



## **INTERNATIONAL ELECTION OBSERVATION Montenegro — Early Parliamentary Elections, 14 October 2012**

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### **STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS**

**Podgorica, 15 October 2012** – This Statement of Preliminary Findings and Conclusions is the result of a common endeavour involving the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), the OSCE Parliamentary Assembly (OSCE PA), and the Parliamentary Assembly of the Council of Europe (PACE).

Roberto Battelli (Slovenia), Head of the OSCE PA delegation, was appointed as Special Co-ordinator by the OSCE Chairperson-in-Office to lead the short-term OSCE observer mission. Christopher Chope (UK) headed the delegation of the PACE. Ambassador Geert-Hinrich Ahrens (Germany) is the Head of the OSCE/ODIHR Limited Election Observation Mission (LEOM), deployed from 14 September 2012.

The assessment was made to determine whether the elections complied with the OSCE and Council of Europe commitments for democratic elections, as well as with the legislation of Montenegro. This statement of preliminary findings and conclusions is delivered prior to the completion of the election process. The final assessment of the elections will depend, in part, on the conduct of the remaining stages of the election process, including the count, the tabulation and announcement of results, and the handling of possible post-election day complaints or appeals. The OSCE/ODIHR will issue a comprehensive final report, including recommendations for potential improvements, some eight weeks after the completion of the election process. The OSCE PA will present its report at its Bureau Meeting in Dublin on 5 December 2012. The PACE delegation will present its report at its Standing Committee meeting in November 2012.

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### **PRELIMINARY CONCLUSIONS**

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The 14 October 2012 early parliamentary elections took place in a peaceful and pluralistic environment with respect for fundamental rights and further consolidating the conduct of democratic elections in line with OSCE commitments and Council of Europe standards. However, the high number of allegations of state and party confluence and election irregularities expressed by interlocutors indicated a lack of public confidence in the electoral process. Several key issues need further improvement, including the compilation of voter lists, the oversight of campaign finances and the review of complaints.

Electoral contestants were able to campaign freely, and access to public space was generally provided without limitations. The campaign was personalised and negative in tone. Discrepancies in the voter register emerged as a prominent campaign issue. Allegations of abuse of state resources and reported violations of the public sector recruitment ban during the electoral campaign blurred the line between state activities and the campaign of the ruling coalition.

The candidate registration process was inclusive and transparent. These elections were contested by 13 candidate lists, with a total of 841 candidates. A total of 264 women stood as candidates, which was a significant increase from the past.

Parliamentary elections are regulated by a comprehensive legal framework that generally provides an adequate basis for the conduct of democratic elections. The Law on the Election of Councilors

and Representatives (electoral law) was amended in 2011. The introduction of a gender quota for candidate lists represents a marked improvement. Previous OSCE/ODIHR and Venice Commission recommendations to remove a 24-month residency requirement to stand have not been addressed.

To harmonize the electoral law with Constitutional provision for “authentic representation” of minorities, key reforms were adopted in 2011. The amendments removed reserved seats in minority areas, instead providing a reduced threshold for all minority parties.

The State Election Commission (SEC) operated professionally and transparently, but with a limited interpretation of its role. In these elections, the election administration enjoyed greater political pluralism at all levels. However, although all electoral contestants have the right to appoint authorized representatives with voting privileges to the SEC, municipal election commissions (MECs) and polling boards (PBs), this right was not fully exercised at the PB level due to parties’ stated limited financial and human resources.

The final voter register contained 514,055 names. Due to a lack of provisions for removing voters that no longer meet residency requirements, many citizens abroad remained on the voter lists. Enfranchising approximately 60,000 voters with expired identification cards, parliament decided to extend the validity of these cards. Electoral contestants were provided with a copy of the voter lists for verification and responsible Ministry officials made concerted efforts to respond to public allegations of irregularities.

The Law on Political Party Financing was amended in an effort to create a comprehensive regulatory framework, but could be further improved and fully implemented. The current reporting framework, along with insufficient resources to review reports, limits the transparency of political party financing.

