



Office for Democratic Institutions and Human Rights

# **MONTENEGRO**

## **PARLIAMENTARY ELECTIONS**

**October 2016**

### **OSCE/ODIHR NEEDS ASSESSMENT MISSION REPORT**

**16-20 May 2016**



**Warsaw  
8 June 2016**

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**MONTENEGRO**  
**PARLIAMENTARY ELECTIONS**  
**October 2016**

**OSCE/ODIHR Needs Assessment Mission Report**

**I. INTRODUCTION**

In anticipation of an official invitation to observe the upcoming parliamentary elections to be held in October 2016 and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) undertook a Needs Assessment Mission (NAM) from 16 to 20 May. The NAM included Lusine Badalyan, OSCE/ODIHR Senior Election Adviser and Tamara Otiashvili, OSCE/ODIHR Election Adviser. The NAM was joined by Francesco Pagani, Chief Political Adviser with the International Secretariat of the OSCE Parliamentary Assembly.

The purpose of the mission was to assess the pre-election environment and the preparations for the elections. Based on this assessment, the NAM should recommend whether to deploy an OSCE/ODIHR election-related activity for the forthcoming elections, and if so, what type of activity best meets the identified needs. Meetings were held with officials from state institutions and the election administration, as well as with representatives of political parties, media, civil society, and the resident international community. A list of meetings is annexed to this report.

The OSCE/ODIHR would like to thank the Ministry of Foreign Affairs and European Integration of Montenegro and the OSCE Mission to Montenegro for their assistance and co-operation in organizing the NAM. The OSCE/ODIHR would also like to thank all of its interlocutors for taking the time to meet with the NAM.

**II. EXECUTIVE SUMMARY**

Parliamentary elections are due to be held in October 2016. In total, 81 members of parliament will be elected in a single nationwide constituency for a four-year term under a proportional representation system. Candidate lists that surpass the 3 per cent threshold of valid votes are eligible to take part in the allocation of mandates. Special rules are in place for candidate lists representing national minority communities.

Political tension has increased in the past years owing to the dissatisfaction with the overall economic, political and social situation. This prompted the opposition to boycott the sessions of the parliament and organize a series of protests demanding early elections. These protests continued following the invitation for the country to join the North Atlantic Treaty Organization (NATO). In April, a political agreement was reached aiming to overcome the political crisis and provide credible conditions to hold the upcoming elections.

These elections will be conducted under a substantially revised legal framework. Among other changes, the 2014 amendments to the Law on the Election of Councillors and Members of Parliament introduced a new voter registration and identification system, new provisions on candidate registration and allocation of mandates to minority lists. While these amendments address a number of previous OSCE/ODIHR recommendations, some prior recommendations remain unaddressed, including those concerning a residency requirement as a precondition to be eligible to vote, a right to run independently and a more effective dispute resolution system.

These elections will be organized by three levels of election administration headed by the State Election Commission (SEC). Recent amendments changed the composition and appointment mechanisms of election administration at all levels and increased the competences of the SEC. While the OSCE/ODIHR NAM interlocutors generally expressed confidence in the election administration, they view the upcoming elections as a test for the SEC to administer the elections in an impartial and effective manner. The need for a comprehensive training of election commission members was highlighted.

All citizens over the age of 18 years on or before election day with residence in the country for at least the last 24 months and a valid biometric identification document are eligible to vote. The centralized electoral register will be used for the first time in national elections, which prompted the introduction of a new system for biometric voter identification. While most OSCE/ODIHR NAM interlocutors expressed support for biometric voter identification as providing a safeguard against multiple voting, some expressed concerns about the accuracy of the electoral register, as well as the possible operational challenges on election day.

All citizens with voting rights and having resided permanently in Montenegro for at least two years are eligible to stand as candidates. Candidates can be nominated by political parties, coalitions of parties and groups of voters. Recent amendments lowered the required number of supporting signatures and introduced additional provisions for a more balanced gender representation on candidate lists.

The official campaign period will start following registration of all candidate lists. It is expected to be vibrant and centre on issues of foreign policy, NATO membership, as well as unemployment, corruption and other socio-economic issues. While political parties generally noted their ability to campaign freely, some expressed concerns to the OSCE/ODIHR NAM about biased media coverage of the campaign, an increase in nationalist rhetoric, pressure on voters and the potential misuse of administrative resources.

