

**YUGOSLAVIA'S PRESIDENTIAL ELECTION:
THE SERBIAN PEOPLE'S MOMENT OF TRUTH**

19 September 2000

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YUGOSLAVIA'S PRESIDENTIAL ELECTION: THE SERBIAN PEOPLE'S MOMENT OF TRUTH

EXECUTIVE SUMMARY

Since the International Crisis Group's (ICG's) last paper addressing the Serbian political scene, the situation on the ground inside Serbia has changed dramatically.¹ Once Yugoslav President Slobodan Milosevic announced, on 27 July 2000, the 24 September date for simultaneous presidential and parliamentary elections in the Federal Republic of Yugoslavia (FRY) and municipal elections in Serbia, the previously fractious opposition rapidly and unexpectedly united behind the nomination of Vojislav Kostunica, a constitutional lawyer and self-styled democratic nationalist with no ties to the regime or the West.²

Kostunica's candidacy has fired the imagination of a surprising percentage of the Serbian people, whose renewed faith in themselves and their democratic cause has generated electoral momentum as they have come to believe that the upcoming polls could effect seismic change in their country and their future. It has also marginalised the heretofore important Serbian Renewal Party (SPO) and discredited its founder and longtime leader Vuk Draskovic, whose refusal to support the unified opposition's choice of Kostunica has cost Draskovic and the SPO significant public support.³

At the time of ICG's last writing, opinion polls were showing that 50 per cent of the electorate was undecided as to its choice for the Yugoslav presidency.⁴ We reported that the situation was extremely volatile and could change virtually overnight, and this is precisely what has happened. For the first time since Milosevic came to power in 1989,⁵ a candidate put forward by a largely unified opposition has developed a large popular following and opened a wide lead in opinion polls.⁶ Despite a regime crackdown and an

¹ See ICG Balkans Report No. 99, *Serbia: The Milosevic Regime on the Eve of September Elections*, 17 August 2000. That report reflected research largely completed in June, and did not predict the opposition revival. For an earlier and slightly more optimistic assessment of the opposition's chances, see ICG Balkans Report No. 94, *Serbia's Embattled Opposition*, 30 May 2000.

² The opposition joined forces behind Kostunica on 6 August 2000 in a coalition called the Democratic Opposition of Serbia (DOS), which includes 18 opposition parties and the independent trade union.

³ The consequences of Draskovic's refusal to join ranks with the rest of the opposition and to run his own presidential candidate are discussed below in Section I.

⁴ See ICG Balkans Report No. 99, cited above.

⁵ As President of the Serbian Presidency, a collegial position akin to that represented by the Bosnian trilateral model, where there is also no single president. In 1990, after constitutional revisions, Milosevic was elected President of Serbia.

⁶ On 10 September Agence-France Presse reported the results of the Strategic Marketing Agency Poll (Belgrade), which was taken during the last week of August, and showed Kostunica beating Milosevic 45.1-38.3 per cent in a four-way, first round race; on 7 September VIP reported that, in a sample taken from 58 municipalities, in a four-way race Kostunica would beat Milosevic 43.2-24.6 per cent, and on 5 September Deutsche Presse Agentur reported a 43-21

aggressive anti-opposition propaganda campaign, Serbia's sundry opposition forces have at last been galvanised and are optimistic about winning a majority of votes genuinely cast.

The buoyancy and impressive focus of the new Democratic Opposition of Serbia (DOS) coalition have been accompanied by a loss of discipline within the regime. For the first time, stress fractures within the ruling coalition have been on public display, with one coalition partner, Vojislav Seselj's Serbian Radical Party (SRS), running its own presidential candidate; spats between the parties of Milosevic (the Socialist Party of Serbia, or SPS) and his wife, Mirjana Markovic (the Yugoslav United Left, or JUL) over slots on party slates; the much-publicised resignation from the SPS of longtime party stalwart and president of the former Yugoslavia Zoran Lilic; the abduction in broad daylight of Ivan Stambolic, former Serbian president and Milosevic mentor, and the published expressions of remorse on the part of army officers about crimes they now acknowledge having committed in Kosovo.

The visibility of these regime fissures reveals Milosevic's vulnerability, to cover which he has predictably stepped up his repression of those forces which are most effective in exposing his weaknesses: the independent media; members of the opposition, in particular, the irreverent activist youth movement known as OTPOR, and more recently, the leaders of the small, liberal and non-nationalist Civic Alliance Party (GSS)⁷; and non-government organisations that attempt to monitor human and civil rights.

Perhaps in response to this increased repression, which has been coupled with an aggressive, anti-opposition propaganda campaign, careful observers have perceived in recent days more anxiety than excitement among some opposition supporters. Opinion polls have shown some tapering off of the mounting enthusiasm for Kostunica as voters apparently worry whether an opposition victory would provoke an even more brutal crackdown by the regime.⁸

However the genuine vote count adds up, very few in Serbia believe that Milosevic, if defeated, will willingly hand over power.⁹ While it is difficult to predict the outcome of the polling — and there remains the possibility that Milosevic will pre-empt a humiliating defeat by staging a purported "terrorist attack," simulated coup, or some other crisis that would justify his cancelling the vote and declaring a state of emergency — the more likely outcome is that Milosevic and the ruling coalition will attempt to "steal" the elections in the first

per cent lead for Kostunica over Milosevic in a four-way race, according to a Center for Alternative Studies poll taken in 60 municipalities. Three National Democratic Institute (NDI) tracking polls taken between 18 August and 5 September showed Kostunica's support in a four-way race increasing from 39 to 43 per cent, while Milosevic held steady at 25 per cent. (NDI Serbia Election Tracking Polls, 11 September 2000 [www.ndi.org].)

⁷ Among those detained was GSS head Goran Svilanovic, in what was the regime's first attack on an opposition party leader (Associated Press, 15 September 2000). In its principled insistence on human rights and accountability, the GSS, which is part of the DOS coalition, probably has more in common with a Western-style democratic party than any other party in Serbia and has long enjoyed greater credibility in the West than in Belgrade.

⁸ A number of voters recently told ICG that while they prefer Kostunica as a candidate, they fear that Milosevic might react to an opposition victory with a violent crackdown, and consequently they are not sure how they will cast their ballots. (ICG interviews, Belgrade, 7-11 September 2000.)

⁹ ICG interviews, mid-August until mid-September. A late August Institute of Social Sciences poll, which, like most others conducted at about that time, gave Kostunica 35-23 per cent over Milosevic, also revealed that 46 per cent of the electorate nevertheless expected Milosevic to remain in office. (VIP, 1 September 2000, reprinted on freeb92-e@opennet.org.)

round.¹⁰ Should this scenario play out, it remains unclear whether the opposition forces can mobilise and sustain sufficient popular outrage — and sufficiently neutralise or win the support of the police and military in the process — to drive him from office.

The unified opposition, convinced that its candidates can only benefit from as high a turn-out as possible, has organised an effective get-out-the-vote mobilisation campaign. Opposition leaders have also calculated that the more opposition ballots there are, the harder it will be for the regime to “steal” them, and that a flagrantly fraudulent vote will embolden the population to face down the regime in the streets. But Kostunica himself has vowed not to let demonstrations descend into “civil war”¹¹, and the private disposition of opposition leaders is to settle in for a longer haul. Kostunica and his colleagues view these elections, at a minimum, as an opportunity to establish a new political reality in Serbia by seizing legitimacy, if not at this stage power, from the regime.¹²

There remains the delicate question of the appropriate role for the international community, given, on the one hand, the strong reservations that will continue to be felt about Kostunica's intensely nationalist credentials, and on the other the concern that outright support from key NATO countries is likely to have a counterproductive effect. But following the recent developments described in this report, there should certainly be a willingness now, whatever anxieties may previously have been felt about giving credibility to a sham election process, to applaud the emergence of a united opposition, to fully support its participation in the elections, and to indicate that a change of government will be rewarded — provided the new government meets the kind of performance criteria that have been demanded of other democracies in transition in Europe.¹³

Different considerations apply to the participation of Montenegrins in the election. The unconstitutional actions of the FRY government and effective exclusion of Montenegrin interests from federal institutions makes the Djukanovic government's decision to boycott the elections not only politically understandable but legally defensible.¹⁴ Because it remains

¹⁰ The regime's electoral rules, also announced on 27 July, provide for a second round should no candidate receive more than 50 per cent of the vote in a first round. However, the rules also state that, “The president can be elected even if less than 50 per cent of eligible voters cast their vote.” (Radio FreeB92 News, INTERNET:freeb92-e@opennet.org, 27 July 2000.) Indeed, few observers or participants expect Milosevic to permit such close electoral results as would necessitate a second round. (ICG interviews, mid-August to mid-September 2000.)

¹¹ *Washington Post*, 15 September 2000.

¹² ICG interviews, Belgrade, 7-11 September 2000.

¹³ The EU Foreign Ministers on 18 September 2000 made such an announcement, although without any proviso attached:

“On 24 September the people of Serbia will be faced with a crucial political choice.

The elections, whatever the circumstances under which they have been called and organised, will give the Serbian people the opportunity to repudiate clearly and peacefully the policy of Milosevic, which consists of political manipulation, deprivation of liberty and impoverishment of the population. It is that policy which led the FRY to war, isolation and deadlock. These elections will give the Serbian people a chance for democratic change. It is up to them to seize the opportunity by turning out to vote.

We reaffirm that a choice leading to democratic change will entail a radical change in the European Union's policy with regard to Serbia: we will lift the sanctions against the FRY; we will support the necessary economic and political reforms by providing Serbia with economic aid for its reconstruction and we will support the reintegration of the FRY into the international Community. We will suggest to the FRY that it draw closer to the European Union so that it can occupy its rightful place in Europe. We have never forgotten that the Serbs are Europeans.

A vote for democracy in Serbia will be a vote for Serbia in Europe.” General Affairs Council (18.9.00), Message to the Serbian People, available on <http://ue.eu.int>.

¹⁴ See ICG Balkans Report No.101, *Current Legal Status of the Federal Republic of Yugoslavia (FRY) and of Serbia and Montenegro*, 19 September 2000.

possible that Milosevic will be tempted, in this period of heightened tension and uncertainty, to engage in military adventurism against Montenegro, it remains important not only for the Western powers to continue to give political and economic support to the republic, but also to provide it with a specific security guarantee.¹⁵

Within Serbia, all the DOS political objectives, from the most to the least ambitious — from the highly unlikely prospect of a peaceful hand-over of power; to the long shot that a Serbian version of "People Power" will eventually prevail; to the opposition's far more likely success at discrediting the regime and broadening its own base — represent tremendous strides forward for Serbian democratisation. Notwithstanding the issues that would remain to be resolved if a Kostunica-led government came to power, the international community should, in the present circumstances, quietly continue to make clear its support for such a change, and be guided by the opposition leadership as to how it might best be helped to achieve its immediate goals.

It is critical, above all, for the international community to remember that it is the Serbian people themselves who must take responsibility for change in their country. That they have the power to reshape their destiny and to make Serbia a valued member of the European community is not in question. What is unknown, and will emerge shortly, is the extent of their determination, courage, and resolve. They can accommodate themselves to years more under Milosevic, with all that this entails for them and their progeny, or they can usher in a new phase of democratic nationalism that restores their national pride and self-respect and contributes to the stability of southeastern Europe. No amount of declarations or urging by Western leaders and Serbia's friends abroad can make that decision for them nor remove their own responsibility for facing their moment of truth on 24 September.