The media environment is diverse and is divided along political lines. The recent establishment of two self-regulatory bodies with similar objectives but conflicting political views reflects this divide. The effectiveness of the newly established Parliamentary Board for monitoring media elements of the electoral law was limited due to its partisan composition and a lack of authority to directly sanction media. The OSCE/ODIHR LEOM’s media monitoring indicated that television stations offered extensive coverage of the elections in a variety of programmes, enabling voters to make an informed choice. The amount and tone of coverage varied significantly based on the media outlet.

A small number of complaints filed in relation to the composition of MECs and PBs were decided by the Administrative and Constitutional Courts. Electoral contestants, who claimed irregularities, chose not to file formal complaints, alleging a lack of confidence in the complaints system and adjudicating bodies.

Voting generally proceeded in an orderly manner, although the new rights of authorized representatives with voting privileges to the PBs were often neglected. The SEC promptly addressed one complaint received during the voting. Both counting and tabulation appeared to have been conducted in a transparent and efficient manner.

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## **PRELIMINARY FINDINGS**

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### **Background**

On 26 June 2012, the European Union opened accession negotiations with Montenegro. The governing coalition, comprising the Democratic Party of Socialists (DPS), the Social Democratic

Party (SDP), the Bošnjak Party (BS) and the Croatian Civic Initiative (HGI) then stated that it needed a fresh mandate for a full four-year term to proceed with these negotiations. On 26 July, a motion in favor of early elections was passed with 47 votes from the governing coalition, against 27 votes from the opposition, and parliament was dissolved. On 31 July, President Filip Vujanović called elections for 14 October, which had been due to take place in the spring of 2013.

For these elections the DPS and the SDP remained in coalition, joined by the Liberal Party (LP), under the banner, “Forward Montenegro, the Coalition European Montenegro,” led by Milo Đukanović. The largest single opposition party was the Socialist People’s Party (SNP) led by Srđan Milić. Positive Montenegro (PCG), led by Darko Pajović, formed in May 2012, also ran as an independent opposition party. New Serbian Democracy (NOVA) and the Movement for Changes (PzP) formed the Democratic Front (DF) coalition, led by Miodrag Lekić, a former Montenegrin foreign minister. Two more coalitions (Serbian Unity, and Serbian National Alliance) took part, as did the coalition, *Zajedno*, of Pensioners, Disabled Workers and Yugoslav Communists.

Many Bosniaks contested the elections under the BS, led by Rafet Husović. The Albanian minority ran in four lists: For Unity, including the New Democratic Force FORCA, led by Genci Nimanbegu, Vasel Sinishtaj, and Zana Sarvan; the Albanian Coalition: The Democratic Alliance in Montenegro (DSCG), the Democratic Party (DP), and the Albanian Alternative (AA), led by Fatmir Gjeka; The Democratic Union of Albanians (DUA), led by Mehmed Zenka; the Albanian Youth Alliance (AOA), a group of citizens led by Anton Lulgjuraj. Many Croats ran under the Croatian Civic Initiative (HGI), led by Ljerka Dragičević.

### **Legal Framework and Electoral System**

Parliamentary elections are regulated by a comprehensive legal framework that generally provides an adequate basis for the conduct of democratic elections. The Constitution and the Law on the Election of Councilors and Representatives (electoral law) are the primary pieces of legislation regulating parliamentary elections.<sup>1</sup>

The electoral law was amended in 2011. The amendments generally represent a positive development, particularly for promoting a gender equality and minority representation. However, several issues remain to be addressed, including previous OSCE/ODIHR and Venice Commission recommendations to remove the 24-month residency requirement to further meet international commitments. The residency requirement overly restricts voting rights and was not consistently applied.<sup>2</sup> In addition, the newly amended electoral law does not ensure equal rights for political parties on the one hand, and coalitions, on the other. This was the basis for challenges to the appointment of municipal electoral commission and polling board members.

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<sup>1</sup> Supplemented by various laws, including the Law on Political Parties, the Law on Political Party Financing, and the Law on the Voter Register, as well as various media and broadcasting legislation, and decisions and regulations of the State Election Commission (SEC).