The amended legal framework establishes greater regulation of campaign finance, including detailed rules for income, expenditures, as well restrictions on the use of state funds and resources during the election campaign. In addition, the Agency for Prevention of Corruption was established to oversee campaign finance regulations. While some OSCE/ODIHR NAM interlocutors questioned the Agency's ability to efficiently fulfil its duties, the Agency expressed confidence that it has all resources it needs to undertake a comprehensive and timely supervision.

All OSCE/ODIHR NAM interlocutors noted media diversity and the wide range of opinions, but noted political segmentation of the media market and expressed concern about partisan editorial policies. The majority of OSCE/ODIHR NAM interlocutors voiced concern about the lack of impartiality of the public broadcaster, while some welcomed the change of its managerial and editorial team. The importance of establishing a single self-regulatory body to promote objective and professional election-related media coverage was repeatedly mentioned.

In accordance with OSCE commitments, the law provides for citizen and international election observation to all stages of the electoral process. Registered candidate lists and political parties may appoint authorized representatives to each election administration body.

All OSCE/ODIHR NAM interlocutors underscored the need for the deployment of a full-scale OSCE/ODIHR election observation mission and welcomed any recommendations that a mission may make for potential improvement of the process. Many viewed the OSCE/ODIHR observation activity as a means to promote confidence in the electoral process. Although a number of

OSCE/ODIHR recommendations have been addressed in the law, there are still issues that would benefit from continued attention. These include the implementation of legal amendments, the work of the election administration, new voter registration and identification procedures, election campaign and potential misuse of administrative resources, media coverage of the elections, new campaign finance regulations and the effectiveness of a new supervisory body, complaints and appeals mechanisms, and the administration of election day procedures.

Based on the findings of this report, the OSCE/ODIHR NAM recommends the deployment of an Election Observation Mission (EOM) for the upcoming parliamentary elections. In addition to a core team of analysts, the OSCE/ODIHR will request the secondment by OSCE participating States of 16 long-term observers to follow the electoral process countrywide, as well as 100 short-term observers for the observation of election day procedures. In line with OSCE/ODIHR's standard methodology, the EOM would include a media monitoring element.

### III. FINDINGS

#### A. BACKGROUND AND POLITICAL CONTEXT

Parliamentary elections are due to be held in October 2016. The party of the current Prime Minister, Milo Djukanovic, has been in power since 1991. During current tenure, the governing coalition initially comprised the Democratic Party of Socialists (DPS), the Social Democratic Party (SDP), the Bosnjak Party, the Liberal Party and the Croatian Civic Initiative. The Socialist People's Party (SNP), the Democratic Front (DF) and Positive Montenegro (PCG) constituted the opposition. In January 2015, the governing coalition underwent a number of changes after the withdrawal of the SDP due to persisting allegations of electoral fraud and political corruption. A new ruling majority was formed when the PCG offered its support to the DPS, which was enough to win the government confidence vote. Parliament also was impacted by the splits of the parliamentary factions and the emergence of new parties, most notably, *Demos*, which was founded by Miodrag Lekic, the former leader of the DF and the civil initiative United Reform Action (URA), and is led by Zarko Rakcevic, a former member of SDP.

Political tension has been increasing since 2013 owing to the dissatisfaction with the overall economic, political and social situation. This prompted the opposition to boycott the sessions of the parliament and organise a series of protests demanding a technical government and early elections. In October 2015, the crisis escalated further when the police resorted to the use of force against protesters causing multiple injuries. Violence broke out again on 24 October 2015, after the protesters attempted to enter the parliament. The protests were also perceived as directed against the North Atlantic Treaty Organization (NATO), after Montenegro received an invitation in 2015 to join the Alliance.<sup>1</sup> The European Commission (EC) called for "all incidents of violence and allegations of excessive use of force during these events" to be investigated and for political parties to "re-engage in a constructive political dialogue in the parliament."<sup>2</sup>

On 1 December 2015, parliamentary party leaders began a political dialogue in response to an initiative proposed by the speaker of the parliament to overcome the political crisis and provide credible conditions for the 2016 parliamentary elections. As a result, a working group was established with the aim to resolve the political crisis. On 26 April 2015, parties signed the agreement with key conditions: the resignation of the director and editorial team of the public

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<sup>1</sup> Protests against NATO membership continue upon the initiative of the DF and the New Serb Democracy.