RECOMMENDATIONS

Pre-Election

1. The international community should applaud the emergence of a unified Serbian democratic opposition and wholeheartedly support its efforts to bring about political change.
2. The international community should support full popular participation by Serbians in the 24 September 2000 elections and call upon the ruling political authorities, army and police to respect the genuine expression of the popular will.
3. The international community should make clear now that, in the event that the democratic opposition candidate wins the presidential election, sanctions will be lifted, diplomatic and trade relations resumed, applications for membership in international institutions may proceed — provided that the government meets those performance criteria required of other democracies in transition in Europe.

¹⁵ See ICG Balkans Report No. 89, *Montenegro: In the Shadow of the Volcano*, 21 March 2000.

Post-Election

4. In the event that it appears — on the balance of available evidence — that a declaration of victory by Milosevic is fraudulent, the international community should be guided in its response by the reaction of the leadership of the democratic opposition.
5. Whatever the declared outcome of the elections may be, Western and particularly European states should increase their assistance for democratisation and civil society initiatives.
6. Neighbouring emerging democracies should be encouraged to share with the Serbian people lessons learned from their own experiences in creating and institutionalising a strong and vibrant media, an independent judiciary, resilient civil society structures, a true free-market economy, and a lasting respect for fundamental human rights.

Montenegro

7. Notwithstanding that it will make the task of the Serbian opposition more difficult, Montenegro's decision on constitutional and related grounds to boycott the federal elections remains understandable and defensible and should be supported.
8. As Montenegro remains at risk of military adventurism by Milosevic through the election period and beyond, it continues to be important that it receives not just political and economic support but a specific security guarantee from the West.
9. Whatever the outcome of the FRY elections, Western and especially European countries, should continue to demonstrate their support for the democratically elected Montenegrin government by increasing assistance for democratic institution-building, the civil society sector, and economic reform efforts.

Washington/Brussels, 19 September, 2000



YUGOSLAVIA'S PRESIDENTIAL ELECTION: THE SERBIAN PEOPLE'S MOMENT OF TRUTH

In the depth of their hearts most Serbs know that the September elections are of crucial importance to the future of the country and that this is most likely the last chance for a peaceful replacement of government which could put Serbia back on the normal track and help it join the international community.... Most ordinary Serbs believe that the future of Serbia will be like Cuba's if Milosevic wins—Serbia will be a dead country waiting for the natural death of its dictator and living the slow life of a tourist haven out of season.¹⁶

I. THE OPPOSITION'S RESURGENCE

A. Candidate and Coalition

When he announced early presidential elections on 27 July 2000, Milosevic did not count on running against Vojislav Kostunica, Democratic Party of Serbia (DSS) party head and presidential candidate of the newly formed Democratic Opposition of Serbia (DOS). Rather, he thought his opponents would be the opposition's usual front-runners, either former Central Bank governor Dragoslav Avramovic, a elderly, gentlemanly figure whom he was sure he could beat, or Democratic Party (DS) leader Zoran Djindjic and Serbian Renewal Party (SPO) leader Vuk Draskovic, who had long been locked in a rivalry of mutual self-destruction and whom, because of their Western ties and support, he believed he could tar as NATO "lackeys" or "traitors."

But in mid-summer the long-splintered opposition took everyone by surprise: with the exception of SPO head Vuk Draskovic, all key opposition figures united into a coalition named the Democratic Opposition of Serbia. DOS strategists then quickly vetted a list of candidates in a series of opinion polls which served not only as an informal presidential primary, but also revitalised the electorate: as of 14 September, most of the more reliable opinion polls put Kostunica at roughly 43 per cent and Milosevic at 25 per cent, with the number of undecided voters cut nearly in half.¹⁷

1. Kostunica: "The Thinking Man's Nationalist"

The choice of Kostunica cannot be overestimated in enumerating the reasons behind the opposition's resurgence. An academic and constitutional lawyer, Kostunica boasts a cleaner resume than most politicians. Fired from the

¹⁶ Bratislav Grubacic, VIP report, reprinted FreeB92 News, freeb92-e@opennet.org, 1 September 2000.

¹⁷ See footnote 6 above for polling data. According to sources within the Socialist Party of Serbia (SPS), a private poll taken by SPS-Belgrade of some 1,500 citizens has Kostunica capturing as much as 60 per cent of the vote. (Bratislav Grubacic, V.I.P., 1 September 2000.)

Belgrade University law faculty in 1974 during a Communist purge of university dissidents, Vojislav Kostunica, 56, has deep opposition, anti-Communist credentials. Alone among top opposition party politicians, he has never belonged to Yugoslavia's League of Communists, nor has he ever negotiated with Milosevic for a government position. In 1989, when Milosevic was cementing his rule as president of the Serbian presidency, Kostunica helped found the opposition Democratic Party, which he left three years later because he did not find its agenda sufficiently nationalistic, to head the smaller and more ideologically pure Democratic Party of Serbia in July 1992.¹⁸ On ideological grounds, Kostunica is a far more committed nationalist than Milosevic, whom he has repeatedly blamed for having betrayed the Serbs by losing Bosnia, Croatia, and, effectively, Kosovo. Nevertheless, until his nomination by the DOS and his subsequent, spiraling rise in popular opinion polls, Kostunica was not well known in Serbia outside a relatively rarified collection of urban intellectuals and ardent nationalists.¹⁹

Kostunica has shrewdly kept his distance from the West, criticising the U.S., but urging closer ties with the European democracies. He has proclaimed his abhorrence for such hallowed international institutions as the UN-mandated International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague, which last year indicted Milosevic and four senior deputies for war crimes in Kosovo. He has sharply denounced the Tribunal as no more than a political instrument of Washington and declared that, if elected, he will not turn Milosevic over for extradition to The Hague.²⁰ He also relentlessly criticised the NATO intervention in Kosovo, remained in Belgrade during the NATO

¹⁸ Kostunica resume (excerpted from "A Career: Vojislav Kostunica", 3 August 2000, www.greekhelsinki.gr): born 24 March 1944, Belgrade; 1966, graduated Belgrade University Law School; 1970, Masters degree, thesis: "Political Theory and Practice of Constitutional Judiciary in Yugoslavia;" 1970, began work as junior lecturer at Belgrade University Law School; 1976, defended Ph.D. dissertation: "Institutional Opposition in Capitalist Political Systems;" sacked during 1974 university purges, refused offer to rejoin Law Faculty fifteen years later; 1974, worked at the Social Sciences Institute; 1978, publication of "The Political System of Capitalism and the Opposition;" 1981, joined Philosophy and Social Theory Institute as senior researcher; 1983, published, with Kosta Cavorski, "Party Pluralism or Monism;" in the 1980s, became member of the Committee for the Defense of Freedom of Thought and Speech, a human rights organisation; 1989, founded, and was charter member of, the Democratic Party, which he left in early 1992, "when the party split into two factions that maintained different views of the authorities and the national issue," and participated in founding of the Democratic Movement of Serbia; July 1992, became President of the Democratic Party of Serbia (DSS). "The party accepted anti-Communism, reaffirmation of Serb civic society and 'enlightened' national democracy as its original principles. The party's program supports the regionalisation of Serbia and its territorial integrity. The party insisted on this during the Kosovo crisis, seeing Serbia's regionalisation as the only solution to that and all other possible crises in Yugoslavia.... The fraction that became the Democratic Party of Serbia in July 1992, believed that the Serb national issue was not a matter of political democracy or economic equality, but the issue of the national survival of the Serbs." Member of editorial boards of "Archive for Legal and Social Sciences," "Philosophical Studies," "Philosophy and Science," and "Theoria;" of the Philosophical Society of Serbia and Serbia's PEN center.

¹⁹ The DOS has promoted Kostunica's career as an intellectual and opposition leader to show the depth of his commitment to building democratic institutions, protecting free speech and the rule of law in Serbia:

"The major part of what I have been doing over the past ten years boils down to an effort to change things in Serbia and at the same time preserve our national interest—the interest of Serbs wherever they may be—and preserve the state...A question far more important for me than an election is what I can do myself to make an institutional and cultural environment in this country that would be home to democratic institutions, and where governing political parties would replace each other... I have seen myself as someone who could take part in building democratic institutions in Serbia, that is the joint state of Serbia and Montenegro," Kostunica told Banja Luka-based *Nezavisne Novine* at the end of June. (From "A Career: Vojislav Kostunica," cited above.)

²⁰ "Milosevic will not go to The Hague: Kostunica," Radio B292, 5 September 2000.

bombing (unlike his new DOS partner, DS head Zoran Djindjic, who avoided a police round-up by taking refuge in Montenegro and lost political credibility for doing so), and was photographed just before the NATO bombing holding an automatic weapon, as if defending Serb interests in Kosovo.²¹ In reaction to an August announcement that the US had set up an office in Budapest to support Serbian pro-democratic forces, Kostunica pre-empted the regime's predictable attacks by calling the move "the kiss of death for all truly democratic and patriotic forces in Serbia."²²

Kostunica's criticism of the Hague Tribunal and Washington reflects his genuinely critical views of Western — particularly American — policy in the Balkans. But it also reflects the DOS's savvy in putting forward a platform and presidential candidate against whom the regime's efforts to tar the opposition as "NATO stooges" and "Western mercenaries" cannot stick.²³ Moreover, Kostunica's firm anti-Hague posture holds potential appeal for disgruntled but wary members of the Yugoslav army, Serbian state security forces, and the government, who might otherwise be ready to cast their ballots for change, but who dread the witch hunts, indictments, and prosecutions that might have come with a democratic opposition preaching accountability. With Kostunica preaching reconciliation instead, they might be tempted to vote for him.²⁴

Kostunica's refusal to treat with the Milosevic regime and calibrated distance from the West are among the very qualities that clinched his selection as the presidential candidate for the DOS.²⁵ In addition, Kostunica's reputation as neither corrupt nor corruptible — stories abound about his legendary battered old Yugo car and his having lived in the same modest apartment for a decade — is another refreshing quality believed to have contributed to his appeal.

Kostunica's staunch nationalism has long aroused concern among Serbia's ethnic minorities and those in the West who would urge the Serbian people toward greater tolerance of non-Serbs and toward assuming responsibility —

²¹ From "A Career: Vojislav Kostunica," cited above.

²² "Milosevic Foe Leading Field in Yugoslavia," *New York Times*, 4 September 2000.

²³ As Democratic Party leader Zoran Djindjic put it, "Opinion polls and my own analyses showed that Kostunica was what was needed at the moment. If you ask me why I'm not the candidate, I think the reason is very clear—my political position is currently too pro-European for most people in Serbia. Their feelings about Europe are still too linked to the NATO intervention and sanctions, and they are suspicious about the good intentions of those countries.... Some voters believe that an openly pro-Western policy in Serbia is not good for them." (VIP News, Issue 1853, 11 September 2000.)

Kostunica has successfully turned the regime's constant barrage of propaganda against itself, still maintaining the strident anti-NATO tone that appears to resonate among the population. "They call us traitors," he told a 10 September rally in Pozega, speaking of the regime. "But they are the NATO parties! First they brought us UNPROFOR [the UN Protection Force in Bosnia]; then SFOR [NATO's post-Dayton force in Bosnia], and now, thanks to them, there are 50,000 foreign soldiers in Kosovo."

²⁴ "Talk of hatred and revenge, and everything else that goes with this, will be excluded from public and political life." (Kostunica in an interview with Radio B2-92, 13 August 2000.)

