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# The parliamentary election in Croatia, November 2007

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The parliamentary election, held on 25 November 2007 according to the regular cycle, was the fifth in independent Croatia and probably the last before Croatia joins the European Union and NATO. As the winning party would be remembered as leading Croatia into those international organizations, that gave additional weight to the election outcome. In other aspects, the 2007 election was more or less 'business as usual'.

## 1. Electoral system

Members of the unicameral Croatian parliament (*Hrvatski sabor*) serve for four-year terms.<sup>1</sup> All Croatian citizens older than 18 years are eligible to vote. According to the 2003 electoral law, parliamentary elections use a 'closed list' system of proportional representation. Within Croatia, MPs are elected from 10 electoral districts, with each district electing 14 representatives from party lists or independent lists. A 5% threshold is applied to all lists. Seat allocation within a district is calculated using the d'Hondt method.

Croatian nationals residing outside Croatia vote in a single, separate constituency (*diaspora* vote). Representatives for this 11th constituency are elected on the basis of a non-fixed quota,<sup>2</sup> with seats again distributed using the d'Hondt method. National minorities vote in yet a 12th constituency, but based on a plurality of the vote. The latest version of the electoral law (April 2003, OJ 69/03) allocates eight seats in total to national minorities: three to the Serbian national minority and

five for other minorities. The national minorities in Croatia are clearly over-represented in the *Hrvatski sabor*; indeed, the most illogical element of Croatia's electoral law is the representation of minorities (except for the Serbian minority).

The voting rights of the diaspora are an additional problem, especially amongst the citizens of Bosnia and Herzegovina. Again, it is illogical that ethnic Croats, who are the constitutive people of Bosnia and Herzegovina, and who do not pay taxes in Croatia, have the right to vote for representatives in two parliaments: Croatia, and Bosnian and Herzegovina.

## 2. Parties and candidates

Nine main parties and one party coalition contested the election: the Croatian Democratic Union (HDZ), Social Democratic Party (SDP), Croatian Peasant Party (HSS), Croatian Social-Liberal Party (HSLs), Croatian Peoples Party-Liberal Democrats (HNS), Croatian Democratic Alliance of Slavonia and Baranja (HDSSB), Istrian Democratic Assembly (IDS), Croatian Party of the Right (HSP), and the Croatian Party of Pensioners (HSU). Except for HSS and HSLs, which formed the so-called 'yellow-green' coalition, all parties participated in the election independently.<sup>3</sup>

During the election campaign, HNS and IDS announced that, after the election, they would form a coalition with the SDP to support an SDP-led coalition government.<sup>4</sup> But the HSS–HSLs coalition did not make such a clear statement in advance, so preserving the possibility for a post-election coalition with whichever party won the election. However, HSS–HSLs made clear that, after the election, they would negotiate first with the party winning the most votes in the national constituencies.<sup>5</sup>

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<sup>1</sup> According to the Constitution of the Republic of Croatia (Art. 71), the number of seats in the Croatian parliament varies between 100 and 160.

<sup>2</sup> A fixed number of representatives are not set in advance for representatives from the *diaspora* constituency. The number of *diaspora* MPs depends on the number of valid votes in the 10 national constituencies: the larger the number of valid votes in the national constituencies, the fewer *diaspora* MPs are elected because valid votes in the 11th constituency are divided by the result of dividing valid votes in 10 national constituencies with the number of representatives elected. See Law on Elections of Representatives to the Croatian Parliament, 9 April 2003, OJ 69/03, Art. 41.

<sup>3</sup> Several smaller, regional parties joined the yellow-green coalition in some constituencies.

<sup>4</sup> Javno, 10 July 2007, <http://www.javno.com/hr/hrvatska/clanak.php?id=61010>. Jutarnji list, 8 March 2007, [http://www.jutarnji.hr/dogadjaji\\_dana/clanak/art-2007,3,8,hns\\_SDP,65593.jl](http://www.jutarnji.hr/dogadjaji_dana/clanak/art-2007,3,8,hns_SDP,65593.jl).

<sup>5</sup> Jutarnji list, 26 November 2007, [http://www.jutarnji.hr/izbori/vijesti/detalji\\_vijesti/art-2007,11,26,hss\\_hsls,99512.jl](http://www.jutarnji.hr/izbori/vijesti/detalji_vijesti/art-2007,11,26,hss_hsls,99512.jl).