<sup>2</sup> European Commission 2015 [Enlargement Strategy Report on Montenegro](#).

broadcaster, the resignation of the speaker of the parliament and allotting five ministerial posts to the opposition parties. On 19 May 2016, the parliament voted to dismiss the speaker and adopted a special law in lieu of implementing the agreement.<sup>3</sup>

On 19 May, NATO foreign ministers and the government of Montenegro signed a protocol on the country's accession to the Alliance.<sup>4</sup> While the opposition insists on holding a referendum on membership, the government opines that there is no constitutional obligation for that, and sees the upcoming elections as a decisive factor to join NATO.

The OSCE/ODIHR has observed five elections since Montenegro declared independence from the State Union of Serbia and Montenegro in 2006.<sup>5</sup> The most recent OSCE/ODIHR Limited Election Observation Mission (LEOM) was deployed for the 7 April 2013 presidential election. The final report included several recommendations for the authorities on how electoral processes may be improved and brought more closely in line with OSCE commitments.<sup>6</sup>

## **B. LEGAL FRAMEWORK**

Parliamentary elections are primarily regulated by the Constitution and the Law on the Election of Councillors and Members of Parliament (election law). They are supplemented by various laws and regulations, including the Law on the Voter Register, the Law on Political Parties, the Law on Financing Legal Entities and Campaign, as well as media-related legislation, and the instructions and decisions of the State Election Commission (SEC).

These elections will be conducted under a substantially revised legal framework.<sup>7</sup> Key changes to the electoral legislation include new provisions on the allocation of mandates to minority lists, voter registration and voter identification on election day, candidate registration, including the representation of women in parliament, and the composition, appointment mechanisms and competences of election administration. In addition, in line with previous OSCE/ODIHR recommendations legal provisions for homebound voting have been revised and provide for more detailed procedures. Particularly, amendments allow the presence of observers during such voting and require a voter's signature after the vote is cast. According to recent amendments, while designating polling stations the election commissions should take into account their accessibility for voters with disabilities.<sup>8</sup>

While these amendments address a number of previous OSCE/ODIHR recommendations, some prior recommendations remain unaddressed, including those concerning the residency requirement as a precondition to be eligible to vote and the right to run independently. Additionally, the OSCE/ODIHR has previously recommended introducing shorter deadlines for electoral dispute resolution and additional transparency measures for more effective legal redress.

Following a Constitutional Court decision that declared a number of provisions in the new Law on

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<sup>3</sup> The SDP, URA and *Demos* obtained five ministers, including the Ministries of Interior and Finance. They also obtained seats on the managing boards of 16 state institutions and 6 state-owned enterprises as well as representation in financial institutions such as the tax administration at the municipal level.

<sup>4</sup> The status of full membership will be completed after all 28 members ratify the protocol. In the meantime, Montenegro can already participate in NATO meetings as an observer.

<sup>5</sup> See [previous OSCE/ODIHR reports](#) on Montenegro.

<sup>6</sup> In paragraph 25 of the 1999 OSCE Istanbul Document, OSCE participating States committed themselves "to follow up promptly the ODIHR's election assessment and recommendations".

<sup>7</sup> The election law, the Law on the Voter Register and the Law on Financing Legal Entities and Campaign were adopted in March 2014 as part of the electoral reform.

<sup>8</sup> Montenegro ratified UN Convention on the Rights of Persons with Disabilities in November 2009.

Financing Legal Entities and Campaign unconstitutional, these were amended in December 2014.<sup>9</sup> Provisions reviewed were related to the prohibition of temporary employment before and after the elections and the banning of certain expenditures by local authorities during elections.

Several OSCE/ODIHR NAM interlocutors commended the timely changes to these important aspects of the election-related legislation. In addition, most OSCE/ODIHR NAM interlocutors positively noted the effective public consultations and inclusiveness of the process. However, all recognized the need for a continued electoral reform and consideration of all OSCE/ODIHR recommendations after the elections. In its Enlargement Strategy Report, the EC welcomed the electoral reform and emphasized the necessity of its full implementation.

### C. ELECTORAL SYSTEM

In total, 81 members of parliament will be elected in a single nationwide constituency for a four-year term under a proportional representation system with closed lists. Candidate lists that surpass the 3 per cent threshold of valid votes are eligible to take part in the allocation of mandates. Special rules apply for candidate lists representing national minority communities.<sup>10</sup> In case no minority list passes the required 3 per cent threshold, but some lists gain 0.7 or more per cent of the valid votes, the latter are entitled to participate in the distribution of up to 3 seats as a candidate list. Candidate lists representing the Croatian minority are entitled to 1 seat each if they obtain at least 0.35 per cent of the valid votes.