<sup>2</sup> According to the Venice Commission’s “Code of Good Practice in Electoral Matters” CDL-AD(2002)023rev, I.1.1 c. iii and iv, a length of residence requirement may be imposed on nationals solely for local or regional elections; and the requisite period of residence should not exceed six months except in order to protect national minorities. Available at [www.venice.coe.int/docs/2002/CDL-AD\(2002\)023rev-e.pdf](http://www.venice.coe.int/docs/2002/CDL-AD(2002)023rev-e.pdf). Also see Article 25 International Covenant on Civil and Political Rights.

The Constitution guarantees equality based on gender to all citizens.<sup>3</sup> As part of the electoral law reforms, a 30 per cent quota for both genders was introduced for candidate lists to be considered valid. The law, however, does not stipulate the ordering of candidates on lists.

The Constitution establishes a unicameral parliament of 81 deputies, who are elected for four-year terms in a single nationwide constituency under a proportional system. Where previously reserved seats were held for a minority constituency encompassing several areas populated by the Albanian minority, these provisions were changed to ensure better minority representation and comply with the constitutional requirement that minorities should receive “authentic representation.”<sup>4</sup> The electoral law has been amended to reduce signature requirements and seat allocation thresholds for minority lists.<sup>5</sup>

To participate in the allocation of seats, any candidate list must receive a minimum of three per cent of the valid votes. If a minority population is not represented by a party that meets the national threshold, the threshold is then reduced to 0.7 per cent of the valid votes. A further exception is provided for the Croatian minority, which constitutes less than 2 per cent of the population, the threshold for which is 0.35 per cent.

### **Election Administration**

The elections were administered by a three-level structure of election commissions: the SEC, 21 Municipal Election Commissions (MECs) and 1,165 Polling Boards (PBs). The SEC and MECs are full-time bodies appointed for four-year terms by parliament and local councils, respectively, while PBs are formed by MECs for each election.

Amendments to the electoral law ensure representation of opposition at all levels. The parliament is now required to appoint 5 of the 11 permanent SEC members from opposition parties.<sup>6</sup> For MECs, local councils are required to appoint two out of seven members, one from each of the two largest opposition parties in the last local elections. The ruling coalition had a majority of permanent members in 17 out of 21 MECs and in 64.7 per cent of the PBs. Although all electoral contestants have the right to appoint authorized representatives with voting privileges to the SEC, MECs and PBs, this right was not fully exercised at the PB level due to parties’ stated limited financial and human resources .

Following an official complaint by the SNP, the SEC took over the administration of the elections in the municipality of Andrijevica, where the local council failed to resolve the composition of the MEC. The DF unsuccessfully challenged the formation of PBs in the municipality of Podgorica, where the DF had one permanent member in the MEC but no permanent representation in the PBs.

The SEC operated professionally and transparently, although often not taking full advantage of its role to ensure the proper implementation of the electoral law by denying any authority over the monitoring of political party finances, campaign regulations and limiting their jurisdiction in the consideration of complaints. The SEC sessions were conducted collegially, were open to observers and all decisions were published in a timely manner. The printing of ballots and the preparation of

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<sup>3</sup> Montenegro ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 2006.

<sup>4</sup> The Albanian community, who previously held four reserved seats, has been critical of the amendments.

<sup>5</sup> In these elections, six minority parties took advantage of the opportunity to submit a reduced number of signatures in support of the registration of their candidate lists.

<sup>6</sup> The SEC chairperson and five commissioners represent the ruling party, the secretary and three other members are nominated by the opposition; one member represents an opposition national minority.

other election materials was transparent and took place in the presence of media and observers. A lack of voter education, however, was noted.

MECs conducted voluntary PB member trainings based on a manual prepared by the SEC. The trainings were designed by the 21 MECs and lacked the uniformity necessary to ensure consistent application of the electoral law. Despite limited staff and resources, the election administration at all levels conducted the elections in an efficient manner, within all deadlines.