### 3. Electoral campaign

The official electoral campaign started on November 5 and lasted three weeks. Undoubtedly, the HDZ outperformed the other parties during the campaign, stressing its successes during its four years in power. Advertisements on TV reminded electors that Croatia had a rather high rate of GDP per capita growth (around 5%) during the past four years; that the HDZ government had made progress in the EU accession process; had reduced the unemployment rate; and had compensated retired people for the debt on account of bureaucratic mismanagement.<sup>6</sup> The HDZ also used TV spots to respond to opposition criticisms following the principles of modern, interactive campaigning.<sup>7</sup> By comparison, the campaigns of the other parties were static, using TV advertisements prepared before the campaign, which did not connect with HDZ's spots. The only exception was the SDP, which had a personalized campaign focusing on the party's popular president, Zoran Milanović.

The pre-election polls revealed tight competition between HDZ and SDP. Consequently, these two largest parties shaped the issues and the overall direction of the campaign, focusing mostly on two issues: the introduction of a capital income tax and the parliamentary representation of the *diaspora*. The capital income tax, proposed by the SDP, was strongly opposed by HDZ, which it countered using negative campaigning tactics. The SDP also questioned the legitimacy of the *diaspora* vote, often referring to the dissatisfaction felt by many Croats – that ethnic Croats from Bosnia and Herzegovina are entitled to vote in Croatian elections – during the election campaign, largely to mobilize electors. In response, the HDZ aired a TV spot of the captain of a popular Croatian soccer team claiming he would vote for the HDZ because the party guaranteed that people like him, born outside Croatia, would have the right to vote in future Croatian elections.

The president of the SDP, Zoran Milanović, was elected only five months before the election. His more eloquent and direct rhetoric during the campaign contrasted with the former SDP leader, Ivica Račan, giving the impression of more determined leadership. Indeed, Milanović represented a respectable rival to Sanader, HDZ's leader, which is probably why no live public TV debate between Sanader and Milanović took place.<sup>8</sup> Meanwhile, HDZ relied on implicit national appeals, especially in areas affected by the war where electors still view HDZ as the best guarantee of the promotion and preservation of Croatian national interests. HDZ was the party in power during the war

**Table 1**

Results of the parliamentary election in Croatia, 25 November 2007

	Votes	Valid votes (%)	Seats	Seats change since 2003
Croatian Democratic Union (HDZ)	907,743	35.9	66	–
Social Democratic Party of Croatia (SDP)	776,690	30.8	56	+22
Croatian Peoples Party-Liberal Democrats (HNS)	168,440	6.7	7	–3
Croatian Peasant Party + Croatian Social-Liberal Party (HSS + HSLS)	161,814	6.4	8	–3
Croatian Party of the Right (HSP)	86,865	3.4	1	–7
Croatian Party of Pensioner (HSU)	101,091	4.0	1	–2
Istrian Democratic Assembly (IDS)	38,267	1.5	3	–1
Croatian Democratic Alliance of Slavonija and Baranja (HDSSB)	44,552	1.8	3	+3
Independent Democratic Serb Party (SDSS)	38,271	1.5	3	–
Other minorities	8600	0.3	5	–
Others	190,489	7.6	0	–
Total valid votes	2,522,822	100.0	153	
Null votes	37,732			
Total votes cast	2,560,554			
Total electorate/turnout	4,478,580	56.3		

Source: Election Commission of the Republic of Croatia ([http://www.izbori.hr/2007Sabor/rezultati/rezultati\\_izbora\\_sluzbeni.pdf](http://www.izbori.hr/2007Sabor/rezultati/rezultati_izbora_sluzbeni.pdf)).

against the Serbs in Croatia; electors in these areas still perceive HDZ as their saviours.

### 4. Election results

Overall, total turnout was 56.33%. This compares well with turnout in the 2003 election (59.5%), but not with turnout in the 2000 election (64%).<sup>9</sup> Although turnout within Croatia was higher (62.47%), the *diaspora* turnout was no more than 22.14% and amongst the national minorities was a mere 17.59%, which reduced the overall turnout. Details for the three electorates are shown in Table 2.

Whereas HDZ won the election with 66 seats – the same as in the 2003 election – it did not win an overall majority. This, because the SDP came in second with 56 seats, which was a record; the SDP has never had so many seats in the *Hrvatski sabor*. Since the first democratic election in Croatia, no party has experienced a 22-seat increase in its representation in parliament. Thus, the SDP result should be considered a great success. The change in the party

<sup>6</sup> Between 1993 and 1998, contrary to the law, the state had failed to harmonize pensions with the average Croatian salary. For details, see Constitutional Court decision U-I/283/1997. Available at <http://sljeme.usud.hr/usud/praksaw.nsf/Venecijan/C1256A25004A262AC12569BB003B8580?OpenDocument>.

<sup>7</sup> See, for example, Richards (2004), Shea and Burton (2006), and Thurber and Nelson (2004).

<sup>8</sup> See <http://www.rtl.hr/vijesti/prikaz/12261/>.