²⁵ "Kostunica's major advantage is perhaps a fact very difficult to grasp in the democratic world. He has never met with the former Serbian and now Yugoslav president Slobodan Milosevic, nor, like his more famous and exposed peers Zoran Djindjic and Vuk Draskovic, has he ever negotiated with Milosevic. On the other hand, he has never been too intimate with the West, which makes it impossible for the regime's propaganda machine to label him 'a traitor or a foreign mercenary,' words reserved for all other opposition leaders," From "A Career: Vojislav Kostunica," Balkan Human Rights List, www.greekhelsinki.org, 3 August 2000.

or at least acknowledging — the crimes committed by the state in their name. Moreover, while it is true that during the 1980s, in the post-Tito era, Kostunica was a member of a free speech group that defended representatives of Yugoslavia's pro-independence ethnic constituencies,²⁶ he has also been a staunch defender of radical Serb nationalists, including Radovan Karadzic, the wartime Bosnian Serb President indicted by the ICTY for genocide against Bosnia's non-Serbs.²⁷ However, he has focused on legal and political means rather than on force and violence to preserve the rights of Serbs living outside Serbia.

Some observers, as one Serbian human rights monitor put it, see "no difference in program" between Kostunica's platform and that of Milosevic. "They have the same concept, exactly," with both essentially pushing the same nationalist agenda for a "Greater Serbia" which Milosevic is now regarded as having betrayed.²⁸ Both men would reorganise Serbia into newly delineated regions that would carve up the fertile, Hungarian-dominated Vojvodina into three parts — thereby neutralising the impact of its vocal Hungarian majority which has long pressed for autonomy — and reduce the status of Montenegro, which, despite its disproportionately small size in relation to Serbia, had enjoyed until the regime's illegal constitutional changes of July 2000 equal constitutional standing.

Both men's candidacies were launched by the same coterie of the Serbian elite: senior and venerated members of the Serbian Academy and Orthodox Church which long lent their lustre to Milosevic, and who now — since Milosevic has undermined their agenda by actually losing, rather than expanding, Serbian territory — have taken to glorifying Kostunica, even going so far as to use the same language to describe both politicians as "modest, honest men."²⁹

But Kostunica, whatever his prejudices and support for the Serb national cause, does not appear likely to use instruments of state to ethnically cleanse whole swathes of territory. He may — although the international community is entitled to maintain reservations until the contrary is demonstrated — prove to live up to the billing of some of his supporters as a "kinder, gentler" nationalist. He may be, as claimed, a leader who will not muzzle the independent media and non-government sector; who will, as he has promised, serve only one year, bring in "a government of technocrats," and create the conditions for elections to replace himself that can be genuinely "free and fair;" and who, while he may refuse cooperation with The Hague, be willing to initiate a gradual transformation of the Serbian state by permitting domestic trials for alleged war criminals, which trials would at least begin the arduous process of national

²⁶ The Committee for the Defense of Thought and Speech.

²⁷ Kostunica has been called a "genuine" or "hardcore" nationalist, to distinguish his principled ideological stance from Milosevic's more pragmatic approach to politics. Judgments vary about how far his nationalist views impact on his commitment to democracy: an extreme view to put to ICG is that he is "Seselj with a tie" (alluding to the far more brazenly racist leader of the Serbian Radical Party, Vojislav Seselj).

²⁸ ICG interview, Belgrade, 8 September 2000.

²⁹ ICG interview, Belgrade political analyst, 3 September 2000.

introspection and reckoning that is a prerequisite to any nation's ability to move beyond its past.

Nenad Canak, leader of the League of Social Democrats of Vojvodina, appears to speak as well for the more liberal-minded segment of the Serbian opposition when he tells Vojvodinans, at rally after rally, "Hold your nose and vote for Kostunica." The Muslim leader of Serbia's Sandzak Coalition, Rasim Ljajic, has also supported Kostunica's candidacy.³⁰

Ignored by the state-controlled broadcast media,³¹ Kostunica has undertaken a grueling schedule of campaign stops throughout Serbia, Montenegro, and Kosovo,³² and has plastered doorways, walls, and mailboxes with his campaign literature. Capitalising on his reputation for integrity, Kostunica's campaign slogan is, "I give you my word (Dajem Rec)," and, "Who can look you in the eye? Vojislav Kostunica." Despite his sharp criticisms of western policy, Kostunica does regard Serbia's reintegration with Europe and the West as necessary and inevitable. "Everyone in this country is in need of some stability and peace," he recently told a reporter. "That's my message to the state apparatus, the army, and the police, who need it too. They also don't see a clear future if nothing changes here, and many of them also are tired of all this."³³ On the campaign trail, he has advocated this reintegration, along with civilian control of the Yugoslav army and the growing economic decentralisation of Serbia.³⁴

2. Opposition Agenda

The DOS has fleshed out Kostunica's candidacy with a "Program for a Democratic Serbia" that seems to take its inspiration from the former U.S. House of Representatives Republican leader Newt Gingrich's "Contract with America" which led to the 1994 Republican tsunami that brought a majority into the Congress. The DOS candidates for Yugoslavia's Federal Parliament have signed an "Agreement with Serbia" that commits them to implement democratic changes, effect the removal of sanctions, settle relations with

³⁰ And has been detained for his trouble: on 9 September police arrested Ljajic in Nova Varos for having in his possession DOS election materials. (B292, 10 September 2000.)

³¹ A study by the Strategic Marketing Agency found that during the last week of August, state radio and television ran nine hours and 38 minutes of coverage of the regime, with 820 shots of regime and ruling coalition members, as compared to a total of 21 minutes dedicated to exclusively derogatory coverage of the DOS, with only one image of Kostunica. (Reported by FoNet, reprinted in the *ANEM Weekly Report*, 5 September 2000.)

³² On 14 September 2000 in the northern, divided Kosovo city of Mitrovica, Kostunica was stoned, pelted with rubbish and tomatoes, and driven off the platform by Milosevic's hired thugs, some appearing to be as young as fourteen. Even before the candidate arrived, a rowdy group of hooligans armed with rocks and other projectiles was already in place shouting, "Slo-bo! Slo-bo!"—the very cry that launched Milosevic's rise to power in Kosovo more than eleven years ago. Kostunica's car was wrecked, but he was unharmed and undaunted: "I still think I can win," he told an ICG analyst there.

³³ *New York Times*, 2 September 2000.

³⁴ *VIP Daily News Report*, issue 1851, 7 September 2000. "I am in favour of an economically independent Vojvodina, but a new state is not necessary for that to be achieved, the only thing that needs to be done is to change this state. What is being taken from you is not going to Belgrade either. Belgrade is full of impoverished people, who search through garbage cans. Everything that is taken from you goes to those drones in power," Kostunica told a campaign rally in Stajicevo, Vojvodina, 6 September 2000.

Montenegro in a democratic manner, and establish an "honest, competent, and responsible government."³⁵

The "Program for a Democratic Serbia," drawn up by Serbia's G-17 group of experts and adopted by all 18 DOS coalition member parties, is a set of political and economic reforms to which the DOS commits itself in the event of a Kostunica victory. The Program can be summarised in three points:

During its first year in office, the DOS promises:

- the return of Yugoslavia and Serbia to the world;
- radical economic reforms; and
- the beginning of major new infrastructure investments.

The Program also promises that a new, DOS-led Parliament would pass a new Constitution that would decentralise power in Serbia and restore autonomy to Vojvodina and Kosovo; suspend the economic and political blockade of Montenegro and commence talks with the Montenegrin government on reforming the relationship between the two republics; reduce the number of government ministries; ban conflicts of interest for government figures; open up secret police files and force more transparency of finances for government members; repeal the Public Information Act and other laws that have been used to silence government critics; hire an auditing company to review the government's finances and past spending and corruption, and appoint an independent committee of experts to examine and make public tapped audio/video recordings of high state officials from 1987–2000.³⁶

3. Opposition Momentum

The excitement generated by Kostunica's candidacy and his concomitant surge in opinion polls has created momentum behind the once flaccid opposition. DS party head Zoran Djindjic appears to have been inspired by the new energy in the campaign, and he and other party leaders have collaborated to an unprecedented degree to develop new strategies for reaching out to undecided voters and broadening their base of support. The synergy, observers claim, has been palpable, with both the independent trade unionists, the nationalists and the more traditionally "social democratic" or "liberal" parties setting aside their often profound differences in the mutual interest of removing Milosevic from power.³⁷

³⁵ VIP Special Elections Supplement, 12 September 2000.

³⁶ VIP Special Elections Supplement, 12 September 2000. In addition, the Program states that in the first 100 days in office the DOS signatories commit to propose to the Parliament a package of laws that would implement economic reform, promote anti-corruption laws, prevent abuse by the police and the army, give more independence to the judiciary, reform the justice system, free up the press, give the Serbian universities autonomy, decentralise state power, give more autonomy to local governments, and pass European-standard elections laws.

³⁷ "The co-operation has been impressive," reported one close observer of the opposition scene. "The DOS is really getting the best out of each of those guys: eighteen heads is better than one." (ICG interview, political analyst, 13 September 2000.)

Some of the campaign's exuberance, and some of people's greater willingness to express their unhappiness with the regime, can be attributed to the efforts of the opposition movement called "Resistance," or OTPOR. Founded in October 1998, as the Kosovo crisis was heating up, this fresh, student-initiated movement was imaginative in its approach and deliberately anarchic in its organisational structure. Staging such unconventional "happenings" as graffiti campaigns, plastering Belgrade with posters, making public fun of public officials, OTPOR humanised the faces of the regime. In so doing and in mocking its leadership, the students and their associates of all ages managed to break down some of the fear that has silenced most Serbs for so many years. The consequent decrease in tension could embolden more voters to cast aside their anxiety and cast their ballots for their genuinely preferred candidate.

In part because of its brave public acts and statements, OTPOR has been a lightning rod for regime reprisals. Because it is a movement, not a political party, and has deliberately eschewed the hierarchical organisation generally characterising party structures in the FRY, OTPOR has been a slippery target for the regime to grapple with. The authorities have responded to OTPOR initiatives by roughing up as many individual OTPOR activists as it could find. Throughout the summer, OTPOR members were being regularly beaten, detained, arrested, and charged with being everything from "terrorists" to "murderers" to "Ustashe."³⁸ More recently, OTPOR activists have been tortured, and their Belgrade headquarters raided.³⁹ However, these efforts at intimidation have not deterred but rather increased public sympathy for OTPOR members, most of whom are young, fed up, and convinced they have nothing to lose.

4. Would-be Spoiler: The Marginalisation of Draskovic

SPO leader Vuk Draskovic's refusal to back the united opposition's presidential candidate and his insistence on running a separate SPO "spoiler" presidential candidate, Belgrade mayor Vojislav Mihailovic, has split the opposition vote and seemed at first to deny the opposition the possibility of clinching presidential victory in the first round.⁴⁰ But in the last two months, Kostunica's soaring

³⁸ The term denoting Croatian Fascists during World War II which has been used liberally throughout the last decade by the regime and many Serbs to refer to anyone of Croat extraction.

³⁹ *The Times* (London), 11 September 2000; Humanitarian Law Center communique, 4 September 2000.

