



Office for Democratic Institutions and Human Rights

MONTENEGRO

PARLIAMENTARY ELECTIONS 2016

OSCE/ODIHR Election Observation Mission Final Report



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MONTENEGRO
PARLIAMENTARY ELECTIONS
16 OCTOBER 2016

OSCE/ODIHR Election Observation Mission Final Report¹

I. EXECUTIVE SUMMARY

Following an official invitation to observe the 16 October parliamentary elections, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) established an Election Observation Mission (EOM) on 8 September. The mission assessed the compliance of the electoral process with OSCE commitments, other international obligations and standards for democratic elections, as well as with national legislation. For election day, the OSCE/ODIHR EOM joined efforts with delegations from the OSCE Parliamentary Assembly and the Parliamentary Assembly of the Council of Europe to form an International Election Observation Mission (IEOM). The OSCE/ODIHR EOM remained in the country until 26 October to follow post-election day developments.

As reflected in the Statement of Preliminary Findings and Conclusions issued by the IEOM on 17 October, “the elections were held in a competitive environment and fundamental freedoms were generally respected. The campaign was characterized by a lack of distinct policy alternatives, and was permeated by personalized attacks. While pluralistic, the media did not exercise editorial independence. The election administration met all legal deadlines; however, despite increased operational and human resources, the professional capacity of the election administration remained inadequate”.

The legal framework is generally sufficient for the conduct of democratic elections. Considerable efforts were made to improve the electoral legal framework in advance of these elections. The Revised legislation addresses a number of prior OSCE/ODIHR recommendations, specifically by allocating greater resources to the State Election Commission (SEC), introducing new gender quotas for electoral lists, and increasing the transparency of mobile voting. However, some recommendations remain unaddressed, including those concerning rights for candidates to run independently, and the residency requirement for the right to vote and stand as a candidate. In addition, the legal framework continues to lack comprehensiveness, and some inconsistencies led to occasional misinterpretations. The SEC did not always clarify provisions in the law and supply sufficient guidance to election administration.

The elections were administered by three levels of election commissions: the SEC, 23 Municipal Election Commissions (MECs) and 1,206 Polling Boards (PBs). A new formula for the composition of lower-level commissions allowed for a broad representation of political parties. The representation of women in the electoral administration was low, with 3 women out of 11 SEC permanent members and 37 out of 115 permanent MEC members. Out of 23 MEC presidents, only 3 were women. PBs were chaired by men in 75 per cent of polling stations observed by the OSCE/ODIHR EOM.

The SEC met regularly and complied with most legal deadlines, but the lack of strong collective leadership, deficiencies in management, and political tensions often led to inefficient and unproductive sessions. SEC sessions were open for citizen and international observers; however, despite legal obligation, the SEC denied media access to all sessions, undermining the transparency of its work. Generally, the MECs were transparent in their work and provided requested information to the public and

¹ The English version of this report is the only official document. An unofficial translation is available in Montenegrin.

observers. Despite the increased operational and human capacity of the SEC, the heavy workload and short deadlines sometimes led to technical mistakes.

The number of eligible voters for these elections was 528,817. The new centralized and permanent electoral register is maintained by the Ministry of Interior and based on the information extracted from three civil registries. OSCE/ODIHR EOM interlocutors expressed support for the new system for electronic voter identification that provided safeguards against multiple-voting. Some concerns were voiced about the operational challenges of the voter identification devices on election day, but these challenges did not appear to impact the process substantially.

Groups of citizens, registered political parties and their coalitions could nominate electoral lists, supported by the required number of voter signatures. In an inclusive process, the SEC received and confirmed 17 lists containing a total of 1,121 candidates, out of whom 360 were women.

All electoral contestants were able to campaign without obstruction, and freedoms of association and assembly were respected. NATO membership was a key issue in the campaign. Several interlocutors stated to the OSCE/ODIHR EOM that, with the exception of NATO membership, significant differences on policy positions of electoral contestants were not discernible. While electoral contestants campaigned on the necessity to conduct economic, social and political reforms, create jobs and reduce youth emigration, few policy details were provided to support broad campaign promises. With one exception, parties did not offer specific electoral platforms targeted at female voters, but women attended campaign events and female speakers addressed most of the rallies.

Allegations persisted of a correlation between being employed in public service and being affiliated with the ruling party. Irrespective of the veracity of such allegations, their pervasiveness likely diminished public confidence in the fairness of the overall electoral process and raised concerns about voters' ability to cast their vote "free of fear of retribution," as required by paragraph 7.7 of the 1990 OSCE Copenhagen Document.

While new campaign finance legislation improved the accountability of public institutions, an absence of interim reports on campaign expenditures did not fully ensure adequate transparency of campaign finance before election day. In a positive development, the Agency for Prevention of Corruption was created to oversee compliance with campaign finance regulations. However, a number of OSCE/ODIHR EOM interlocutors questioned the effectiveness of the Agency, citing insufficient resources and lacking trust in its independence.

In general, members of national minorities enjoyed equal opportunities to participate in the electoral process, both as candidates and as voters. At campaign rallies, members of national minorities were included by major political parties.