### **Voter Registration**

The Constitution provides that the right to vote is granted to every Montenegrin citizen 18 years or older and resident in the country for at least 24 months. However, the law requires no proof of residency and does not provide mechanisms for the verification of its duration. The OSCE/ODIHR LEOM received contradictory interpretations of how the residency requirement is applied. The Ministry of Interior (MoI) said that residency is acquired at 18 and that, unless citizenship of Montenegro is surrendered, residence is maintained regardless of habitation abroad. The Administrative Court told the OSCE/ODIHR LEOM that in their opinion anyone that has lived abroad for more than two years must be removed from the voter register.

Citizens were required to switch to new biometric identification cards (IDs). The validity of the previous IDs expired on 31 July 2012. However, on 21 September the parliament decided to extend the validity of these IDs until 31 December 2012 to prevent the disenfranchisement of approximately 60,000 voters.<sup>7</sup> Additionally, upon recommendation of the parliament, pre-1993 IDs were also accepted for voting purposes.

The MoI announced that 514,055 voters were registered to vote. Twenty one separate voter registers are maintained by municipal authorities. The voter registration process is passive, in that voter data is updated automatically based on information provided by local MoI offices. The registers are linked to a voter database held by the Ministry of Information, Society, and Telecommunications (MIST). However, MIST does not have the authority to amend data provided by the municipalities. Citizens can check their entries at municipal offices, on a website, or by SMS. The system for updating the voter lists needs further improvement. The highly decentralized system is difficult for election stakeholders to understand: it does not accurately identify deceased voters and potentially compromises personal data protection.

According to the 2011 census, the population of the country was 625,266. Opposition parties and civil society raised concerns over the differences between the census and voter list data, alleged duplications in the lists, and Montenegrins permanently residing abroad remaining on the lists. The MoI conducted a verification of the voter lists to clear all duplications and deceased voters and made a concerted effort to alleviate respective concerns. However, a lack of public confidence in the integrity of the voter lists persisted.

### **Candidate Registration**

To stand, a citizen must be entitled to vote and have permanent residence in Montenegro for a minimum of 24 months prior to elections. Political parties and coalitions can submit candidate lists, as can groups of voters.<sup>8</sup> There are three different requirements on the number of support signatures that need to be submitted. A political party or coalition must submit signatures from one per cent of

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<sup>7</sup> According to the MoI estimates provided on 27 September, 2012.

<sup>8</sup> In these elections, AOA was the only group of voters to submit a candidate list.

the total number of voters (4,983 signatures for these elections). Parties and groups of voters representing a specific minority or a national minority community of up to 15 per cent of the total population need to submit 1,000 support signatures. Finally, for those representing a minority constituting up to 2 per cent of the population, the requirement is 300 signatures. Independent candidacy is not provided for, which is at odds with OSCE commitments.

A total of 13 candidate lists were submitted by the 20 September deadline. Following corrections from two parties, the SEC approved all lists.<sup>9</sup> In total, 841 candidates competed for 81 parliamentary seats. All but three registered candidate lists met the 30 per cent gender quota, and all but three candidate lists had at least one woman in the top ten positions on the list.<sup>10</sup> The Croatian Civic Initiative (HGI) was the only list led by a woman. The registration process was inclusive and no party or coalition was rejected.

### **Campaign and Campaign Finance**

The electoral law requires contestants to respect the Constitution, Laws on Professional Ethics and “good behaviour,” and to refrain from offensive and slanderous statements. Electoral contestants were able to campaign freely, and access to public space was generally provided without limitations. The campaign was personalized and negative in tone. Both sides complained publicly about the use of derogatory language by their opponents.<sup>11</sup>

The electoral campaign began formally on 20 September, following the registration of the candidate lists. Against a background of economic difficulties, the governing coalition’s campaign centred on the advantages of incumbency and successes in EU accession negotiations. The opposition called for government change and promised reforms in the economy, social security and the administration of justice. Alleged irregularities in the voter register emerged as a prominent campaign issue.

