NAME OF THE ELECTORAL LIST MUST CONTAIN THE NAME OF THE NATIONAL MINORITY WHOSE INTERESTS ARE REPRESENTED BY THAT GROUP OF CITIZENS.

Prohibition to circumvent the law

~~Article 76~~

~~The electoral commission shall adopt a decision rejecting a proposal to grant an electoral list the status of a national minority electoral list if the list leader or a candidate for a councillor on that electoral list is a person who is generally known to be a member of another political party which is not a national minority political party or if other circumstances are established which undoubtedly indicate the intention to circumvent the law.~~

ARTICLE 76

THE ELECTORAL COMMISSION SHALL ADOPT A DECISION REJECTING A PROPOSAL TO GRANT AN ELECTORAL LIST THE STATUS OF A NATIONAL

MINORITY ELECTORAL LIST IF IT DOES NOT MEET THE CONDITIONS PRESCRIBED BY THIS LAW, AS WELL AS IF THE LIST LEADER OR A CANDIDATE FOR A COUNCILLOR ON THAT ELECTORAL LIST IS A PERSON WHO IS PUBLICLY RECOGNISABLE AS AN ACTIVE MEMBER OF A POLITICAL PARTY THAT IS NOT A NATIONAL MINORITY POLITICAL PARTY.