⁴⁰ The grandson of wartime "Chetnik" (Serb Royalists whose name recalls the Serb guerrilla fighters of the Turkish wars) leader Draza Mihailovic, and Belgrade's mayor since January 1999, Mihailovic, 49, graduated from the Belgrade University Faculty of Law, worked for a Belgrade publishing house, as a lawyer, and currently owns a company that distributes Pampers diapers. (VIP Special Elections Supplement, 12 September 2000.) Elected deputy speaker of the Serbian Parliament in 1994 and again in 1997, he entered the SPO party presidency in 1994 and was elected mayor of Belgrade in January 1999.

Mihailovic's platform has three main objectives: 1) to preserve the FRY both by creating equal relations between Montenegro and Serbia and by reinstating Serbia's sovereignty over Kosovo; 2) mutual reconciliation and cooperation with neighbours and the world, and 3) democratic and economic revival, as a precondition for joining the EU. (VIP Special Elections Supplement, 12 September 2000.) Unlike Kostunica, Mihailovic supports reconciliation between ethnic Albanians and Serbs and bringing to justice all who carried out crimes in Kosovo.

The polls are not looking good for Mihailovic. A recent poll by the Medium Agency shows Mihailovic a distant fourth, pulling in only 6.8 per cent of votes, compared to Kostunica's 35.5 per cent, Milosevic's 24.4 per cent, and

popularity and convincing lead in the polls, where Mihailovic has been trailing, have revealed a remarkable development: once one of the most important political forces in Serbian politics, Draskovic and the SPO have been largely eclipsed and their constituency largely won over to Kostunica's brand of anti-Communist, pro-democratic nationalism. For a decade one of the most influential — and exasperating — political players in Serbia, Draskovic has seen his influence decline dramatically in the past two months, and now finds himself, both literally and figuratively, on Serbia's political sidelines, as he observes the elections from his seaside apartment in Budva, Montenegro, where he suffered an alleged assassination attempt on 15 June 2000.⁴¹

Draskovic's consistently erratic, unco-operative behavior is now widely perceived as no less than a blatant attempt to sabotage the opposition's chances for winning the presidential elections and removing Milosevic. In particular, his refusal to throw his party's significant resources behind the joint opposition candidate has increased suspicion both in Serbia and abroad that Draskovic is working — indeed, may have always been working — for Milosevic, and as a result his opposition credentials have been left in tatters. As one opposition activist in Belgrade said, "You'll see. If Milosevic wins, Draskovic will return to Belgrade immediately."⁴² In fact, sources close to the government have suggested that the Milosevic regime, through intermediaries, approached Draskovic some weeks ago with an offer to join the Serbian government after the elections, on the condition that Draskovic continue to perform his current role as a force for dividing the opposition vote, to the benefit of the regime.⁴³

Regardless of whether Draskovic has cut a new deal with the regime, his refusal to withdraw the SPO presidential candidate and co-operate with the DOS in the presidential election initially appeared to undermine the opposition campaign to maintain control of a number of the municipalities won in the hard-fought elections of 1996-97. The DOS responded by denying local SPO candidates any slots on the joint opposition slates for local positions.⁴⁴ Draskovic has complained relentlessly about this, pressing local party bosses

Serbian Radical Party candidate Tomislav Nikolic's 9.1 per cent. (Poll conducted in August by Medium Agency, in which 13.2 per cent of respondents were undecided, and 11.2 per cent said they would not vote at all.)

⁴¹ The SPO's reduced profile in the upcoming elections is all the more remarkable given the party's strong showing in past Serbian elections, including winning nearly 20 per cent of the votes in the 1997 Serbian parliamentary elections. And in 1996-1997 Serbian local elections, as part of the "Zajedno (Together)" coalition, SPO leaders came to power in 21 Serbian towns, including Belgrade.

In late October 1999 the SPO relinquished its 45 seats in the 250-seat Serbian Parliament to protest the Serbian government's failure to establish an independent Parliamentary body to investigate the 3 October car crash that killed four high-ranking SPO officials and injured Draskovic. The SPO boycott, however, enabled Milosevic to railroad through the Serbian Parliament legislation unfavourable to the opposition cause, including the constitutional changes that reduced Montenegro's influence in the Federation.

⁴² ICG interview with DOS official, Belgrade, August 2000.

⁴³ ICG interviews, Belgrade, 7-11 September 2000. It has been suggested, also by Belgrade sources, that Draskovic may have already accepted the regime's offer.

⁴⁴ The DOS's reluctance to go to local polls in coalition with the SPO was further aggravated by Draskovic's insistence that the SPO candidates be given 60 per cent of the slots on joint lists, as per the results of Serbia's 1996 local elections, while the DOS wished to reserve only 30 per cent of the joint local election lists for SPO candidates. (VIP Special Elections Supplement, 12 September 2000.)

to do whatever it takes to cut into DOS gains, regardless of whether that will result in losing municipalities to the regime on election day.⁴⁵

This strategy seems to have backfired on Draskovic. The grim prospect of losing power has led many local SPO politicians to forgo party loyalty and align themselves with their opposition colleagues in municipal local government, and *de facto* SPO-DOS alliances have been forged in some 20 municipalities, with or without the knowledge or tacit sanction from party headquarters.⁴⁶ On the local level SPO, DS, and other opposition party leaders have by and large maintained good working relationships and kept the structures and the spirit of their 1996-97 "Zajedno (Together)" coalition alive. However, in a number of cases, SPO officials have brokered these deals at the cost of their party positions.⁴⁷ In at least a half-dozen towns, SPO local leaders and boards have resigned or been fired for their dissent on this issue, signalling a larger wave of dissent within the SPO over Draskovic's refusal to work in coalition with the DOS.⁴⁸

⁴⁵ ICG interviews with SPO officials, 8-10 September 2000.

⁴⁶ "Technical election coalitions of the DOS and the SPO had been formed in about 20 towns in Serbia," SPO spokesman Ivan Kovacevic said. 'This has been done without the knowledge of the DS or DSS,' he added.... [But] Democratic Party vice president Zoran Zivkovic told Radio B292 that there had been no coalitions formed between the DOS and the SPO in any of the cities. However, he said, it was possible that joint lists had been nominated by groups of citizens, which was the case in Kragujevac. 'Unfortunately, there is no coalition consisting of the Democratic Opposition and the SPO in any city,' Zivkovic said." ("Opposition and Renewal Movement to stand together in 20 towns," Radio B292, 11 September 2000.)

⁴⁷ "The president of the Smederevska Palanka branch of the SPO, Zoran Bogicevic, announced that he would not obey party orders which led to the splintering of opposition forces in the town...Even if the party's central leadership replaced him for his stand, said Bogicevic, he would still believe that Palanka must retain a united opposition.... The president of the Temerin branch of SPO said that local opposition parties had agreed to field common candidates." (Radio B292, 25 August 2000.); "High Ranking SPO Official Resigns," "Leader of SPO Pozega Dismissed for Requesting that Mihailovic's Candidacy be Withdrawn," and "SPO Leaders in Pozarevac in Favor of Opposition's Joint List," "SPO's Srvljig Branch Criticizes Party Leadership," (VIP 1838, 21 August 2000); "Chairman of SPO local board in Bor Resigns" (VIP 1848, 4 September 2000). "SPO Stands with All Other Opposition Parties in Pirot" (VIP News, 11 August 2000).

Miki Janosevic, chair of the SPO municipal board in Bor, submitted his resignation on 3 September, saying, "The SPO Belgrade and business lobby paid absolutely no attention to the boards in Serbia's interior. All these seven or eight years, we have been cut off from the main headquarters. We have received no assistance, the list for the federal elections, just like before, contains no one from Bor...That is why I have resigned:... the SPO board in Bor has always advocated joint participation in the local elections with the other opposition parties." (VIP News, Issue 1848, 4 September 2000.)

Similarly, Svetlana Djak Dmitrovic, member of the main board of the Serbian Renewal Movement and deputy chair of the SPO board in Bela Crkva, resigned all positions in the SPO on 20 August. In her resignation letter to the party, Dmitrovic wrote that she "was unable to explain and defend the decision [of SPO to not back Kostunica] before the membership, sympathisers, and voters," and that the decision "did not benefit a serious party." (VIP News, Issue 1838, 21 August 2000.)

These resignations and the above-mentioned defections reflect increasing signs of stress fractures within the SPO and the heightened probability that the SPO may well split into pro-Vuk and anti-Vuk factions after the 24 September polls. To be sure, there remain deep reservoirs of support for Draskovic within SPO party cadres, and the decision to run Mihailovic was not made independently by Draskovic, but by the party's main board, which on 4 August voted 115-4 in favor of the party running its own candidate. In fact, because he refuses to enter Serbia, Draskovic was absent from that meeting. (ICG interview with SPO provincial leader, Belgrade, 20 August 2000.)

⁴⁸ In at least one significant case in Kragujevac, local Democratic Party leaders were fired by DS headquarters in Belgrade for their decision to run in coalition with the local SPO branch against the orders of the DS and DOS: "A statement from the party said that the branch committee had failed to respect decisions of the Central Committee and the party's obligations within the Serbian Democratic Opposition (DOS). The statement also said that local party branches were obliged to take part in local elections only under the name of the Serbian Democratic Opposition." (Radio B292, 5 September 2000.)

More promisingly, from the point of view of the unified opposition, it appears that frustration with Draskovic could drive many SPO regulars into the Kostunica/DOS camp.⁴⁹ Some analysts believe that Kostunica could pick up as many as half of SPO's votes, which would give a tremendous boost to the DOS and bury any future prospects for Draskovic as a player in a credible democratic opposition.⁵⁰ Many observers anticipate that efforts will be made to oust Draskovic from the SPO leadership following the elections.

B. Fissures Within the Regime

1. Miscalculations and Desertions

When the Milosevic government announced on 27 July 2000 that concurrent presidential, federal and local Serbian elections would be held on 24 September, the Yugoslav president no doubt believed his re-election was a foregone conclusion.⁵¹ With his monopoly on the instruments of state power — the media, bureaucracy, state finances, and police — and after having successfully consolidated his regime and muting the opposition with a severe crackdown last May, Milosevic probably reasoned that the democratic forces could not recover in time to defeat him if he were to call early presidential elections before the population suffered the effects of a cold winter without sufficient heating oil or food. Indeed, Milosevic's calculation seemed at first to have paid off: opposition activists appeared to have been effectively "neutralised" and in disarray, their leaders were busy vying for limelight and Western attention, and roughly half of the population was believed to be so demoralised that it would sit the elections out altogether.

However, Milosevic — and most outside observers, as well⁵² — miscalculated. He had not anticipated having to run against an emboldened, unified opposition or the heretofore low-profile opposition player Vojislav Kostunica,

⁴⁹ SPO's local board in the town of Svrlijig, for example, estimated that SPO presidential candidate Mihailovic would draw no more than 200,000 votes because so many SPO supporters planned to vote for Kostunica. (VIP Special Elections Supplement, 12 September 2000.)

⁵⁰ Draskovic's unrelenting ambition, coupled with his heightened sense of vulnerability, may also prove a threat to opposition goals. Mihailovic has reportedly been holding meetings with Serbian Radical Party (SRS) presidential candidate Tomislav Nikolic—also trailing in the polls—about the possibility of forming an SRS-SPO coalition in the Serbian Parliament, where, since 1997, the two parties have constituted a narrow majority. (*Danas*, 13 September 2000.) The possibility of a coalition between Draskovic's party, with its Chetnik, anti-Communist ideology, and the Radicals, with their openly intolerant, right-wing nationalism, does not bode well for Serbia's democratic forces in the post-election period. It is a harbinger of the resurgence of an ugly, fascistic and non-SPS political strain—festooned with Chetnik imagery and drawing atop the usual Serbian nationalist and Orthodox mythology—into Serbian politics. However, ICG sources in Belgrade say the SRS may have something else in mind: that is, approaching the SPO before the ruling SPS/JUL itself does, and thereby gaining more leverage for itself as a crucial post-elections coalition instrument—either for the regime or the opposition. (ICG interview, Belgrade, September 2000.)