<sup>9</sup> Since demographic changes influenced turnout, it is difficult to make direct comparisons between the turnout in 2007 with the elections during the 1990s; for example, many Serbs eligible to vote left the country during the Croatia's War of Independence.

**Table 2**

Breakdown of the three electorates participating in the 2007 parliamentary election in Croatia

	Electorate	Null votes	Valid votes	% Turnout (valid votes)
Registered electors within Croatia	3,824,731	35,878	2,389,391	62.5
Registered electors in diaspora	404,950	749	89,653	22.1
Registered electors amongst minorities	248,899	1105	43,778	17.6
Total	4,478,580	37,732	2,522,822	56.3

Source: Election Commission of the Republic of Croatia ([http://www.izbori.hr/2007Sabor/rezultati/rezultati\\_izbora\\_sluzbeni.pdf](http://www.izbori.hr/2007Sabor/rezultati/rezultati_izbora_sluzbeni.pdf)).

leadership and the new type of rhetoric practiced by the young party leader Milanović, clearly had a positive impact on electors. See Table 1.

The election results showed a territorial split in support for the HDZ and the SDP. Regions directly affected by the 1991–1995 War of Independence (Slavonija, Lika, and Dalmacija) gave HDZ strong support; regions not directly affected (Zagreb, Istra, Primorje, Medimurje) largely supported the SDP. This shows that even 12 years after the war, HDZ can win votes based on national appeals.

The biggest loser in the election was HSP, which fell from eight seats to just one. This can be accounted for by two developments. First, the resignation of two of its most prominent and most active parliamentary representatives (Tonči Tadić and Miroslav Rožić). Second, the aggressiveness of HDZ's electoral campaign, during which it claimed that "giving a vote to HSP (and not to HDZ) is the same as giving the vote to SDP".<sup>10</sup> This phrase was repeated as a mantra to draw right-wing voters from the HSP. Something similar happened to the HSU, which lost two out of its previous three representatives. However, having only one representative in parliament does not reflect the real support HSU enjoys among citizens, which increased its vote from 98,537 in 2003 to 101,091 in the 2007 election. On the other hand, HDSSB and IDS won three seats despite only 44,552 and 38,267, respectively, voting for them.

The illogicality of the representation of minorities (except the Serbian minority) is illustrated by the 2007 results. Altogether the five representatives received only 8600 votes between them, which meant that, to be allocated a parliamentary seat, each representative needed (on average) only 1720 votes. One of them, Nazif Memedi, who represents 12 minorities, became a deputy with only 351 votes.<sup>11</sup> Furthermore, many members of national minorities rejected voting for minority candidates but, instead, voted

in 'normal' electoral districts. For example, the Italian minority gave three times more votes in general districts than in the special district for national minorities. Thus, "Croatia has the most complicated, disorganized, and senseless minority representation in the world".<sup>12</sup>

The 2007 election crystallized a tendency towards establishing bipartism. HDZ and the SDP won 122 out of parliament's 153 seats, leaving only 23 seats to be allocated among the other parties (not including the eight minorities' seats). One reason for the narrowing of the political spectrum is the growing popularity of the SDP, which may also account for the declining support for the small parties. But this does not imply that smaller parties have become politically insignificant, particularly as neither HDZ and the SDP won enough seats to govern alone. To form a government, both HDZ and SDP needed support from the smaller parties: either the HSLS–HSS–PGS coalition (eight seats), HNS (seven seats), or representatives of the national minorities (eight seats).

Finally, why did HDZ win the most seats? The short answer is that voters perceived HDZ as relatively successful during its previous term in office, which is confirmed by some economic indicators. To illustrate, the average annual rate of growth during the 2004–2006 period was 4.5%, and in 2007 it was forecasted to be above 5%.<sup>13</sup> Moreover, unemployment fell from 14.3% in 2003 to 11.0% in 2007. In addition, HDZ was the most successful party during the post-election negotiations.

## 5. Government formation

Immediately after the results were announced, HDZ pressed President Mesić to allow the former Prime Minister, Ivo Sanader, to form a new government. Meanwhile, the SDP formed an informal post-election coalition with HNS and IDS, giving it the same number of seats as HDZ (66). The SDP–HNS–IDS coalition also argued that it had won some 150,000 more votes than HDZ; and, if the diaspora votes were added to HDZ's total, they still had 75,882 more votes than HDZ.<sup>14</sup> The SDP–HNS–IDS coalition further argued that, according to the Constitution, the President should award the mandate to form a government to whoever could secure majority support among parliamentary representatives, which was not necessarily the leader of the strongest party.<sup>15</sup> HDZ countered with

<sup>12</sup> Kasapović, M., 1 November 2008. Globus, p. 32.