The diverse media environment remains politically polarized and lacks the investigative and in-depth reporting required for adequate editorial independence, limiting the analytical information available to voters. Electoral contestants were provided with several opportunities to present their views on public and private media through numerous talk-shows, debates and roundtable discussions. The absence of a clear definition of political advertisement led to confusion among the media and stakeholders. Regulation of the media suffers from an absence of an effective regulatory or self-regulatory body, capable of actively monitoring the media.

Prior to election day, a limited number of complaints were submitted to the election administration and the courts. The low number of complaints filed with law enforcement and judicial bodies was attributed by some OSCE/ODIHR EOM interlocutors to insufficient trust in the effectiveness and impartiality of these institutions. Short deadlines for certain complaints, combined with the lack of guaranteed public hearings in Constitutional Court appeals, do not fully guarantee effective redress.

Election day generally proceeded in an orderly manner, with only a few isolated cases of tension. Authorities announced the detention of 20 persons suspected of planning terrorist attacks on election day. Procedures were not strictly followed in many polling stations observed, especially during the counting, but this did not affect the results. The secrecy of the vote was compromised in some polling stations due to a small number of registered voters. Citizen observers and authorized representatives of contestants were present in almost all polling stations, contributing to the transparency of the process.

II. INTRODUCTION AND ACKNOWLEDGMENTS

Following an official invitation, and based on the recommendation of a Needs Assessment Mission conducted from 16 to 20 May 2016, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) established an Election Observation Mission (EOM) on 8 September to observe the 16 October parliamentary elections. The EOM, headed by Roman Jakič, consisted of a 12-member core team based in Podgorica and 12 long-term observers (LTOs) deployed throughout the country on 15 September. Mission members were drawn from 16 OSCE participating States.

On election day, 198 observers from 39 countries were deployed, including 142 long-term and short-term observers deployed by the OSCE/ODIHR, as well as a 42-member delegation from the OSCE Parliamentary Assembly (OSCE PA) and a 14-member delegation from the Parliamentary Assembly of the Council of Europe (PACE), which together formed an International Election Observation Mission (IEOM). Margareta Cederfelt was appointed by the OSCE Chairperson-in-Office as Special Co-ordinator and Leader of the short-term OSCE observer mission. Azay Guliyev headed the OSCE PA delegation. Aleksander Pocij headed the PACE delegation.

The elections were assessed for compliance with OSCE commitments and other international obligations and standards for democratic elections, as well as with domestic legislation. This final report follows a Statement of Preliminary Findings and Conclusions, which was released at a press conference in Podgorica on 17 October.²

The OSCE/ODIHR EOM wishes to thank the authorities for the invitation to observe the elections, the State Election Commission (SEC) for its co-operation and for providing accreditation documents, and the Ministry of Foreign Affairs, its Permanent Mission to the OSCE and other authorities for their assistance and co-operation. The OSCE/ODIHR EOM also wishes to express its appreciation to political parties, civil society organizations and media representatives for their co-operation, and to the OSCE Mission to Montenegro, embassies of OSCE participating States and international organizations accredited in Montenegro for their co-operation and support.

² See [previous OSCE/ODIHR reports](#) on Montenegro.

III. BACKGROUND AND POLITICAL CONTEXT

The 2012 parliamentary elections were won by the coalition For a European Montenegro, led by the Democratic Party of Socialists (DPS) and including the Social Democratic Party (SDP) and the Liberal Party (LP). The runner-up, the Democratic Front (DF), together with the Socialist People's Party (SNP) and Positive Montenegro (PCG), constituted the opposition. The DPS, led by former Prime Minister Milo Đukanović, has been in power since 1991.

In 2015, a period of heightened political turbulence led to the establishment of four new political parties.³ Amid allegations of high-level corruption, and in an effort to regain dwindling public support after the DF leader and opposition candidate in the 2013 presidential election, Miodrag Lekić, left the block, the DF organized public protests in autumn. Protestors called for the prime minister and his government to resign and for the halt to NATO accession talks. On 24 October 2015, peaceful protests turned violent with police dispersing demonstrators using tear gas. 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."⁴

On 27 January 2016, the government received just enough votes in the parliament to be able to continue to govern,⁵ when the DPS' coalition partner, the SDP, led by the then Speaker of the Parliament, Ranko Krivokapić, voted against the government, thus ending an 18 year-long alliance. While the PCG had entered the 2012 parliament as an opposition party, it voted in favour of the ruling party.

On 19 May 2016, after months of negotiations among the parliamentary parties, the law implementing the Agreement for Creating Conditions for Free and Fair Elections came into force. The agreement paved the way to holding parliamentary elections on 16 October.⁶ On the same day, allied foreign ministers signed the NATO Accession Protocol.⁷

IV. ELECTORAL SYSTEM AND LEGAL FRAMEWORK

A. ELECTORAL SYSTEM

Montenegro's unicameral parliament consists of 81 members elected directly for a four-year term from a single nationwide constituency under a proportional representation system with closed lists. The Constitution provides for free, universal and equal suffrage by secret ballot. A constitutional complaint by two voters who alleged that a closed list system was not in compliance with the principle of direct elections was rejected by the Constitutional Court in March 2016.

³ The Social Democrats of Montenegro (SD) emerged after a split from the SDP; the Democratic Montenegro (Democrats) split from the SNP; Demos split from the DF, and the civil initiative United Reform Action (URA) split from the PCG.