Political parties held rallies and public meetings unimpeded, respecting the freedom of association, assembly and expression. Turnout was generally modest and only the PCG had a notable youth following. In addition, parties campaigned through the use of billboards, newspaper and television advertisements. Social media was also used by large parties. Most contestants engaged in door to door campaigning to get their message across and to persuade their supporters to turn out on election day. Large parties held closing rallies in Podgorica (Coalition European Montenegro, the PCG and the SNP) and Nikšić (the DF).

The Law on Political Party Financing, which came into force in January 2012, had been amended in an effort to create a comprehensive regulatory framework, but could be further improved and fully implemented. During the campaign, parties were to report donations received every 15 days to the SEC, which was responsible for publishing these reports. The SEC reported that all political parties were in compliance with the law. However, contrary to good practice, the reporting period only began following the registration of a contestant’s candidate list rather than from the actual start of donations.<sup>12</sup>

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<sup>9</sup> The AOA and *Serbian Unity* resubmitted their lists within the 48 hours provided for by law and their lists were registered on 22 September.

<sup>10</sup> European Montenegro, Serbian Unity and AOA had just under 30 per cent of women on their lists. European Montenegro, BS and *Zajedno* had no women in the top 10 positions on their candidate lists.

<sup>11</sup> The DPS complained in writing to the OSCE/ODIHR LEOM that *Vijesti, Dan, and Monitor*, and *Vijesti TV*, had accused Milo Đukanović of leading a “corrupt criminal dictatorship.” The opposition complained about DPS’ use of the word “Chetniks,” a term that has come to mean extreme Serb nationalists.

<sup>12</sup> Venice Commission Code of Good Practice in Electoral Matters Article 2.3(dd), <http://www.osce.org/odihr/elections/94593>.

The Law on Political Party Financing prohibits the recruitment of non-permanent positions in the public sector, including public sector companies, from the date on which elections are called.<sup>13</sup> After NGO reports of a number of violations of this prohibition, the OSCE/ODIHR LEOM identified 45 vacancy notices for temporary positions advertised during the campaign. These violations blurred the line between state activities and the campaign of the ruling coalition. The explanations offered by the Human Resources Management Authority (UzK) suggested that there was a need for further defining permanent employment, and the period during which the ban on temporary recruitment should be in force.

## **The Media**

The media environment is diverse and is divided along political lines. The main source of public information is television. Despite limited rates of circulation, there is a lively print media sector. Numerous public and private news sources provided a wide range of viewpoints, exposing the voters to candidates and issues. Media and civil society representatives expressed concerns regarding the influence exerted on media by political parties, authorities and media owners.

While journalists and representatives of the media reported being free from harassment or violence, there was one incident of an assault on two journalists in the electoral campaign.<sup>14</sup> The electoral law contains new regulations for the conduct of the media during the electoral campaign, granting both free and paid broadcasting time for campaigning on equal terms to all electoral contestants. The regulatory framework for the media coverage of elections is also based on the Electronic Media Law and the Law on Public Broadcasting Services. Provisions on defamation were removed from the Criminal Code in 2011.

Radio and Television Montenegro (RTCG) fulfilled legal requirements to guarantee coverage of electoral contestants free of charge. Despite being entitled to equal, free airtime by RTCG's internal code,<sup>15</sup> not all registered contestants used this opportunity, although all attended the six, ninety-minute debates organized by RTCG.<sup>16</sup> While not legally required, the campaign was also covered by private media, which held numerous electoral debates and election-related programs.<sup>17</sup>

The electoral law established a parliamentary board tasked with overseeing the compliance of media with the electoral law and to consider media-related complaints. Decisions are to be taken by majority vote with equal representation of the parliamentary majority and opposition. However, the partisan composition of the board and the fact that it did not have the authority to directly sanction media found in violation of electoral law limited its effectiveness. The parliamentary board

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<sup>13</sup> The ban on temporary recruitment is designed to prevent the free choice of voters from being influenced by offers of employment during the campaign.

<sup>14</sup> In Pljevlja on 4 October 2012.