⁵¹ The Yugoslav Constitution mandates that presidential elections be held by no later than May 2001. (According to Article 97, paragraph one of the newly revised Yugoslav Constitution, elections must be held no later than three months before the end of each four-year term. Milosevic's term began on 27 August 1997, and his mandate expires only on 27 August 2001.) But most observers had expected the regime to set the date for November 2000, before the harshest effects of threatened inflation and high oil prices further aggravated popular discontent. However, those factors, compounded by a poor harvest and, perhaps more critically, signs of dissension within the ranks of the regime, appear to have prompted Milosevic not to press his luck by waiting until the onset of winter before orchestrating a new mandate for his continued rule.

⁵² ICG among them: see footnote 1.

who has emerged as a compelling, irreproachably "patriotic" candidate. Nor did Milosevic anticipate that SPO leader Vuk Draskovic would so overplay his hand as to render himself useless as Milosevic's tool for dividing the opposition. Indeed, since Kostunica's nomination nothing has gone right for Milosevic, who is now trailing in opinion polls by unprecedented margins.

Perhaps the most devastating blows in recent weeks have been to his ruling coalition, consisting of two leftist parties, his own Socialist Party of Serbia (SPS), the Yugoslav Left (JUL) party founded and headed by his wife Mira,⁵³ and the Serbian Radical Party (SRS), headed by Vojislav Seselj. The first insult came when Seselj opted to run his own SRS presidential candidate, thereby splitting the coalition's support for Milosevic and positioning himself and the Radicals as an attractive coalition partner available to the highest bidder.⁵⁴ Seselj has repeatedly attacked his coalition partners and has even gone so far as to proclaim that his party will not support Milosevic should there be a second round.

Second, for the first time there has been open infighting between the two remaining parties backing Milosevic, SPS and JUL. JUL has incurred the wrath of many SPS members by waging an aggressive, intramural campaign to lock up as many seats on the joint party slates as possible. Mira Markovic herself is running for elected office for the first time, topping the SDPS/JUL list in her hometown of Pozarevac as a candidate for the Chamber of Citizens, the lower of two houses in the Federal Parliament.⁵⁵

A mutiny is reportedly now underway in the SPS against the JUL's efforts to dominate the coalition. "A number of senior Socialist Party of Serbia officials have threatened to resign from the party over its increasing kow-towing to the JUL," reported a Belgrade daily.⁵⁶ "The fact that JUL candidates account for over 40 per cent of the ruling coalition's elections lists has simply enraged the prominent Socialists."⁵⁷

⁵³ Originally considered a sort of "vanity" party to indulge Mirjana Markovic's leftist impulses, the JUL party has also served as a vehicle for retaining the loyalty of disillusioned Socialist party members and rewarding those loyal to the ruling couple with lucrative positions running such key state industries as pharmaceuticals and telecommunications.

⁵⁴ "Sources in the Left coalition now complain that Serbian Radical Party (SRS) leader Vojislav Seselj has violated a non-aggression agreement between the Radicals and the Left coalition. Seselj and his presidential candidate, Tomislav Nikolic, have in recent days started excoriating the Left coalition, the JUL in particular. Obviously Seselj wants to win as many slots as possible in the September elections. Seselj will try to get votes from potential opposition voters, and later he will try to trade with those who will win the elections. It is not quite clear whether Seselj wants to split the opposition votes on Milosevic's behalf or whether he wants to get as many votes as possible for himself. Most likely, he wants both because Milosevic wants good trade with Milosevic." (VIP analysis, reprinted in FreeB92 News, 1 September 2000.)

⁵⁵ VIP Elections Supplement, 12 September 2000. A fanatical Marxist-Leninist, Mira Markovic, born in 1942 to an unwed Partisan mother later killed by fellow Partisans for her alleged confessions under Nazi torture, is considered, along with Milosevic, to be the most influential politician in Yugoslavia. But until now she has preferred to influence events from behind the scenes, through her reportedly significant power over her husband. With a Ph.D. in sociology, Markovic has taught in two Belgrade colleges and in 1994 founded and became director of the neo-Communist Yugoslav United Left, now the Yugoslav Left, or JUL, which has been in coalition with her husband's SPS since its inception. ("Career Overview: Mirjana Markovic: Ruler from the Shadows," BETA News Agency, 7 September 2000.)

⁵⁶ *Glas Javnosti*, rebroadcast over Radio B292, 4 September 2000.

⁵⁷ Radio B292, 4 September 2000. "Socialist Mutiny against Yugoslav Left Domination." And "*Glas Javnosti*: Dissension in the SPS Leadership?", reprinted in VIP Issue 1848, 4 September 2000.

Serbian sources say that reservoirs of support for Milosevic remain in the upper and lower cadres of the SPS party, but that middle-ranked Socialists are increasingly dissatisfied.⁵⁸ "Our motivation has dropped," one SPS election center worker confessed in an interview. "The JUL is taking everything for itself."⁵⁹

Reports of openly disgruntled SPS officials coincided with the recent confirmation in the independent press that former Yugoslav president, Serbian parliamentary speaker, top Milosevic adviser and senior SPS official Zoran Lilic resigned in August from both the party and his post in the federal government.⁶⁰ Lilic, whose star has traced a volatile path over the last several years, is the first top SPS official to leave the party voluntarily. His published acknowledgement of this move has enraged and embarrassed regime officials, who at first attempted to conceal the resignation and then, since it became public, have lashed back at him.⁶¹ All government resources have been mustered to contain the fall-out from this internal strife and to restore the image of the regime as a seamless front.

2. Revving up the Propaganda

One time-tested Milosevic technique for covering up his government's embarrassments is drowning them out with the good news. The aggressive propaganda blitz now in progress continues to reiterate the ruling coalition's campaign slogan, "Peace, Reconstruction, and Continuity," and the promise of continued "stability and safety," as distinct from the uncertainty guaranteed by any change in government, particularly a shift to a government headed by corrupt "stooges" and "traitors." Second, the media have stressed the regime's unique capacity to rebuild after the destruction wrought upon Serbia by the opposition's Western sponsors, the NATO countries.

A series of public festivities has been slated to bring this point home to voters. Milosevic himself took to the hustings on 12 September, when he presided over the opening of the hydroelectric Irongate II Power Plant, at Djerdap on the Danube, near the Romanian border.⁶² But the pomp and parades started even earlier: on 2 September in Pirot the regime held a presentation ceremony for the new "Kosovo-Metohija Detachment," a military-police unit

Indeed, a reported coalition agreement had accorded to JUL 30 per cent of the spots on the regime's candidate lists. But of the 108 candidates listed on the joint SPS-JUL slate for the Yugoslav Parliament's Chamber of Citizens, only 66 are members of SPS, the other 42 coming from JUL. Of the 20 candidates on joint SPS-JUL lists for the upper Chamber of Republics, thirteen are SPS and seven are JUL officials. (VIP Elections Supplement, 12 September 2000.)

⁵⁸ ICG interviews, Belgrade, mid-September 2000.

⁵⁹ VIP, 1 September 2000; ICG interviews in Belgrade confirmed this feeling among mid-level SPS members.

⁶⁰ *Danas*, 8 September 2000; reported also on Radio B292, 8 September 2000.

⁶¹ Institute of War and Peace Reporting (IWPR), *Balkans Crisis Report*, 12 September 2000.

⁶² In fact, according to a retired professor and former employee at the Belgrade power grid, the plant has been in operation since July, was rebuilt not by the regime, but by Romania with Romanian government financing, and will only increase the total electrical power by 0.3 per cent. (VIP Daily News Report, 14 September 2000.)

headquartered in Leskovac and advertised as the advance team for the return to Kosovo of the Serbian police and Yugoslav army.⁶³

However, recent surveys have indicated that only 30 per cent of the population bothers to tune in the prime time news programs on a regular basis. Indeed, it appears from the public opinion polls that people's views are shaped more by queues than by news.⁶⁴ Consequently, the ruling coalition has also adopted a more direct, pocketbook-focused appeal to voters. Recently, the regime lowered the price of foodstuffs between 10 and 15 per cent and imported sufficient cooking oil and sugar to stock the previously empty grocery store shelves a week prior to the elections. The JUL-run health ministry announced that pharmacies would soon receive fresh shipments of drugs, all of which are in short supply, and that any medical student with a B- or-better average would be guaranteed a job, the clear implication being that this program would only take effect under an SPS/JUL administration. Probably the most ambitious election campaign perquisite of all is the housing construction program for young couples, police, and Yugoslav army soldiers.⁶⁵

The regime's intensified charm offensive may in part be intended to help recruit fresh faces to the ruling coalition. While members of Milosevic's SPS are fairly certain—and Milosevic has certainly assured them — that he will manage to pull out a victory for himself, they are concerned that the energetic new blood in the DOS may be wooing youthful and disaffected voters and win enough new municipalities and parliamentary seats in these elections to spell the beginning of the end of their tenure. In the last three weeks, the SPS has attempted to broaden its base by reaching out across Serbia to new local leaders, mostly former Communists who are untainted by corruption or prior involvement in politics and who enjoy the respect of their communities. The JUL party, too, has aggressively set about broadening its base. Mira Markovic, now a candidate, has made herself far more visible, and despite her widespread unpopularity, her party has gained ground by the week. However, JUL's belated success is unlikely to be solid enough to affect the outcome on 24 September.⁶⁶

3. Stepping up Repression

In addition to the carrots doled out by the ruling coalition, the regime has responded to its recent setbacks with a predictable ratcheting up of repression. The week of 7-14 September saw at least 54 reported arrests and interrogations of, and sixteen office raids on, opposition party or OTPOR

⁶³ "According to the Army's information service, the unit has been established to meet the army's obligation to return to Kosovo under UN Security Council Resolution 1244. Senior military and state officials attended the army's show of strength near the Kosovo border." (Radio B292, 2 September 2000.)

⁶⁴ Strategic Marketing Analysis survey; ICG interviews in Serbia, mid-September 2000.

⁶⁵ Nearly 10,000 apartments are being readied for young couples this year, another 8,000 next year, totaling 100,000 over the next 10 years. This is in addition to the 7,000 apartments now being finished to accommodate police and army officers. Given that each apartment is designed for two people, and each couple has parents and relatives who would presumably welcome this benefit for their loved ones, these first 25,000 apartments alone could help to lock in as many as 100,000 votes.