In addition, the 2014 amendments to the election law further define the allocation of mandates for minority lists: a minority nation or a minority national community with a share of the total population of at least 15 per cent countrywide or 1.5 per cent in each municipality acquires the right to participate in allocation of seats separately with its obtained number of valid votes. Previously, the OSCE/ODIHR recommended introducing clear procedures for the allocation of mandates for minority lists.

All seats won by a candidate list are awarded on the basis of the order of candidates. This also applies for replacing vacant seats, as well as replacing the less represented gender on the list. A number of OSCE/ODIHR NAM interlocutors spoke in favour of introducing open lists system for parliamentary contests and were ready to submit such a proposal to the parliament before the upcoming elections.

### D. ELECTION ADMINISTRATION

The elections are managed by three levels of election administration comprising the SEC, 21 Municipal Election Commissions (MECs) and some 1,167 polling boards (PBs). The 2014 amendments introduced new composition and appointment mechanisms for the election administration at all levels.

The SEC is a permanent body, appointed by the parliament for a four-year term. It is composed of a chairperson and 10 standing members, as well as one authorised representative of each submitter of a candidate list. Four SEC members are proposed by the parliamentary majority, four by the parliamentary opposition, one member is appointed from the minority representative who won the

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<sup>9</sup> In June 2014, a constitutional challenge was initiated by the representatives of the DPS, the Bosniak Party, and the Croatian Civil Initiative.

<sup>10</sup> The Constitution refers to “peoples and national minorities who live in Montenegro” as “Montenegrians, Serbs, Bosniacs, Albanians, Muslims, Croats and the others.”

highest number of votes in the previous elections, and one member is a representative from the civil society. The chairperson is appointed by the parliament with the majority of votes, while a secretary is appointed from among the SEC members representing the opposition. In line with a previous OSCE/ODIHR recommendation, recent amendments foresee an increased capacity and responsibilities of the SEC. The law also grants the SEC a legal status and increases its operational budget. For the first time, the SEC has established the secretariat and was provided an office space, which was positively assessed by all OSCE/ODIHR NAM interlocutors.

Each MEC is composed of a chairperson and four standing members appointed by municipal parliaments. Submitters of candidate lists have the right to appoint one authorized representative to each MEC. MEC chairperson is appointed from among the nominees of the political party that won the highest number of seats in the relevant local council at previous elections. Two members are appointed at the proposal of the opposition, with priority given to those who have won the highest number of seats in the previous municipal elections. Similarly to the SEC, the secretary is appointed from among the MEC members representing the opposition. All members have to be graduate lawyers.

PBs are composed of a chairperson and four members based on the nominations of political parties and coalitions represented in the local councils and are established 10 days before election day. The law now allows amending the composition of a PB up until 12 hours prior to the opening of a polling station. A number of OSCE/ODIHR NAM interlocutors raised a concern that late resignations may impact the efficiency of PBs as new members would lack the proper training.

The SEC informed the OSCE/ODIHR NAM that it has adopted the necessary bylaws, prepared training plan for MEC members and expects to proceed in line with legal deadlines once the elections are called. Most OSCE/ODIHR NAM interlocutors generally expressed confidence in the election administration; however, the upcoming elections are seen as a test for the SEC to administer the elections in an impartial and effective manner. The majority of OSCE/ODIHR NAM interlocutors also highlighted the need for a comprehensive training of election commission members, particularly given the recent changes to election procedures.

## **E. VOTER REGISTRATION**

All citizens over the age of 18 years on or before election day and residing in the country for at least the last 24 months are eligible to vote. The OSCE/ODIHR has previously recommended eliminating this residency requirement. A voter is also obliged to have a valid biometric identification document in order to vote. The OSCE/ODIHR NAM interlocutors opined that necessary measures have been taken to facilitate obtaining such documents but noted that some citizens are still to acquire them. Previously, the OSCE/ODIHR encouraged authorities to continue efforts in assisting eligible citizens to obtain the necessary identification documents required to vote.