<sup>15</sup> Each contestant was allotted an equal amount of time in special blocks broadcast during news programs, up to 30 minutes of free airtime, 3 brief reports from candidate rallies, and 10 minute reports from the contestants' opening and closing rallies. In addition, RTCG televised six ninety-minute debates among all the thirteen contestants.

<sup>16</sup> The schedule of the political debates was reviewed following the amendments adopted by the independent committee that supervises RTCG's work on 25 September 2012. The contestants were presented to the public following the order of their appearance on the ballot.

<sup>17</sup> Privately-owned channel *TV Vijesti* held four sixty-minute election-related interview programmes and five ninety-minute debates exclusively with four parties, while *TV Atlas* held five special programmes on elections with five contestants.

registered one complaint during the electoral campaign, submitted by the DF against RTCG, alleging unbalanced electoral coverage.<sup>18</sup>

In addition, two separate self-regulatory bodies with similar objectives and conflicting political views were established: the Journalistic Self-regulatory Body<sup>19</sup> and the Press Council: a Self-regulatory Journalistic Body of Printed Media.<sup>20</sup> No body exercised effective oversight of media compliance with the electoral law during the electoral campaign.

The OSCE/ODIHR LEOM media monitoring for the period from the start of the official campaign on 20 September to 14 October showed that all TV stations offered extensive coverage of the elections in a variety of programmes.<sup>21</sup>

Although the electoral law bans government officials from taking part in the campaign during working hours, the distinction between their institutional role and election-related topics was not always made clear to the audience. News programmes focused on the activities of state and government officials, many of whom were also candidates in the elections.

The RTCG devoted 57 per cent of its political and election prime time news coverage to governing figures, showing a lack of analytical reporting and a neutral tone towards opposition. This included 29 per cent of time going to the government, 1 per cent to the President, 6 per cent to the parliamentary speaker and 21 per cent to the ruling coalition. Private broadcasters monitored devoted 54 per cent to state representatives and the ruling coalition, frequently negative in tone. The most popular private broadcaster, *TV Vijesti*, devoted 44 per cent of its political and election prime time news coverage to governing figures, mainly critical in tone. This included 15 per cent of time going to the government, 1 per cent to the president, 2 per cent to the speaker and 26 per cent to the ruling coalition. Generally, four contestants, European Montenegro, the DF, the SNP and the PCG, benefitted from greater visibility in the media monitored.<sup>22</sup> However, the tone of coverage varied significantly based on the media outlet.

## **Complaints and Appeals**

The Constitutional Court is mandated to adjudicate complaints regarding the electoral legal framework. Additionally, the Constitutional Court hears appeals of SEC decisions and election day activities. Voters, candidates and submitters of candidate lists have the right to file complaints to higher-level election commissions, with the Constitutional Court acting as a court of last instance.

Timelines for the submission and consideration of complaints are established in the electoral law and the Law on the Constitutional Court. The election commission has 24 hours from the receipt of a complaint or appeal to consider the matter. The Constitutional Court has 48 hours to adjudicate election-related appeals. Timeframes for the submission of complaints are short and may not be sufficient to guarantee due process.

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<sup>18</sup> No decision was taken by the parliamentary board due to nonappearance of complainants.

<sup>19</sup> Established in March 2012, currently has some 20 printed and electronic media and has published 3 quarterly reports to date.

<sup>20</sup> Established in August 2012 by representatives of the dailies *Vijesti* and *Dan* and the magazine *Monitor*; not yet active.

<sup>21</sup> Free political advertising (direct access programming), paid advertising, news and current affairs programming, interviews, talk shows and debates.

<sup>22</sup> State-owned *RTCG1*; privately owned *TV IN*, *PINK M*, *VIJESTI TV*, *ATLAS*. State-owned *Pobjeda*; privately owned *Vijesti*, *Dan* and *Dnevne Novine*.