⁶⁶ ICG interviews, Belgrade, September 2000.

activists, journalists, members of non-government organisations (NGOs), workers at the independent election monitoring organisation Center for Free Elections and Democracy (CeSID), actors, donors, and a high school teacher.⁶⁷

The harassment of opposition activists, campaign workers, and NGOs has escalated in recent months, and the jitters spreading through the ruling coalition appear to have impelled Milosevic to take steps beyond his usual, calibrated intimidation of self-declared opponents. On 21 August 2000, General Nebojsa Pavkovic, Chief of the General Staff of the Yugoslav army and Milosevic's preferred spokesman on most military affairs, announced the formulation of a new "defence doctrine" designed to "prevent and eliminate internal crises [and] deter potential foes."⁶⁸ On 25 August, at about the time of Lilić's resignation, Milosevic's former political godfather and former Serbian president, Ivan Stambolic, was abducted while on his usual morning jog in a Belgrade park and is feared dead.⁶⁹ Stambolic had grown more outspoken in recent months in his denunciations of the regime, and he appeared to have allied himself with the most principled of the opposition forces.⁷⁰ It has been suggested that Stambolic was abducted by the regime because he was planning to run for Yugoslav president himself, and had reportedly begun to collect signatures for such a campaign in his home region of Uzice, Arlije, and Belgrade.⁷¹ His wife denied these reports. Others have reported that Stambolic had begun to make forays into the ranks of the SPS membership and the Yugoslav army on behalf of the opposition forces, a move that could hardly be tolerated by the regime.⁷²

In any case it is widely believed that Stambolic's disappearance was ordered from the top and effected by Milosevic's state security operation. The utter silence of the regime in response to news of his disappearance and the apparent absence of any serious investigation as to his whereabouts would appear to confirm this view.⁷³ Stambolic was said to be especially disliked by Mira Markovic, ever since the days when he helped his protégé, "mali Sobo (little Sobo)," ⁷⁴ rise through the ranks of the Yugoslav League of Communists, enabling the husband-and-wife team to topple him from the Serbian presidency in a meticulously orchestrated political coup in 1987.

⁶⁷ Data on arrests and raids gathered by and published in the Open Society Institute's *Serbia Watch* #144, 14 September 2000.

⁶⁸ Associated Press, 21 August 2000; RFE/RL Newline, 22 August 2000.

⁶⁹ Stambolic's lawyer, Nikola Barovic, points out that Stambolic was abducted on the thirteenth anniversary of the "infamous Eighth Session of the Serbian Communist Party Central Committee in 1987 which marked the rise to power of Yugoslav President Slobodan Milosevic." (Radio B292, 2 September 2000.)

Although an anonymous caller telephoned Stambolic's lawyer Nikola Barovic in September to report a sighting of Stambolic in Belgrade's central prison, sources close to the Stambolic family, including his uncle Petar Stambolic, a one-time high official in Tito's government, believe that he has been killed.

⁷⁰ "Most Serbs today are against Milosevic," he told a reporter in Paris last June. "But they don't know why, because they refuse to answer the crucial questions. We Serbs do not want to confront reality and recognise our defeat. We would like to make an abstraction of all that has happened, to erase from our memories the last thirteen years of nightmare because the price to pay is too high. We would have to share some of the responsibility with Milosevic." (IWPR, Balkans Crisis Report #168, 1 September 2000, reminiscence by Florence Hartmann.)

⁷¹ Radio B292, reprinted as "Stambolic Disappeared for Political Reasons?", in VIP News, Issue 1845, 30 August 2000.

⁷² ICG interview, Serbia analyst, 13 September 2000; ICG interviews, Belgrade, 7-11 September 2000.

⁷³ VIP Daily News Report, 12 September 2000.

⁷⁴ IWPR #168, 1 September 2000, cited above.

Stambolic's disappearance, the spiraling number of police raids and arrests, and the latest stepped-up attempts to thwart all such election-related activities as distributing campaign literature and getting out and monitoring the vote reflect the regime's intensifying concern for their electoral fortunes. In this context, the assurances Milosevic recently gave to Greek Foreign Minister George Papandreou, "that he would personally guarantee the democratic character of this month's elections and would respect the results,"⁷⁵ seem almost contemptuous.

C. The Chilling Fear of Success

The last psychological barrier jeopardising the opposition's attempt to mobilise the popular will could be the Serbian people's fear of the consequences of their own success. Many Serbs who would vote for Kostunica are so concerned that, should the DOS actually win, Milosevic could create major additional domestic misery — through reprisals, increased repression, provoking riots or some sort of "terrorist" threat followed by the declaration of martial law — that they might ultimately cast their ballots for Milosevic, on the theory that, at least with "the devil they know," things cannot get worse.⁷⁶

Milosevic, of course, has long exploited the fear factor as a tool in Serbian politics. On 17 September his army chief, Gen. Nebojsa Pavkovic, warned that army troops will prevent any attempt by street protesters to seize power after the elections, in what appears to be an effort to discourage people from joining demonstrations altogether.⁷⁷ The state media has further exploited the growing popular anxiety by replacing its onslaught of anti-NATO rhetoric with a new unspoken campaign slogan: "Milosevic, or Civil War." Moreover, the anti-opposition propaganda campaign cannot help but put people on edge, even if they try to tune it out, by the relentless drumming that anyone even contemplating supporting the opposition must also be a "NATO stooge," "traitor," "mercenary," or "terrorist."

Photographs of opposition figures shaking hands with Western officials are regularly shown on state television as "proof" of collaboration with the enemy; travel abroad, support from foreign governments, foundations, or non-government organisations, and having left Serbia during the NATO action⁷⁸ are all cited as conclusive "evidence" that they could not possibly have Serbs' interests at heart. (Kostunica, who is a more difficult target, as one of the most vocal critics of NATO and the West during last year's bombing, has been described as the "front man" for the opposition "toadies," a mere "puppet" whose strings are pulled by the well-known NATO "stooge," DS party leader Zoran Djindjic.⁷⁹)

Whether it is the opposition's growing skittishness about its own popularity or this latest fear-mongering by Milosevic that has triggered the recent leveling-off of support for Kostunica in mid-September opinion polls, it is clear that, after a decade

⁷⁵ As reported on Greek national television and rebroadcast on Radio B2-92, 7 September 2000.

⁷⁶ ICG interviews, Belgrade and Nis, mid-September 2000.

⁷⁷ BBC News, 17 September 2000.

⁷⁸ As did DS leader Zoran Djindjic, for instance, who fled to Montenegro: see section I.

⁷⁹ ICG analyst, Belgrade, mid-September 2000.

under Milosevic, a finely tuned, well-rehearsed dynamic has evolved in Serbian politics whereby even an extremely dissatisfied population may be timid about pressing either its complaint or its advantage, for fear of provoking Milosevic and making matters worse.

II. WHAT MILOSEVIC WILL DO

While it is impossible to predict exactly how the regime will behave, veteran Serbia watchers have developed four possible scenarios, the second of which, dubbed here "The Big Steal," appears to be the universal favourite both among Serbs and outsiders, and has therefore been treated in greatest depth.

A. Scenario I: Call the Whole Thing Off

It is possible that Milosevic, if convinced at the last moment that he will lose in a landslide, will pre-empt the balloting altogether by provoking some sort of internal crisis — a staged "terrorist attack" or simulated military coup, or major disruption in Montenegro⁸⁰— which he could claim was such as to justify an election postponement of indefinite duration while more urgent matters of national survival were attended to.

But most analysts find this scenario highly unlikely. This is not so much because of fears Milosevic would have about the strength or duration of popular protest such a course might generate, but rather because it would so clearly signal fear or weakness in Milosevic himself: he wants to be seen as confident, popular and in control.

B. Scenario II: The Big Steal

Far more likely is the probability that Milosevic will do everything within his power to win this election on the first round.⁸¹ To effect such a victory is likely to entail considerable falsification of the results, which will require an extensive amount of careful preparation during the pre-election period, attention on election day, and, of course, manipulation of the vote count itself.

1. Pre-election Preparations

In addition to the ongoing campaigns of intimidation, repression, propaganda, and vote-buying discussed already, Milosevic has made other preparations to ensure and explain his re-election on 24 September.

⁸⁰ While an escalation in this context of the intimidation and pressure that Milosevic continues to maintain against Montenegro cannot be ruled out, Serbian analysts interviewed by ICG in Belgrade, 7-11 September, thought it unlikely that Milosevic would risk instigating a crisis at this stage that could spin out of his control.

⁸¹ "All observers believe that Milosevic and his flunkies will try to pull off a major election fraud scheme in order to ensure Milosevic's victory in the first round of voting. According to one source close to Milosevic, the Yugoslav president will regard any result other than his victory in the first round of voting as his defeat."
(VIP, 1 September 2000.)

Padding and Multiplying the Vote

The Federal Election Commission (SIK) announced on 11 September that there are now 7,861,327 eligible voters in the FRY, 7,417,197 in Serbia, 444,130 in Montenegro.⁸² These numbers have not raised too many eyebrows in and of themselves: independent analysts have largely agreed that the electorate will have a half-million more voters than in 1997, and that these voters are mostly first-time voters who would tend to be sympathetic to the opposition.⁸³

Nevertheless, the regime has reportedly fattened the rolls in areas where it feels it can control the vote, such as in parts of Belgrade; in Montenegro, where only the pro-Belgrade party will be participating in the elections, and where the additional votes could help to tip the parliamentary elections; in Kosovo, where the lists are large but the likely voting population is extremely small; and in central Serbia, where the SIK now counts 1,512,501 voters in Prokuple and Vranje,⁸⁴ an entire million more than in the last elections, claim independent analysts,⁸⁵ and in the diaspora and cemeteries, where people are not likely to know or care that their names have been checked off as having "voted."⁸⁶

A close look at the potential for manipulation of the Central Serbia/Kosovo vote is revealing. The regime insists that the added population in central Serbia can be accounted for by Kosovo refugees of all ethnicities who flooded the region as NATO bombs fell on Kosovo. However, the numbers simply do not add up: first, in 1998, when the Kosovo conflict initially erupted into sustained violence, there were likely no more than 250,000 Kosovo Serbs in the province, and according to the UN High Commissioner for Refugees (UNHCR), nearly 100,000 of them remain there today.⁸⁷ UNHCR estimates that there are roughly 145,000 displaced ethnic Serbs from Kosovo currently residing in Serbia proper, with another 31,000 residing in Montenegro.⁸⁸

Second, during the Kosovo conflict, ethnic Albanians were hardly likely to have voluntarily fled across Yugoslav army lines into Serbia, where they would not have been welcomed and, in any case, would not have been likely to vote. Third, while Roma, "Egyptian," and other gypsy populations are indeed

⁸² VIP Daily News Report, 12 September 2000. However, according to at least one opposition party elections expert, the regime began printing ballots well before the number of voters was determined. (Serbian Renewal Party statement by Andjelko Trpkovic, head of SPO Central Campaign Headquarters, 12 September 2000.)

⁸³ However, at least one opposition leader has claimed that the increase "cannot be explained by the rate of population growth in a country in which everyone talks about low birthrate." Civil Alliance of Serbia (GSS) Deputy and SIK member Dragor Hiber, quoted in VIP Daily News Report, 13 September 2000.

⁸⁴ Allegedly counted as 839,609 in Prokuple and 672,892 in Vranje.

⁸⁵ VIP Special Elections Supplement, 12 September 2000. To contextualise these numbers, the next largest electoral district in Serbia is Cukarica, one of four electoral districts in the greater Belgrade metropolitan area, which boasts only 363,864 voters.

⁸⁶ See *The Sunday Times* (London), 10 September 2000, for election analysts' suggestions as to those who are likely to "vote" and other forms of fraud.

⁸⁷ Both Belgrade and independent international observers have suggested that the 100,000 figure seems very high.