The 2014 Law on Electoral Register introduced the centralized electoral register that will be used for the first time in national elections. The electoral register is permanently maintained by the Ministry of Interior (MoI) and is based on the information extracted from three different civil registries. The SEC maintains a supervisory role over the process with a right to access electronic data from all relevant registers. In the run up to the elections, the MoI has established a working group, which tackles issues pertaining to the accuracy of the electoral register and conveys them to the SEC. Both the MoI and SEC have noted positive co-operation, as well as effective communication between their institutions.



Once the elections are called, the electoral register should be publicly available on the MoI website. Voters, as well as parliamentary parties, electoral contestants and civil society representatives have a right to request changes no later than 15 days before election day. Changes can also be introduced based on the data from official records, public documents or electronic registers. Any person affected by such change shall be notified and can then appeal this decision to the Administrative Court.

For the purpose of the new electoral register, a system for biometric voter identification was introduced (electronic devices) for election day. The device is intended to read a voter's identification document, cross-reference and confirm with the identity recorded in the electoral register. The MoI informed the OSCE/ODIHR NAM that all necessary equipment was procured for the upcoming elections. While most OSCE/ODIHR NAM interlocutors expressed support for the biometric voter identification as providing safeguards against multiple voting, some expressed concerns about the accuracy of the electoral register and recognised the need for more sustainable reforms. In addition, some concerns were raised over the operational challenges of the device on election day due to possible electricity outages or malfunctions, as well as the limited training of polling staff.

#### **F. CANDIDATE REGISTRATION**

All citizens with voting rights and having resided permanently in Montenegro for at least two years are eligible to stand as candidates. Candidates can be nominated by political parties, coalitions of political parties and groups of voters. The nomination of an individual candidate is not provided for.<sup>11</sup> However, a member of parliament can join other party than the one she or he was elected with or remain independent after being elected.

The SEC is in charge of registering candidate lists. Candidate registration procedures, particularly with regard to the supporting signature requirements, were amended in 2014. There are different requirements on the number of supporting signatures for a candidate list to be registered. A political party or a coalition is required to submit signatures of at least 0.8 per cent of the voters based on the data on the number of voters in the previous elections. Political parties and groups of voters representing a national minority community are required to submit at least 1,000 support signatures. For those representing a minority constituting up to 2 per cent of the population, the requirement is 300 signatures.

The law requires that a voter signs in support of only one candidate list does that in the presence of MEC members. The SEC is obliged to regulate in detail procedures for signing in support of candidate lists. The OSCE/ODIHR has previously recommended establishing more detailed signature verification process in order to allow for a more thorough review of signature lists submitted by electoral contestants.

To promote women's participation, candidate lists are required to include at least 30 per cent of candidates of either gender. In addition, in line with a previous OSCE/ODIHR recommendation, the newly amended law now requires that among each four candidates in the list, at least one candidate should be from a less represented gender. A number of OSCE/ODIHR NAM interlocutors opined that it may be difficult to find enough female candidates to adhere to this requirement, while some noted that they already facilitate women's participation through their internal party regulations.

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<sup>11</sup> Paragraph 7.5 of the 1990 OSCE Copenhagen Document provides for the respect of the "right of citizens to seek political or public office, individually or as representatives of political parties or organizations, without discrimination."

## **G. ELECTION CAMPAIGN AND CAMPAIGN FINANCE**

The official campaign period will start following the registration of all candidate lists and end 24 hours before election day. The law provides for equitable campaigning conditions for all electoral contestants. While political parties generally noted to the OSCE/ODIHR NAM their ability to campaign freely, some expressed concerns about biased media coverage of the campaign, an increase in nationalist rhetoric, pressure on voters and the potential misuse of administrative resources.

All OSCE/ODIHR NAM interlocutors expected the campaign to be vibrant and centre on issues of foreign policy, NATO membership, as well as on socio-economic issues such as anti-corruption and unemployment. It is expected to be conducted through small public meetings, posters, billboards, and advertisements in the media, as well as on the Internet and social media. Several OSCE/ODIHR interlocutors expressed concern that the campaign would be marked with inflammatory statements by the majority of contestants.