⁴ EC 2015 [Enlargement Strategy Report on Montenegro](#).

⁵ The government received 42 out of 81 votes.

⁶ Among other issues, the agreement stipulated allocation of the positions of four ministers and one deputy prime minister to opposition parties. In addition, Ranko Krivokapić was dismissed as the speaker of the parliament and on 2 June, Darko Pajović, leader of the PCG, took over as the speaker.

⁷ Montenegro received the invitation to join NATO on 2 December 2015. Following the signing of the Protocol, Montenegro has an 'invitee' status, which allows attending meetings as an observer. Once all allies have ratified the Protocol, Montenegro will become a full NATO member.

Candidate lists are eligible for mandates if they surpass the threshold of three per cent of valid votes. Special rules apply for candidate lists representing national minority communities.⁸ Addressing an earlier OSCE/ODIHR recommendation, 2014 amendments to the Law on Election of Councillors and Representatives (election law) clarified the rules on the allocation of mandates for minority lists: if no minority list passes the 3 per cent threshold, but some lists gain 0.7 per cent or more of the valid votes, they are entitled to participate in the distribution of up to 3 mandates as a cumulative list of candidates based on the total number of valid votes. Candidate lists representing the Croatian minority are entitled to 1 seat if they obtain at least 0.35 per cent of the valid votes.

B. LEGAL FRAMEWORK

Parliamentary elections are regulated by the Constitution, the election law, the Law on the Electoral Register, the Law on Financing Political Entities and Election Campaigns, and the Law on Public Assemblies. These are supplemented by other legislative acts as well as by regulations and opinions of the SEC. A special Law on the Implementation of the Agreement on Creating Conditions for Free and Fair Elections was adopted in May 2016.

Considerable efforts were made to improve the electoral legal framework in advance of these elections. Revised legislation addresses a number of prior OSCE/ODIHR recommendations. In particular, 2014 amendments to the election law allowed allocating greater resources to the SEC, introduced a new gender quota for electoral lists, and increased transparency of mobile voting. The 2014 Law on the Electoral Register introduced a centralized and continuously updated electoral register to enhance public confidence in the quality of voter lists. The 2014 Laws on Prevention of Corruption and on Financing Political Entities and Election Campaigns created the Agency for Prevention of Corruption as an independent authority to oversee implementation of campaign finance regulations.

A number of prior OSCE/ODIHR recommendations remain, however, unaddressed. The residency requirement for the right to vote and stand as a candidate remains in place. In addition, candidates cannot stand independently, despite previous recommendations and contrary to paragraph 7.5 of the 1990 OSCE Copenhagen Document and other international obligations and standards for democratic elections.⁹

While the electoral legislation provides basic regulation for the conduct of democratic elections, it is neither coherent nor comprehensive. Inconsistencies had a negative impact on all stages of the electoral process, particularly the absence of a provision on official start of the election campaign, procedures for tabulation and recounts of ballots and clear grounds for the annulment of polling station results. In addition, inconsistencies in the legal framework led to occasional controversies, including the issue surrounding the use of biometric identification cards.¹⁰ Different interpretations of the law resulted in

⁸ These rules apply to lists representing a minority nation or a minority national community with a share of the total population of up to 15 per cent countrywide or 1.5 to 15 per cent within each municipality.

⁹ Paragraph 7.5 of the 1990 OSCE Copenhagen Document states that the participating States will “respect the right of citizens to seek political or public office, individually or as representatives of political parties or organizations, without discrimination.” See also section I.1.6.c of the Council of Europe’s Commission for Democracy through Law (Venice Commission) [Code of Good Practice in Electoral Matters](#).

¹⁰ For example, the reference in one article of the election law to a “biometric identification card” had to be interpreted by the SEC after the Ministry of Interior announced that national identification cards were not biometric.

confusion among various stakeholders, undermining legal certainty.¹¹ The SEC did not always supply sufficient guidance to election administration.¹²

Consideration should be given to undertaking comprehensive electoral reform with the aim to harmonize election legislation internally and with other relevant laws. The reform process should be inclusive and completed well in advance of the next elections. In addition, the SEC could be more pro-active in timely promulgating regulations to address gaps and inconsistencies in the election law and to ensure its consistent application.

V. ELECTION ADMINISTRATION

The elections were conducted by three levels of election administration: the SEC, 23 MECs and 1,206 Polling Boards (PBs). While the SEC and MECs are permanent bodies that serve four-year terms, the PBs are appointed for each election. The SEC is composed of a chairperson and ten standing members. Four SEC members are proposed by the parliamentary majority, four by the parliamentary opposition, one member is appointed from a national minority that won the highest number of votes in the previous elections, and one member is a representative from civil society. The chairperson is appointed by the parliament with the majority of votes.¹³

The SEC was able to make all technical arrangements for the elections and met all legal deadlines. Despite the increased operational and human capacity of the SEC, the heavy workload and short deadlines placed a significant pressure on the staff, which sometimes led to technical mistakes. The SEC met regularly, but the lack of strong collective leadership, deficiencies in management, and political tensions often led to inefficient and unproductive sessions. The election law does not contain any provision on impartiality and professionalism of members of electoral bodies after their appointment.¹⁴

Measures to safeguard impartiality and professionalism of the election administration could be taken, particularly to address potential conflicts of interests and avoid political tension. Consideration could be given to requiring members to sign a code of conduct to help ensure their impartiality, professionalism and neutrality. More efforts could be made to further increase the human and operational capacities of the SEC.