⁸⁸ Norwegian Refugee Council, "Internal Displacement in the Federal Republic of Yugoslavia, new profile summary, 29 August 2000, available on www.reliefweb.int. It is also important to note that, in all these populations, by no means all of the displaced are eligible to vote.

camped out in Serbia, UNHCR estimates that there are only 12,000 of them, hardly enough to account for the massive alleged influx of new voters.⁸⁹ According to UNHCR, there are another 25,000 Roma and "Egyptians" remaining in Kosovo who are unlikely to vote, but whose names are undoubtedly on voters' lists and whose ballots can easily be manipulated in largely unmonitored elections such as these are expected to be.

Moreover, the SPS/JUL has insisted, invoking UNSCR 1244 — which reasserts the FRY's authority and sovereignty over Kosovo — that voting must be conducted there for those Serbs and others who remain. UNMIK chief Bernard Kouchner, caught flat-footed by the demand, initially refused, declaring the election impossibly corrupted, but was persuaded by the United States, Britain, Germany, France, and Italy to relent and provide protection for those who desire to vote.⁹⁰ The SPS/JUL plan, then, is ingenious in its multiple-counting: to account for the newly registered 900,000-plus voters, not only must the regime list an inflated number of Kosovo Serbs, Albanians, and Roma as having voted at least once in the Vranle-Prokuple jurisdictions; many of them will also be recorded as having voted at home, under the protective eye of the UN and NATO. The Kosovo population alone, then, could be used to hand Milosevic nearly a million fraudulent votes.

Banning and Bribing Monitors

The regime has banned the independent election monitors from Serbia's respected Center for Free Elections and Democracy (CeSID) from all polling stations on election day⁹¹ and has reportedly arranged to "buy" the cooperation of opposition party monitors at some of the 9,000 polling stations with payments of the order of 2,000-5,000DM.⁹²

To provide its fraudulent vote plans with a gloss of legitimacy, the regime has assured the Serbian people that the elections will not go unmonitored by independent observers: a high-ranking Yugoslav Parliament official recently announced that "parliamentarians" from 40 countries "that did not take part in the aggression on Yugoslavia" would observe the elections.⁹³

⁸⁹ Same as above.

⁹⁰ However, in what may prove to be a mistakenly principled effort not to legitimise what he still considers fraudulent elections, Kouchner has adamantly refused to furnish any monitors at the polls; see www.UNMIK/PR/339, 6 September 2000, for more detail.

⁹¹ On 11 September Information Minister Goran Matic announced that CeSID will not be permitted to enter the polling stations (VIP, 12 September 2000); on 8 September the CeSID offices were raided by various branches of the Interior Ministry, including the emissaries of the Serbian police and Interior Ministry, the financial police department, and foreign exchange transactions inspectors. (VIP Daily News Report, 11 September 2000.)

⁹² Bratislav Grubacic, VIP, 1 September 2000.

⁹³ Srdja Bozovic, speaker of the Yugoslav Parliament's Chamber of Republics and vice-president of the Socialist People's Party (SNP) of Montenegro, quoted at a party convention in Podgorica by VIP Daily News Report, 14 September 2000.

Ballot Fixing

There are reports — and widespread expectations — that ballots are being filled out by the regime in advance of election day. These pre-marked ballots are expected to be substituted for unmarked ballots at certain polling stations, and to be distributed as well by government managers to workers at factories and other state-run institutions, with the clear implication that the workers are to use these ballots to cast their votes.⁹⁴

2. Election Day

Direct Intimidation and Coercion

Most observers expect the regime to attempt to pressure state workers, pensioners, or others into voting for the ruling coalition. Although a Yugoslav army spokesman has said that the army will “guarantee the secrecy of the ballot,” in at least some circumstances it is likely that voters will feel under a certain amount of pressure to vote for the regime. Montenegro's polls will be held partly inside candidates' homes, Serbian state companies, and Yugoslav army barracks, for example,⁹⁵ where voters, and particularly members of the military, may feel compelled to vote for Milosevic, regardless of their personal preferences — while in Kosovo voting is expected to take place in private homes which in many cases will belong to regime party candidates and supporters, with no international or disinterested observers present.⁹⁶

Polling Station Cheating

With no monitoring allowed by the Organisation for Security and Cooperation in Europe (OSCE), CeSID, or any other credible independent organisation, the regime is expected to pressure or hire poll workers to employ the standard array of dirty tricks, such as invalidating ballots,⁹⁷ stuffing ballot boxes with pre-marked ballots, or switching genuine with fixed ballot boxes.

Rationalising an Early Declaration

Milosevic is widely expected to announce his new popular mandate well before any careful vote count could conceivably be completed. To rationalise his count, he will likely rely on the list of well over a million alleged signatures collected in support of a petition to launch his presidential candidacy and the 850,000 gathered in support of candidates for the Federal Parliament (opposition election officials were not allowed to examine these petitions for

⁹⁴ ICG interviews, Belgrade, September 2000; *Sunday Times*, 10 September 2000.

⁹⁵ VIP news, Issue 1858, 18 September 2000.

⁹⁶ A sign of how little real choice there may be for Kosovo's Serb voters is the paltry showing for Kostunica on 14 September in the small northern town of Leposavic, where local officials and factory directors, all SPS members, warned workers that if they attended the DOS rally for Kostunica, they would be fired from their jobs or lose their social security benefits, all of which are still paid by Belgrade. (ICG interviews, Pristina, 13 September 2000.)

⁹⁷ According to knowledgeable sources, an effective technique in the 1996-97 elections was to hire female poll workers with long acrylic nails under which they might hide a pen point that they could use to place a second mark on some opposition ballots, which would then automatically be declared invalid.

more than a few hours). Should early returns suggest he is in fact losing by a significant margin, Milosevic is prepared to brandish these massive lists of signatures to argue that the opposition has committed rampant fraud and then to nullify the results.

C. Scenario III: Play by the Democratic Rules

Under this possible scenario, Milosevic would allow a genuine vote count to take place, accept the need for a run-off, and accommodate an eventual Kostunica victory but remain in office, as is his (Milosevic's) right under the Yugoslav constitution, until 27 August 2001: by this time he could transplant all necessary government resources to Serbia, arrange Serbian elections in the spring to put himself in charge of those resources, and leave an impotent Kostunica presiding over the empty shell of the FRY.

A subtler variation on this democratic scenario would be for Milosevic to purport to fully respect a Kostunica victory, and demand that the international community put its money where its mouth had been and lift sanctions, resume diplomatic and trade relations and entertain applications for membership of international institutions.⁹⁸ But while Kostunica, who prides himself on his intricate knowledge of and commitment to constitutional law, might not object to playing along with Milosevic until the latter's constitutionally guaranteed mandate expires, Milosevic would have to assume that the West would hardly be prepared to lift sanctions or deliver other benefits while an indicted war criminal remained at the helm.

D. Scenario IV: "Fire Exit"

This fourth - and least likely - outcome would have Milosevic again acknowledging the loss of the popular vote to Kostunica, but then neutralising him and the democratic opposition by taking action to abolish altogether the legal entity of the FRY, thus removing the offices to which they had been elected. Milosevic could effect all this, so the scenario goes, by provoking a mini-crisis with Montenegro which he would then resolve by "reluctantly" agreeing to accept the peaceful departure of the smaller republic from the FRY.

With the election results nullified as relating to a non-existing entity, Milosevic would be free to legitimise a paper transfer of the formal governing structure from the federal to Serbian level, where he could hold on to power by engineering his election there in the spring. The attraction to Milosevic would lie in dissipating the impact of an opposition victory in presidential elections, erasing the problems posed by holding on to Montenegro with its threat of international involvement and a disapproving military, and in giving him a platform from which to govern, daring the opposition to frustrate his political machinations.

⁹⁸ See David Russell-Johnston, "Yugoslavia's Election Is a Booby Trap for the West", *International Herald Tribune*, 18 September 2000.

That a scenario as elaborate but as unlikely as this is even being discussed within Serbia is a measure of the threat now perceived to Milosevic from a reinvigorated opposition.

III. HOW THE OPPOSITION WILL REACT: THE MOMENT OF TRUTH

While the Democratic Opposition of Serbia's (DOS's) public posture has remained confident about winning and bullish about defending its victory, it is not clear—to them or the regime—how far the unified opposition or the Serbian people will be willing to go to contest a fraudulent vote count. On one hand, a flagrant theft of a clear opposition victory, coming as it would after the heightened repression, the prospect of Serbia's continued isolation, and people's arduous and depressing daily lives, could be "the final straw" that breaks the back of their fear and triggers an expression of outrage that will not be stilled. On the other hand, this stolen election, like others before it, could be passively absorbed as one more blow that pummels the Serbian people further into their already demoralised state.

Opposition leaders, too, are privately uncertain of the popular response to a stolen vote count, and have developed strategies for two separate sets of goals, the selection of which will depend on the intensity of both public support and regime repression.⁹⁹

Their maximal objective remains their public stance, which is to work for an overwhelming outright victory at the ballot box. Toward this end, the DOS is continuing its impressive schedule of rallies, coupled with an aggressive education and get-out-the-vote campaign, in the hope that the larger the turn-out, the larger the theft will have to be, and the larger and more effective will be the ensuing protest rallies that they hope, if sustained, can bring the regime to its knees.¹⁰⁰

Opposition leaders will move toward their second, more modest objective in the event that the post-theft public support does not appear to be sufficient or sustainable to achieve their ultimate goal. In this case, DOS leaders hope to expose the extent of the regime's fraud, to disseminate that information as widely as possible, and to seize the opportunity to establish their own credibility by delegitimising a patently corrupt regime.

If the DOS leadership can secure the trust of voters who may well feel betrayed in the upcoming elections, coalition strategists calculate that by the time of the Serbian elections next spring,¹⁰¹ people's sense of entitlement and solidarity may embolden them to finish the job of peaceably replacing the regime. That, however, is also a convenient rationalisation for again delaying a risky confrontation with the regime.

⁹⁹ ICG interviews, Belgrade, 7-11 September 2000.

¹⁰⁰ ICG interviews, mid-August to mid-September 2000. This track begs the question of whether the DOS and its leadership are in fact prepared to govern, should they actually be allowed to declare victory and to assume office, a question to be answered in a later ICG paper.

¹⁰¹ No date has been announced for the Serbian elections.

Steps taken and planned toward each of these scenarios by the DOS leadership are detailed below.

A. Scenario I: Take It Now

Building the confidence to follow through on the campaign rallying cry — “He’s finished! (Gotov je)”¹⁰² — is the focus of the DOS’s public election strategy. The plan consists of an ambitious schedule of public rallies and open meetings in cities and towns across Serbia, fleshed out by a carefully prepared voter education campaign. Extensive leafletting, door-to-door visits, and abundant interviews in both foreign and the surviving independent Serbian media are intended to build enthusiasm for the DOS. This two-pronged package, of direct contact with DOS candidates and access to substantive information, has been topped off with an attractive “Rock the Vote” program, comprised of 40 concerts which have been drawing crowds of five-to-fifteen thousand mostly young people, many of them first-time voters.¹⁰³

In recent days, the DOS leadership has made it clear that it fully expects Milosevic to cheat on 24 September. “They have stolen our lives,” Kostunica told a crowd of some 20,000 supporters on 16 September in Novi Sad. “And now they are preparing the theft of the century.” Kostunica declared that Milosevic would use “thugs and liars” to rig the outcome of the presidential race, and added, “But we will cast more votes than they can steal.”¹⁰⁴

Such open denunciations of the regime blared over loudspeakers suggest that Kostunica, hardly known as a charismatic politician, has taken a cue from OTPOR in attempting to break down people’s fear of speaking out. Indeed, his rhetoric appears intended to build a legitimate foundation for outrage among his supporters in anticipation of being robbed of their constitutional right.