<sup>13</sup> See [http://ec.europa.eu/economy\\_finance/publications/publication12476\\_en.pdf](http://ec.europa.eu/economy_finance/publications/publication12476_en.pdf).

<sup>14</sup> Index, 26/11/2007. <http://www.index.hr/vijesti/clanak.aspx?id=366205>.

<sup>15</sup> According to the Croatian constitution (Art. 97), "The President of the Republic shall confide the mandate to form the Government to the person, who, upon the distribution of the seats in the Croatian Parliament and consultations held, enjoys the confidence of the majority of its members". [http://www.usud.hr/default.aspx?Show=ustav\\_republike\\_hrvatske&Lang=en](http://www.usud.hr/default.aspx?Show=ustav_republike_hrvatske&Lang=en).

<sup>10</sup> Index portal; 19/9/2007. <http://www.index.hr/vijesti/clanak.aspx?id=358965>.

<sup>11</sup> Election Commission of the Republic of Croatia, Official Results of the Elections of Representatives to the Croatian Parliament. Available at [http://www.izbori.hr/izbori/izbori07.nsf/WPD/34BCBB1EAD74AB5CC12573B9002E5EFC/\\$File/rezultati\\_izbora\\_sluzbeni.pdf](http://www.izbori.hr/izbori/izbori07.nsf/WPD/34BCBB1EAD74AB5CC12573B9002E5EFC/$File/rezultati_izbora_sluzbeni.pdf).

“disturbed citizens ask why the results of the elections are not respected”,<sup>16</sup> thus signalling a threat to organize street demonstrations. Ivo Sanader also said that the SDP should stop trying to change the results of the election.

The upshot was to make the HSS–HSLs coalition pivotal to forming a government; with its support, both HDZ and the SDP–HNS–IDS coalition would be very close to a parliamentary majority. As HDZ had won most seats, official negotiations between HDZ and HSS–HSLs started on December 3. Although HSS–HSLs was in an excellent negotiating position, the parties faced a dilemma: on the one hand, it was easier to form a government with HDZ due to the number of parliamentary seats it held; on the other hand, voters tended to punish parties that entered a coalition with HDZ.<sup>17</sup> In the end, HSS–HSLs decided to form a coalition with the HDZ; it is yet to be seen if they will be punished by voters for this choice.

On December 15, President Mesić offered Ivo Sanader a mandate to form a government; the HDZ–HSS–HSLs coalition agreement was signed on 8 January 2008. The coalition has a parliamentary majority as it is also supported by the representatives of national minorities and by HSU. In return, HDZ promised to change the electoral law to enable national minorities with less than 1.5% of the population the right to a double vote in elections. In addition, the Slobodan Uzelac of SDSS (a Serb) became Deputy Prime Minister; and Sanader promised to provide for the proportional presence of the Serbian minority in all institutions and to encourage the return of Serbian refugees to Croatia.

The first session of the new parliament took place on 10 January 2008, and on January 12, Sanader won the confidence vote with a comfortable majority: 82 for and 62 against. In addition to the 66 seats won by HDZ, Sanader was supported by all the representatives of the national

minorities (eight seats), HSS (six), HSLs (two), and HSU (one).

## 6. Political implications

What can be expected from the new government? Since Sanader remains prime minister and the new government's composition is very similar to the previous government, policy continuity can be expected. Moreover, the EU's requirements for accession do not allow the new government much space for maneuver. Hence, no matter which parties are in power, Croatia's policy is very much determined from abroad.<sup>18</sup>

The situation is not completely the same as before the 2007 election, however. The new government has two ministers from HSS (agriculture and tourism), one deputy prime minister from HSLs and another from SDSS (which represents the Serbian population in Croatia). Therefore, HDZ will have to adjust policy with its coalition partners. It is especially important that the Serbian minority has representatives in the government because the EU demands, as a prerequisite for EU membership, an improved position for Serbs in Croatia. Finally, having increased its number of deputies, the SDP is a much stronger opposition than in the previous parliament.<sup>19</sup> Therefore, HDZ and the ruling coalition will have to treat the opposition with more respect than in the past.

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<sup>16</sup> Croatian Radio–Television, 26 November 2007.

<sup>17</sup> For example, HSP was in a ‘silent’ coalition with HDZ during the 2003–2007 period and lost seven parliamentary seats and HSU, another coalition partner, lost two (see Table 1).

<sup>18</sup> The best example is the Ecology and Fisheries Protected Zone (ZERP) in the Adriatic. Croatia has the legal right to implement this zone but Italy and Slovenia were opposed. In the end, Croatia suspended the implementation of ZERP, as otherwise the EU negotiation process would be suspended.

<sup>19</sup> For example, as the Constitution requires a two-thirds majority for any change, HDZ cannot alter constitutional provisions without the SDP's consent.