The SEC was forthcoming with information and its sessions were open for citizen and international observers; however, the media was denied access to all sessions, despite the legal obligation. Not all minutes were posted on the SEC website, and the session agendas and other information were not always

¹¹ For example, the election law prohibits candidates from being members of election commissions, but it does not explicitly prohibit candidates from being members of Polling Boards. At the request of MEC Šavnik and two political parties, the SEC clarified on 12 October that candidates may not serve on Polling Boards.

¹² For example, the law gives the right to appoint Polling Board members to two opposition parties based on the results of last local elections, but not to coalitions or lists by citizen groups. The SEC discussed this issue and left it for the MECs to decide. At the request of MEC Žabliak, the SEC tried to clarify legal provisions on invalid ballots, but could only agree that ballots marked by voters with names and initials should be deemed invalid.

¹³ The SEC chairperson was appointed in 2014, but will not fulfil a full mandate, since according to the election law, a new electoral body shall be appointed by the newly constituted parliament.

¹⁴ Paragraph 20 of the General Comment to Article 25 provides that “An independent electoral authority should be established to supervise the electoral process and to ensure that it is conducted fairly, impartially and in accordance with established laws which are compatible with the Covenant.”

made available to commission members in due time. A number of permanent members and authorized representatives of political parties criticized the SEC for not taking all necessary steps to ensure the transparency in the work of the election administration.

To further increase transparency and accountability of the election administration and to earn trust of election stakeholders, media should be granted access to all SEC meetings and the SEC should publish all relevant documents, including its decisions, in a timely manner.

Each MEC is composed of a chairperson and four standing members appointed by the municipal assembly.¹⁵ The new formula for the composition of the MECs allowed for a broad representation of political parties (21 parties were represented in the permanent composition of the 23 MECs), but did not provide for minority representation, as previously recommended by the OSCE/ODIHR and the Council of Europe's Commission for Democracy through Law (Venice Commission). PBs are composed of a chairperson and four members, as well as their deputies, based on the nominations of political parties and coalitions represented in the municipal assemblies.

Generally, the MECs were transparent in their work and provided requested information to the public and observers. Although MECs established websites, as recommended previously by the OSCE/ODIHR, the quality of these was inconsistent and information was not regularly updated in all MECs.¹⁶

Permanent members of the election administration at all levels can be joined by authorized representatives of each submitter of a candidate list. For these elections, all the parties appointed their representatives to the SEC, although three of them did so only after election day.¹⁷ Not all the lists appointed their members at lower levels, partially because of the difficulty in finding graduated lawyers, as required by the law, or lack of funds. The level of understanding of the role of authorized representatives and their participation in the work of commissions and decision-making varied. At times, this made the decision making difficult and increased political tension at the sessions.

Consideration could be given to clarifying the role of authorized representatives and limiting their direct involvement in the decision-making process.

The SEC organized a series of training sessions on election day procedures and the use of the electronic voter identification devices. The training for trainers at the national level was praised by the participants and civil society as being comprehensive and interactive. However, training sessions for the PBs observed by the OSCE/ODIHR EOM, often provided inconsistent information. In addition, inadequate skills and knowledge of some educators, as well as lack of interest from the participants, were noted. Despite multiple requests from MECs and educators, the SEC failed to provide additional guidelines about election day procedures, which led at times to different instructions being given by educators.¹⁸

¹⁵ MEC president is appointed from among the nominees of the political parties that won the highest number of seats in the relevant local council at previous elections. Two members are appointed by the ruling party, two at the proposal of the opposition parties, with priority given to those who have won the highest number of seats in the previous municipal elections.

¹⁶ Some of sites, for example Berane, Andrijevica and Rožaje, were hosted by the municipality websites. The minutes of the sessions were published late or never for some MECs.

¹⁷ Party of Pensioners, Party of Serbian Radicals and Bosnian Democratic Community (BDZ).

¹⁸ The SEC opinion on what is considered to be a valid/invalid ballot paper was not taken until the day before the election. OSCE/ODIHR EOM observers also remarked that not enough information was given on how to fill in protocols at MEC level leading to many MEC protocols being corrected at the SEC.

Consequently, PBs implemented the procedures inconsistently on election day.

It is recommended that the SEC provides comprehensive guidelines to all educators to assure consistent training at all levels; instructions should be efficiently communicated to MECs.

The representation of women in the electoral administration was low, with 3 women out of 11 SEC permanent members and 37 out of 115 permanent MEC members. Out of 23 MEC presidents, only 3 were women. The PBs were chaired by a woman in only 25 per cent of polling stations observed by the OSCE/ODIHR EOM.¹⁹

VI. VOTER REGISTRATION

The election law stipulates that all citizens over the age of 18 and residing in the country for at least the last 24 months prior to the elections are eligible to vote. In contrast, the Constitution only requires a minimum of two years residency without any specification as to when this residence must take place. The residency requirement is not in line with international standards, as previously noted by the OSCE/ODIHR and the Venice Commission.²⁰ The election law also requires legal competence for suffrage rights.²¹

In line with previous OSCE/ODIHR recommendations, the residency and legal competence requirements for voting should be reviewed so that they are in line with the Constitution as well as international obligations and good practice.