The OSCE/ODIHR LEOM's interlocutors noted that the small number of complaints brought to the attention of the authorities reflected lack of trust in the complaint system and adjudicating bodies. In total, four complaints relating to the formation of MECs and PBs were filed. Two complaints concerned the representations of the SNP on MECs in Andrijevica and Kolašin. In both cases, the Court ruled in favor of the complainant. A third case was brought by the DF challenging the formation of PBs in Podgorica; the complainants lost on appeal to the Constitutional Court. The fourth case was unsuccessfully brought to the SEC by the DPS, challenging the composition of the MEC in Pljevlja. The DPS indicated they were unable to appeal due to the tight deadlines. Observed complaint hearings have included the right to be heard, the right to present documentary evidence and the right to appeal. However, fundamental principles of due process in handling complaints are not set out in the law or the SEC rules.

The OSCE/ODIHR LEOM has received a number of reports from political parties, including a report from the SNP on the vandalism of its offices in Danilovgrad, damage to the NOVA offices in Podgorica, and allegations of hate speech used against the DPS. Complaints relating to these issues were not lodged with the relevant authorities, confirming earlier statements by interlocutors on their lack of confidence in the complaints and appeals system.

### **Participation of National Minorities**

According to the electoral law, an electoral contestant is considered a minority contestant if it represents a specific minority or a minority national community that makes up no more than 15 per cent of the population according to the last census. The Bosniaks constitute 8.65 per cent of the population and live predominantly in the northern part of the country, in the municipalities of Rožaje, Bijelo Polje and Berane. The Albanian minority constitutes 4.9 per cent of the population and is concentrated mainly in the municipalities of Ulcinj, Plav and the Tuzi district of Podgorica. The Croats constitute just 0.97 per cent of the population. Minority parties relied largely on door-to-door campaigning, local radio and television to target members of minority communities. Albanian contestants also used Albanian-language programmes to reach their audience.

### **Domestic Observers**

The SEC accredited over 1,200 domestic observers from the Monitoring and Research Centre, CEMI, which trained and deployed observers to approximately 90 per cent of polling stations. CEMI domestic observers conducted a partial, parallel vote tabulation and a parallel count of all observed polling stations. The Centre for Democratic Transition monitored campaign finances and the use of state resources.

### **Election Day**

On election day, election administration conducted the process professionally and transparently. Election commissions demonstrated a good knowledge of voting procedures, however, it was noted that PB members were not aware of the new status of authorized representatives with voting privileges and often neglected their right to participate as full members. This decreased the political pluralism of decision making by election commissions. In one incident, the exchange of IDs was observed in close proximity to polling stations and in two incidents international observers were limited in their observations. Additionally, there was no formal mechanism for submitting complaints with the PBs or the MECs.

The elections took place without serious incident. While media reported minor interruptions in the voting process, voting in the limited number of polling stations visited by international observers

generally proceeded in an orderly manner. The SEC addressed one complaint regarding the conduct of exit polls near polling station premises, permitting voluntary exit polls as long as pollsters stayed at least 50 meters away from a polling station. Multiple violations of the campaign silence period were observed; private press covered government officials, including candidates, in a negative light.

Both counting and tabulation appeared to have been conducted in a transparent and efficient manner, without complaints of irregularities.

*The English version of this Statement is the only official document.  
An unofficial translation is available in Montenegrin.*

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#### **MISSION INFORMATION AND ACKNOWLEDGEMENT**

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Podgorica, 14 October 2012 - The OSCE/ODIHR LEOM opened in Podgorica on 14 September. It includes 10 experts in the capital and 12 long-term observers deployed throughout Montenegro.

On election day, 63 observers from 24 countries, were deployed, including 22 long-term observers and experts deployed by the OSCE/ODIHR, as well as 29 parliamentarians and staff from the OSCE PA, and 12 from the PACE. In line with the OSCE/ODIHR methodology for LEOMs, the mission did not undertake a comprehensive observation of election day proceedings, but visited a number of polling stations across the country.

The observers wish to thank the authorities of Montenegro for the invitation to observe the elections; the State Election Commission, the Ministry of Foreign Affairs and European Integration, the Parliament of Montenegro and other state and local authorities for their assistance and co-operation. The observers also wish to express appreciation to the diplomatic community and international institutions for their co-operation and support.

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