Campaign finance regulations are contained in the Law on Financing of Political Entities and Election Campaigns, which came into force on 1 January 2015. It sets detailed rules for contributions, donations, expenditures, as well as restrictions on the use of state funds and resources during the election campaign and establishes an independent supervisory body.<sup>12</sup> The OSCE/ODIHR previously recommended strengthening the transparency of campaign finance reports and to consider addressing the gaps and ambiguities identified by the Council of Europe's Group of States against Corruption (GRECO).<sup>13</sup>

The Agency for Prevention of Corruption, established by the new law, is tasked with the overall supervision of campaign finance regulations. During the election campaign, all electoral contestants are obliged to submit reports to the Agency every 15 days. In addition, contestants are obliged to file campaign finance reports to the Agency within 30 days after election day. All reports should be published on the website of the Agency within seven days of submission. Failure to submit a report may lead to financial sanctions and misdemeanour procedures. The SEC oversees the implementation of the law and misdemeanours related to campaign finance obligations, while the State Audit Office has to audit parties whose income exceed EUR 10,000.

While some OSCE/ODIHR NAM interlocutors questioned the Agency's ability to efficiently fulfil its duties, the Agency expressed confidence that it has all resources it needs to undertake a comprehensive and timely supervision.

## **H. MEDIA**

While noting media diversity and a wide range of opinions, all OSCE/ODIHR NAM interlocutors noted political segmentation of the media market and expressed concern about partisan editorial policies in both public and private media. Concerns were also raised about the attacks and forms of pressure on journalists and media outlets. The OSCE Representative on Freedom of the Media (RFoM) has drawn attention to several such instances and noted that "members of the media must be able to report on matters of public interest in a free and safe manner" and that "the authorities

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<sup>12</sup> In its 2015 Enlargement Strategy Report, the EC noted that the "new law means that Montenegro has made progress on meeting its outstanding recommendations."

<sup>13</sup> See GRECO 2012 [Compliance Report on Montenegro](#).

must end impunity by ensuring that all cases of attacks against journalists in the country are thoroughly investigated.”<sup>14</sup>

Television is the predominant source of news and information. The public broadcaster, Radio and Television Montenegro (*RTCG*), operates three TV channels. In addition, there are four major private television stations: *TV Vijesti*, *Prva*, *Pink* and *Atlas*. Print media, including the daily state-owned *Pobjeda* and the privately-owned *Vijesti*, *Dan* and *Dnevne Novine*, offers a wide range of views. Internet has also become an important source of political information with the main newspapers developing online content.

The election law regulates the coverage of the election campaign and requires a public broadcaster to provide all contestants with free and equitable access. As per legal obligations, free-of-charge and equal coverage of promotional videos as well as three-minute coverage of campaign events will be allotted to each electoral contestant. In addition, the *RTCG* plans organizing a series of debates among contestants, the modalities of which will be decided by internal regulations. The *RTCG* can also offer political parties the possibility to purchase paid political advertisement under the condition that prices are the same for all contestants. The majority of OSCE/ODIHR NAM interlocutors expressed concern about the lack of impartiality of the public broadcaster. While some welcomed the change of its managerial and editorial team, others believe that this will have a limited impact on its editorial policy.

The Agency for Electronic Media has the supervisory role to monitor all broadcast media. This role is suspended during elections. The *RTCG* council oversees the conduct of the public broadcaster during an election campaign. The law envisages that a parliamentary commission is established to oversee the compliance of media with legal requirements during elections. However, a number of OSCE/ODIHR NAM interlocutors raised concerns on the effectiveness and independence of such a commission. In addition, all interlocutors met with by the OSCE/ODIHR NAM highlighted the importance of establishing a single self-regulatory body to promote objective and professional election-related coverage of all media, as previously recommended by the OSCE/ODIHR.

A working group composed of media representatives revised the existing Code of Ethics, which came into force on 21 April 2016. Its adoption, as well as the process, was highly commended by the OSCE RFoM as “the way for strengthening media self-regulation and raising professional standards of the media in Montenegro.”<sup>15</sup> While interlocutors of the OSCE/ODIHR NAM welcomed the adoption of the Code, all noted that the core challenge to respecting professional ethics lies in the implementation rather than the adoption of the Code.

## I. ELECTION OBSERVATION

In accordance with OSCE commitments, the law provides for citizen and international election observation to all stages of the electoral process. A number of citizen observer groups expressed their intention to comprehensively observe the upcoming elections focussing on such issues as voter registration, voter intimidation and the potential misuse of administrative resources. In addition, registered candidate lists and political parties may appoint authorized representatives to each

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<sup>14</sup> See, Press Releases of the OSCE RFoM on [18 October 2015](#) and [19 October 2015](#). In addition, European Parliament Resolution of 11 March 2015 on the 2014 Progress Report on Montenegro notes that “is greatly concerned about the deteriorating state of media freedom and the weak professional and ethical standards among media practitioners in Montenegro; strongly deplores the fact that targeted incidents against journalists and media property continue; notes that the Government of Montenegro has set up a commission to investigate attacks against journalists.”