Voter registration is passive. The new centralized and permanent electoral register is maintained by the Ministry of Interior (MoI), based on the information extracted from three civil registries.²² The SEC has a supervisory role over the process, but did not fully exercise it for these elections. It has no authority to initiate legal proceedings regarding the electoral register and can only point out irregularities to the MoI.

For the first time, a system for electronic voter identification (EVID) was introduced. OSCE/ODIHR EOM interlocutors expressed support for the system as providing adequate safeguards against multiple-voting; however, some voiced concerns about the operational challenges of the devices on election day.²³

There were 528,817 voters registered for these elections. More than 132,000 changes were made to the electoral register with notice sent to each affected voter by the MoI. The MoI also sent notices to all voters informing them of the place and time to vote after the closing of the register.²⁴

The MoI verified accuracy of the electoral register, using the Automated Fingerprint Identification

¹⁹ The OSCE Ministerial Council Decision No 7/09 on Women's Participation in Political and Public Life states to "provide for specific measures to achieve the goal of gender balance in all legislative, judicial and executive bodies."

²⁰ See paragraph I.1.1.c.iii of the Code of Good Practice in Electoral Matters.

²¹ Article 24 of the Constitution provides that "guaranteed human rights and freedoms may be limited only by the law, within the scope permitted by the Constitution [...]". Montenegro has signed and ratified the [2006 United Nations Convention on the Rights of Persons with Disabilities \(CRPD\)](#). Deprivation of the right to vote on the basis of mental disability is inconsistent with Articles 12 and 29 of the CRPD.

²² The new electoral register was consolidated in January 2015.

²³ These include electricity outages, device malfunctions as well as the limited training of polling staff.

²⁴ The notices were printed by the MoI and delivered by the post office.

System (AFIS). The system gives the possibility to check duplicate entries based on names and fingerprints.²⁵ The MoI identified problems with 168 fingerprint records, representing 0.03 per cent of the total number of registered voters.²⁶ Despite the small number of errors found during this process and based on earlier concerns about the quality of the electoral register, the Minister representing the opposition refused to sign the decision on closing the register by the 5 October legal deadline. This, however, did not influence the process and, following the decision of the government, the electoral register was signed the next day by the Secretary of the MoI.

The MoI established a co-ordination body for monitoring the implementation of the electoral legislation.²⁷ Although this initiative was praised by many OSCE/ODIHR EOM interlocutors, the Minister publicly expressed concern that the lack of support of certain MoI departments had an impact on the exchange of information.

As per the legal requirement, political party and civil society representatives were eventually granted full access to the electoral register; however, some complained that it was provided too late to conduct a comprehensive review. Several OSCE/ODIHR EOM interlocutors expressed concern that the unlimited access given to the electoral register violated the privacy of voters' personal data. The Agency for the Protection of Personal Data initiated proceedings against the MoI and found that the privacy of voters' personal data was violated.²⁸ While granting access to the electoral register increases transparency and confidence of stakeholders, international obligations require that the available personal data ensures the protection of privacy.²⁹

To ensure the protection of personal data, consideration should be given to formally regulating the process of sharing the electronic database of voters with political parties and civil society and limiting the range of sensitive data made available. The election law and Law on the Electoral Register should be implemented in compliance with the Law on the Protection of Personal Data.

A number of voter education materials to inform voters on review of the electoral register were prepared by the SEC and the MoI. In addition, the MoI established a website, a text message service, as well as a telephone hotline where voters could check their registration and confirm the polling station to which they were assigned.³⁰

²⁵ According to the MoI, another version of the AFIS will be purchased after the elections for a thorough check of the electoral register.

²⁶ The result of the forensic research requested by the MoI on these problematic fingerprints has not been communicated.

²⁷ This body was composed of representatives of the MoI, SEC, Special Prosecutor, civil society, as well as members of parliament. In the period observed by the OSCE/ODIHR EOM, the SEC representative was present at the body's meeting only once.

²⁸ The Agency issued its finding on 4 October, which the MoI objected. The Agency rejected the MoI's objections on 26 October.

²⁹ Paragraph 10 of General Comment No. 16 to Article 17 of the United Nations Human Rights Committee General Comment No. 25 to the International Covenant on Civil and Political Rights (ICCPR) requires "the gathering and holding of personal information on computers, data banks and other devices, whether by public authorities or private individuals or bodies, must be regulated by law. Effective measures have to be taken by States to ensure that information concerning a person's private life does not reach the hands of persons who are not authorized by law to receive process and use it, and is never used for purposes incompatible with the Covenant."

³⁰ The total number of citizens who contacted the MoI through the website was 108,969, including 11,858 on election day. The number of calls received by the call centre was 17,717, including 1,744 on election day.

VII. CANDIDATE REGISTRATION

Groups of citizens, registered political parties and coalitions can nominate electoral lists, supported by the required number of voter signatures. 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. Groups of citizens 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. To promote women's participation, candidate lists were required to include at least 30 per cent of candidates of the less represented gender as well as at least 1 candidate among each 4 on the list from this gender.