By using every opportunity to advertise the inevitability of electoral fraud, Kostunica and his colleagues are also informing members of the government, the SPS party hierarchy, the Yugoslav army, and the Serbian state security forces that their boss and “Supreme Commander,” as he is called, is systematically plotting to steal the nation’s future from the Serbian people. These public pronouncements are being followed up by discreet approaches by opposition figures to potentially sympathetic, mostly mid-level contacts inside the government, SPS, army, and police, to encourage them to respect the popular will and oppose any attempt by Milosevic to use force to lock in a “steal.” This strategy could prove critical in limiting regime-directed bloodshed, if some soldiers and policemen balk at using force against demonstrators.¹⁰⁵

¹⁰² Associated Press, 16 September 2000, quoting supporters at a DOS rally responding to Kostunica’s assertion that, “We will cast more votes than they can steal!”

¹⁰³ ICG interview, DOS leaders and Serbia analysts, September 2000.

¹⁰⁴ Associated Press, 16 September 2000; IWPR’s *Balkans Crisis Report*, 15 September 2000.

¹⁰⁵ The key moment of the Philippines’ 1986 “People Power” revolution against strongman Ferdinand Marcos, once he stole the 1986 elections from Corazon Aquino, was when the chiefs of staff and police refused to carry out Marcos’s orders to use force and threw their lot in with the Filipino people.

Because of the growing fear of increased repression in the event of an opposition victory, DOS strategists are planning to maintain their high-energy campaign tactics until the last possible moment. They sense that 21-23 September will be extremely important in swaying undecided voters as well as sympathisers with trepidations, and calculate that, in those last few days, as much as 20 per cent of the vote could be up for grabs.¹⁰⁶

Establishing what is the genuine final vote will not, of course, be easy. But despite the regime's refusal to allow independent monitors inside polling stations,¹⁰⁷ and perhaps because it anticipated that decision, the DOS claims it is "better prepared than ever" and plans to position its own monitors both inside and outside the polls, even in northern Kosovo,¹⁰⁸ to try to establish how many people voted respectively in the municipal, parliamentary, and presidential elections.¹⁰⁹

The DOS also hopes to obtain copies of the official protocols, or electoral rolls, without which it is virtually impossible to verify election results. However, the regime is insisting that there will be only one copy of these protocols and that it will not be distributed.¹¹⁰ The regime has also taken steps to block off the previously open avenue of taking legal action to gain access to these documents, leaving effectively no room for attempting to redress possible violations of voters' guaranteed constitutional rights.¹¹¹ Nevertheless, the DOS plans to saturate as many polling stations as possible with party members and volunteers who can report blatant instances of intimidation and who have been taught to recognise many of the regime's practiced forms of theft.¹¹²

On election day, the DOS has also planned mid-afternoon, festive campaign rallies all across Serbia, complete in some locales with big screen and satellite hook-up so that supporters can watch the Sydney Olympics while waiting for the polls to close, when — if the actual vote apparently reflects the opinion polls — the DOS leadership plans to pre-empt Milosevic's own anticipated declaration of victory by declaring even earlier that it won the "real" vote overwhelmingly. DOS strategists say that this laying down of their own victory marker is intended to limit Milosevic's ability to use the army, police, and other government institutions to enforce what is expected to be its fraudulent declaration of victory.¹¹³

¹⁰⁶ ICG interviews, Belgrade, 7-11 September 2000.

¹⁰⁷ Reuters, 14 September 2000.

¹⁰⁸ VIP Daily News Reports, 7 September 2000.

¹⁰⁹ VIP, 12 September 2000.

¹¹⁰ ICG interviews, Serbia analysts, mid-September; SPO statement, 12 September 2000; BETA News Agency, 14 September 2000.

¹¹¹ Any legal proceedings regarding "complaints on noted election irregularities" must be initiated within 24 hours of the polling stations' close, and if the *ad hoc*, appointed panel of judges has not adjudicated the matter within the same 24 hours, the case is closed, the right of appeal denied. (VIP Daily News Reports, 13 September 2000.)

¹¹² Such as the gross exchange, dumping, or opening of ballot boxes, suspicious switches of drivers or escorts in trucks full of ballots, and so forth. Of course, the DOS is unlikely to have even this limited access to the polling places in Montenegro and Kosovo, which last was the scene of the most substantial fraud in prior elections and is expected to be again. (ICG interviews, DOS strategists, Belgrade, and with UN and KFOR officials in Pristina, mid-September 2000.) In Montenegro, the situation may be somewhat better, as the Montenegrin government, which is boycotting the election and will not control the polling stations, nevertheless hopes to place a number of monitors at polling stations and has also granted access to independent CeSID monitors.

¹¹³ ICG interviews, DOS officials, Belgrade, 7-11 September 2000.

The next steps hinge on the regime's response and, in turn, the reaction of the people in the streets to the regime's next move. DOS leaders plan to take their cue from supporters as to how far to go toward a showdown with Milosevic. However, they have repeatedly expressed their intention to stop short of bloodshed if at all possible.¹¹⁴

B. Scenario II: Build Legitimacy

This far less ambitious scenario reflects the thinking of the most realistic among the DOS strategists and leaders. Under this fallback scenario the elections, if stolen, become a crucial instrument for delegitimising the regime. The DOS would attempt to sustain its unity and momentum and to remain in the streets, but would not attempt to remove Milosevic from power by force. Rather, the opposition coalition would focus on revealing the regime's corruption and lies and the truth about the nation's economic plight — in short, performing as a responsible, vigilant and legitimate opposition — while public hostility to Milosevic expands during a cold winter plagued with widespread shortages and runaway inflation.

Meanwhile, Kostunica would be able to consolidate his position as the opposition leader, and the DOS could set about strengthening its European alliances and laying the groundwork for the country's eventual integration into EC structures. At home, the coalition could work on focusing its platform and broadening its base — including reaching out to the ample pool of talent within the SPO — in time to take on the regime again in next year's Serbian elections, from a position of far greater strength.

IV. HOW THE INTERNATIONAL COMMUNITY SHOULD RESPOND

The 24 September elections present an unexpected opportunity to oust Slobodan Milosevic from power. That was hardly the calculation Milosevic made when he rewrote the federal constitution to make the federal presidency subject to popular ballot rather than to a parliamentary rubber stamp and brought forward the presidential elections by nearly a year. His miscalculation of both the public's desire for change and the opposition's capacity to unite and mobilise the popular will reflect vulnerabilities that can still be exploited in the remaining days prior to the vote and in the immediate post-election period.

That is why, while the precise outcome of the presidential elections on which this report has focused must remain uncertain, the international community should nevertheless recognise and celebrate the timely emergence of a vibrant, unified Serbian opposition that has succeeded in reinvigorating the desire of many of the Serbian people for genuine political change. In recent weeks the opposition has consolidated its base and developed a credible program that deserves sustained international support.

¹¹⁴ *Washington Post*, 14 September 2000; ICG interviews with DOS leaders.

Because of the rapid maturation of the Democratic Opposition of Serbia (DOS) coalition in recent weeks, and the progress toward a more democratic Serbia which the DOS coalition and its platform represent — qualified though it may be by concerns about the intensity of Kostunica's nationalism — the international community should encourage full popular participation in the upcoming polls.

To encourage maximum support for the opposition candidate in the presidential poll it would also be appropriate for the international community to now offer, should he win, to lift sanctions, restore diplomatic and trade ties, and welcome application for membership of international institutions including, should the new government so wish, NATO's Partnership for Peace program.¹¹⁵ Such offers should, however, be conditional — as the EU's has not been — on the new government meeting such performance criteria as are required of other democracies in transition in Europe, particularly those applicable to the states of the former Yugoslavia, including respect for fundamental human and civil rights, full adherence to relevant UN Security Council resolutions, and commitment to resolving differences by peaceful means.

With no truly independent monitors permitted access to polling stations in Serbia, it will be difficult to assess the vote count and to ascertain just how much electoral fraud and intimidation has taken place. But should it appear — as at this stage seems likely — on the balance of such available evidence as can be gleaned from opinion and exit polls and from the credible reports of observers, monitors, and journalists, that a declaration of victory by Milosevic is fraudulent, the international community should not rush to take the lead in crafting its response, but should take its cues from the leadership of the democratic opposition. The situation on the ground will be delicate, with an uncertain balance of forces between a hardened regime apparatus and an unarmed but excited and anxious population: well intentioned but premature or inappropriate moves by Western governments could have a counterproductive impact.

Whatever the ultimate outcome of the 24 September elections, Western nations, in particular European states, should show their support for the laudable performance under extremely difficult conditions of Serbia's democratic forces by increasing their assistance for initiatives focused on strengthening democracy, civil society, and the rule of law. The international community should encourage Serbia's neighbours to engage with Serbia on those issues in which they have developed long years of expertise, such as strengthening independent media and respect for minority rights.

In giving attention to the possibilities of change in Serbia, the international community should not treat the situation in Montenegro as a sideshow. The threat to the government of President Milo Djukanovic continues to be serious. Not only because of the precarious political, economic, and security situation in which the democratically elected government of Montenegro currently finds itself due to Serbian pressures, but also specifically because of the unconstitutional actions of the FRY government in effectively excluding Montenegro from federal institutions, the international community should accept and support that government's decision to

¹¹⁵ The EU Foreign Ministers have now gone down this path, in a statement issued on 18 September 2000: see footnote 13.

boycott the federal elections. Montenegro's position in this respect is understandable and defensible, even though it increases the likelihood of electoral fraud in Montenegro and makes even more difficult the challenge facing the Serbian opposition. To deter any military adventurism in Montenegro during this period of heightened tension, NATO should give a security guarantee to the Montenegrin government, both to provide Montenegro with some protection and to signal to Milosevic that any violent attempt to overthrow the Montenegrin government will be met with force.¹¹⁶

Again whatever the outcome of the federal elections, Western and particularly European countries should continue to demonstrate their support for the Montenegrin government by increasing their diplomatic presence there, opening up opportunities for private investment, and stepping up assistance for democratic institution-building, civil society initiatives, and sustained economic reform. Other emerging democracies in the region should be encouraged to share with the Montenegrin people lessons learned from their own experiences in creating and institutionalising a strong and vibrant media, an independent judiciary, resilient civil society structures, a free-market economy, and respect for human rights. Should Milosevic remain in power in Belgrade after 24 September, this assistance, in addition to strengthening Montenegro, can serve as a message to the Serbian people that they, too, need not be isolated forever, and that their future lies with their resolve to embrace democratic change.

Above all, change is the responsibility of the Serbian people themselves. That they have the power to reshape their destiny and become a valued member of the European community is not in question. What is unknown, and will emerge shortly, is the extent of their determination, courage, and resolve. They can accommodate themselves to an extended period under the Milosevic version of Serbian nationalism, with all that this entails for them and their progeny, or they can usher in a new phase of democratic nationalism that has the potential to restore their national pride and self-respect and to contribute to the stability of southeastern Europe, but they cannot have both. No amount of declarations or urging by Western leaders and Serbia's friends abroad can make that decision for them, nor remove their own responsibility for facing their moment of truth on 24 September.

Washington/Brussels, 19 September 2000

¹¹⁶ See footnotes 14 and 15.