<sup>15</sup> See [Press Release of the OSCE RFoM](#) on 21 April 2016.

election administration body. All political parties, met with by the OSCE/ODIHR said that would deploy their representative to the majority of polling stations.

#### **IV. CONCLUSIONS AND RECOMMENDATIONS**

All OSCE/ODIHR NAM interlocutors underscored the need for the deployment of a full-scale OSCE/ODIHR election observation mission and welcomed any recommendations that a mission may make for potential improvement of the process. Many viewed the OSCE/ODIHR observation activity as a means to promote confidence in the electoral process. Although a number of OSCE/ODIHR recommendations have been addressed in the law, there are still issues that would benefit from continued attention. These include the implementation of legal amendments, the work of the election administration, new voter registration and identification procedures, election campaign and potential misuse of administrative resources, media coverage of the elections, new campaign finance regulations and the effectiveness of a new supervisory body, complaints and appeals mechanisms, and the administration of election day procedures.

Based on the findings of this report, the OSCE/ODIHR NAM recommends the deployment of an Election Observation Mission (EOM) for the upcoming parliamentary elections. In addition to a core team of analysts, the OSCE/ODIHR will request the secondment by OSCE participating States of 16 long-term observers to follow the electoral process countrywide, as well as 100 short-term observers for the observation of election day procedures. In line with OSCE/ODIHR's standard methodology, the EOM would include a media monitoring element.

## **ANNEX: LIST OF MEETINGS**

### **Ministry of Foreign Affairs and European Integration**

Milorad Scepanovic, Director General of the General Directorate for Multilateral Affairs

### **Ministry of Internal Affairs**

Dragan Pejanovic, Secretary General

### **Ministry of Justice**

Nikola Saranovic, Director General of the Directorate for International Legal Cooperation and European Integration

### **State Election Commission**

Budimir Saranovic, President

Milisav Coric, Secretary

### **Agency for Prevention of Corruption**

Savo Milasinovic, Deputy Director

Dusan Drakic, Head of Department for the Implementation of Control Measures in Funding Political Parties and Electoral Campaigns

Marina Micunovic, Senior Advisor

### **Administrative Court**

Branka Lakocevic, President of the Court

### **Political Parties<sup>16</sup>**

Milutin Djukanovic, Democratic Front

Aleksandar Damjanovic, Socialist People's Party

Dragana Radovic Softovska, Socialist People's Party

Dzavid Sabovic, Social Democratic Party

Mirko Stanic, Social Democratic Party

Goran Tuponja, Positive Montenegro

Milutin Simovic, Democratic Party of Socialists

Tarzan Milosevic, Democratic Party of Socialists

Predrag Sekulic, Democratic Party of Socialists

Mladen Bojanic, Group of Independent Members of Parliament

### **Agency of Electronic Media**

Abaz Beli Dzafic, Director

Jadranka Vojvodic, Deputy Director

Dorde Vujnovic, Advisor for the International Cooperation

### **Media**

Andrijana Kadija, Acting Director *TVCG*

Aleksandar Mirkovic, Acting Editor of the First Program *TVCG*

Marijana Bojanic, Director of TV *Vijesti*

Esad Kocan, Editor in Chief of Monitor

Nikola Markovic, Deputy Editor in Chief of Daily *Dan*

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<sup>16</sup> The OSCE/ODIHR NAM requested meetings with representatives of all parliamentary factions.

Darko Sukovic, Editor in Chief of Radio *Antena M*  
Predrag Zecevic, Director of Portal *Analitika*

**Civil Society**

Vuk Maras, Director of the Monitoring Programme, MANS  
Milica Kovacevic, President, CDT  
Ana Selic, Head of Policy Research Department, CEMI  
Marko Savic, Project coordinator, CEMI  
Nenad Koprivica, Executive Director, CEDEM

**International Community**

H.E. Ambassador Janina Hrebickova, Head of Mission, OSCE Mission to Montenegro  
Dan Radford, Deputy Head of Mission, OSCE Mission to Montenegro  
Representatives of diplomatic missions of OSCE participating States and European Union