In an inclusive process, SEC registered 17 lists by the 20 September deadline, containing a total of 1,121 candidates, out of whom 360 were women (32 per cent). Although, several lists were initially returned for corrections in order to comply with the legal requirements, all lists were eventually confirmed.³¹ All parties complied with the legal gender quotas; however, no candidate list was led by a woman. The consolidated list of candidates was published on the SEC website, in newspapers and displayed at polling stations. The order of the parties on the ballot was established by lottery.

Despite prior OSCE/ODIHR recommendations, the election law still stipulates that voters may only sign in support of one candidate list, thus potentially limiting political pluralism.³² In a positive development and in line with a Constitutional Court decision, voters no longer had to sign the support petition in front of a MEC representative. The SEC cross-checked lists for duplicate signatures and found such on all lists.³³ In addition, the SEC expressed concerns about the misuse of voters' personal data by some political parties during the signature collection process with similar concerns expressed by citizen observer groups.

In line with a previous OSCE/ODIHR recommendation, consideration could be given to removing the restriction to sign in support of only one candidate list.

VIII. ELECTORAL CAMPAIGN

The campaign was competitive and generally conducted with respect for fundamental freedoms. With few exceptions, no impediments to campaigning were reported to the OSCE/ODIHR EOM.³⁴ The campaign environment was characterized by opposition and civil society disenchantment with the long-ruling DPS party.

³¹ Some lists did not meet the gender quota. Others did not have complete sets of properly signed and stamped documents or had signatures missing.

³² Paragraph 3 of the 1990 OSCE Copenhagen Document states that the OSCE participating States "recognize the importance of pluralism with regard to political organizations." Paragraph 77 of the [2010 OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulation](#), recommends that "in order to enhance pluralism and freedom of association, legislation should not limit a citizen to signing a supporting list for only one party."

³³ Some 3,000 duplicate signatures were found among the verified 60,000 signatures.

³⁴ On 14 September, in Budva, and on 27 September, in Podgorica, the DF alleged that they did not receive the permission from the municipal communal service to erect a stage; the DF; however, used a mobile stage. Despite having permission, municipal police attempted to remove the DF's stand in Rozaje on 27 September, and imposed a fine of EUR 1,500 for not immediately producing the required permission.

The election law does not specify when the official campaign period begins; it only states that the right to free airtime on public broadcaster starts on the day the candidate list is registered by the SEC. According to OSCE/ODIHR EOM interlocutors, campaigning started long before the elections were called, with billboards of several contestants appearing even before they had submitted their lists.³⁵ Some contestants organized rallies before their lists were registered.³⁶ Although the law only specifies that the campaign in media ends 24 hours before election day, the political parties that met with the OSCE/ODIHR EOM interpreted the law as providing for total campaign silence.

Consideration could be given to amending the election law to clearly define when the official campaign period starts and ends.

Most electoral contestants campaigned through rallies, stands, as well as door-to-door canvassing.³⁷ Some parties distributed various types of printed materials and boxed candy with the party's name and logo at street stands, organized intensive door-to-door canvassing and colorful street performances. While campaign activities in cities and towns slightly intensified closer to election day, campaigning in rural areas was practically invisible. The OSCE/ODIHR EOM did not observe any campaign activities of several contestants.³⁸ Some parties campaigned mostly on social media stating lack of funds to organize rallies.³⁹ With one exception, parties did not offer specific electoral platforms targeted at female voters, but women attended campaign events and female speakers addressed most of the rallies.⁴⁰

To achieve a better balance between women and men holding publicly elected positions, political parties could consider internal measures to promote women to senior positions within party structures, and to increase visibility of female candidates during election campaigns.

NATO membership was a key issue in the campaign. Several interlocutors stated to the OSCE/ODIHR EOM that, with the exception of NATO membership, significant differences on policy positions of electoral contestants were hardly discernible. While electoral contestants conveyed general messages on the necessity to conduct economic, social and political reforms, to create jobs and reduce youth emigration, few policy details were provided to support broad campaign promises.

The ruling party used the campaign to underline their achievements, promising stability and European standards of living. The opposition tried to capitalize on public discontent over the ruling party's long political dominance, as well as on growing unemployment and alleged high-level corruption. In general, the campaign was personality-driven rather than focusing on policy alternatives.⁴¹ The tone of the campaign was confrontational, and personal attacks were launched by both the opposition and, to a lesser degree, the ruling party. The Democrats was the only party that signed an internal code of conduct

³⁵ These were billboards of the DF, DPS, Key, Croatian Civic Initiative (HGI) and SD.

³⁶ The OSCE/ODIHR EOM observed DF rallies in Budva on 13 September, in Bijelo Polje on 18 September, in Kolasin on 19 September; a Key rally in Bijelo Pole on 15 September, and an SD rally in Rozaje on 18 September.

³⁷ The OSCE/ODIHR EOM observed 58 rallies across the country, 16 of which of Key, 12 of the DPS, 11 of the DF, 7 of the SDP, 3 each of the SD and Democrats, 2 each of the PCG and HGI, and 1 of Bosniak Party (BP) and LP.

³⁸ Party of Pensioners, Disabled and Social Justice (PPDS), List of Democratic Alliance of Albanians (DAA), Bosniak Democratic Alliance of Montenegro - Hazbija Kalač (BDA), and Party of Serb Radicals (SRS).

³⁹ Alternative Montenegro (AM) and the Serb Party - pr. Milovan Živković (SP).

⁴⁰ On 11 October, a DF rally in Herzeg Novi focused on women's participation.

⁴¹ The DF's electoral list and campaign materials contained the phrase "Mi ili On" (Us or Him). In response, the DPS's youth branch introduced the slogan "Mi smo On" (We are Him).

committing itself to positive campaigning.

Political parties could consider agreeing on and adopting a Code of Ethical Conduct during the election campaign.

In the last week of the campaign, opposition contestants, the DF, Key and Democrats, engaged in negotiations over forming a post-electoral coalition with the aim of precluding the DPS from forming the government. In response to these talks, the prime minister accused the opposition of serving foreign interests.⁴² Several OSCE/ODIHR EOM interlocutors alleged that the high quality and quantity of DF campaign materials was due to receiving foreign funding, in violation of the law.

The misuse of administrative resources did not feature prominently during this campaign. However, several opposition political parties and civil society representatives that the OSCE/ODIHR EOM met with maintained that, after 25 years in power, the ruling party enjoyed an institutional advantage that the interim government was not able to counter.

Allegations persisted of a correlation between being employed in public service and being affiliated with the ruling party. However, formal complaints were not filed and no evidence in support of these allegations was presented to the relevant authorities. Irrespective of the veracity of such allegations, their pervasiveness likely diminished confidence in the fairness of the overall electoral process and raised concerns about voters' ability to cast their vote "free of fear of retribution," as required by paragraph 7.7 of the 1990 OSCE Copenhagen Document.⁴³

IX. CAMPAIGN FINANCE

Campaign finance regulations are contained in the Law on Financing of Political Entities and Election Campaigns that came into force on 1 January 2015. It sets detailed rules for contributions, expenditures, as well as restrictions on the use of state funds and resources during the election campaign.⁴⁴ Private donations (monetary or in-kind) may be raised from individuals and legal entities.⁴⁵ The law also sets a high limit on campaign spending.⁴⁶ In its Second Compliance Report, the Council of Europe's Group of States against Corruption (GRECO) noted "efforts displayed to enhance transparency of party funding, to better identify financing sources, to strengthen financial discipline of political parties through more stringent accounting and auditing obligations and to provide for a broad range of sanctions when infringements occur."⁴⁷

⁴² On 14 October, at a closing rally, the prime minister stated that "the 16 October vote will decide the fate of the country between a developed European society or a Russian colony in the Balkans."

⁴³ Paragraph 7.7 of the Copenhagen Documents stipulates that "law and public policy work to permit political campaigning to be conducted in a fair and free atmosphere in which neither administrative action, violence nor intimidation bars the parties and the candidates from freely presenting their views and qualifications, or prevents the voters from learning and discussing them or from casting their vote free of fear of retribution."

⁴⁴ Political entities may not receive funds and in-kind contributions from: other states, companies and legal entities from abroad, natural persons and entrepreneurs who do not have the right to vote in Montenegro, anonymous donors, public institutions, legal entities and companies with a share of state-owned capital, trade unions, religious communities and organizations, non-governmental organizations, casinos and other gambling providers.

⁴⁵ Individuals are limited to donating EUR 2,000 and a legal entity EUR 10,000 per year to a political entity.

⁴⁶ A political entity may spend up to the amount of the total budget allocation for election campaigns (some EUR 1,930,000) plus the maximum amount established for private donations (some EUR 680,000).

⁴⁷ See GRECO 2015 [Compliance Report on Montenegro](#).

Political entities represented in the parliament are entitled to annual public funding.⁴⁸ Twenty per cent of the budget funds for financing election campaigns are distributed equally to all registered electoral lists before the elections.⁴⁹ The remaining 80 per cent are disbursed to the winners of parliamentary mandates, in proportion to the number of seats obtained.

All campaign finance transactions must be carried out through a specially designated bank account, but the law does not specify when these accounts should be opened. As the election law is not clear on the start of the election campaign, some contestants argued that they had no obligation to open campaign accounts until their list was registered by the SEC. Some parties opened campaign accounts late or reported few or no donations.

The Agency for Prevention of Corruption (Agency) was created in 2015 to oversee compliance with campaign finance regulations.⁵⁰ Electoral contestants are obliged to report campaign donations to the Agency every 15 days, but there is no requirement to file campaign finance reports until 30 days after the election.⁵¹ The absence of interim reports on campaign expenditures did not fully ensure adequate transparency of campaign finance disclosure before election day.

Consideration could be given to requiring election contestants to submit interim reports on campaign expenditures prior to election day to increase transparency.

The law increased the accountability of public institutions by requiring them to regularly disclose their spending, welfare benefits, use of official cars and employment decisions during an election. At the same time, the need to process a large number of reports strained the resources of the Agency tasked to monitor compliance with disclosure requirements as well as campaign finance regulations.⁵² The Agency carried out inspections and instituted proceedings for non-compliance with the law against some political parties and coalitions, including for not opening campaign accounts and not providing access to financial documents to the Agency.⁵³ While the establishment of the Agency was a positive step, a number of OSCE/ODIHR EOM interlocutors questioned the effectiveness of the Agency's oversight, citing insufficient resources and lack of trust in the Agency's independence.

⁴⁸ In 2015, a total of EUR 4,075,005 was allocated to parliamentary political parties, of which EUR 1,207,409 was allotted to the DPS, EUR 895,495 to DF, EUR 452,778 to SNP, EUR 412,531 to SDP, EUR 372,284 to PCG, EUR 211,296 to BS, EUR 171,049 to FORCA, EUR 130,802 to HGI, and EUR 130,802 to the LP.

⁴⁹ The disbursement of these funds was delayed by the Ministry of Finance by a week due to the unavailability of tax identification numbers.

⁵⁰ Under the Law on Prevention of Corruption, the Agency is also tasked with the prevention of conflict of public and private interest, overseeing restrictions in the exercise of public functions, verification of reports on income and assets of public officials, acting on whistleblower applications, and whistleblower protection. See also paragraphs 211-217 of the [OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulations](#).

⁵¹ By election day, the Agency published 2 reports from the BP (contribution total EUR 5,500), 1 from the DF (EUR 10,275), 4 from the Democrats (EUR 2,260), 4 from the DPS (EUR 680,025), 1 from the PCG (EUR 500), 1 from the SD (EUR 16,910) and 2 from the SDP (EUR 4,000) on donations.

⁵² Before election day, the Agency received from public institutions over 1,400 analytical cards, some 150 reports on welfare payments and budget expenditures, over 3,300 travel orders for official cars, and over 1,600 decisions on employment.

⁵³ Proceedings were initiated against "Alternativa", Big Coalition Key, DF and some of its member parties, Montenegrin Democratic Union, SD, and Serbian Radical Party.

To fulfill its mandate in a timely and efficient manner, consideration should be given to providing the Agency for Prevention of Corruption with adequate capacity and resources.

X. MEDIA

A. MEDIA ENVIRONMENT

The diverse media environment is politically polarized. The small advertisement market significantly limits its further development and sustainability. Television is the primary source of information, with 3 public and 4 private TV stations operating nationally and 3 public and 11 private TV stations locally.

The public Radio and Television Montenegro (RTCG) operates three TV channels (*RTCG-1*, *RTCG-2* and *RTCG-Sat*). Concerns raised by the opposition and civil society representatives during the protests in 2015 regarding perceived bias of the RTCG in favour of the DPS resulted in the replacement of the editorial team of *RTCG-1* in April 2016. While OSCE/ODIHR EOM interlocutors praised the visible change in the editorial policy, they noted with concern that this editorial team would change after the election as per the agreement between the political parties.

In the past years, concerns were raised about attacks and other forms of pressure on journalists and media outlets. The OSCE Representative on Freedom of the Media repeatedly called on authorities to end impunity for attacks against journalists including the murder of the owner and editor-in-chief of the opposition newspaper *Dan* in 2004.⁵⁴ OSCE/ODIHR EOM interlocutors indicated that while the situation has visibly improved, investigations of attacks on journalists remain slow and ineffective.

B. LEGAL FRAMEWORK FOR THE MEDIA

The election law provides general requirements for the coverage of the election campaign in the media, focusing mainly on the allocation of free airtime. The Electronic Media Law does not specifically regulate election campaign coverage, but provides for general standards of programme content and paid advertisements. In addition, the rulebook of the Agency for Electronic Media (AEM) required news to be presented objectively, accurately and in an impartial manner. Private broadcasters largely disregarded the legal requirement to adopt and adhere to internal rulebooks on campaign coverage based on the principle of equality; no sanctions were applied for non-compliance.⁵⁵

The AEM is obligated by law to oversee the media's compliance with the legal framework, having the right to issue warnings, impose fines or suspend licenses temporarily or permanently. While the AEM informed the OSCE/ODIHR EOM about its increased media monitoring capacity for the electoral period, there was a clear absence of an effective regulatory or self-regulatory body that would actively monitor the campaign and provide swift remedy in case of identified violations. In addition, a temporary parliamentary committee was established to monitor the application of electoral legislation related to the media. The committee had no sanctioning power and was mandated to forward all its decisions to the AEM for sanctioning purposes. During the campaign, the committee held two meetings that served mainly as a platform for parties and media to raise concerns. The committee was not able to officially

⁵⁴ See [press releases](#) of the OSCE Representative on Freedom of the Media.

⁵⁵ While all public broadcasters have published such rulebooks, only one private broadcaster did so.

react to identified problems or to decide upon the three received complaints due to the lack of quorum.

Effective supervision of media compliance with the law during the electoral campaign could be strengthened by a proactive independent body authorized to decide on complaints and take prompt and effective action against infringements of the law.

The Law on the Broadcast Media prohibits any advertisement that “discredits or disparages competitors” and holds media responsible for the content. Each media outlet was obliged to preview and authorize every advertisement it aired; however, due to the lack of clear instructions on what was acceptable, application of this rule was inconsistent.⁵⁶ The AEM informed the OSCE/ODIHR EOM that it was disregarding the requirement in the Electronic Media Law that the total duration of advertisements be limited to nine minutes per hour.⁵⁷

The existing legal framework for the media would benefit from a revision to clearly define political advertisement.

C. MEDIA MONITORING RESULTS



The OSCE/ODIHR EOM media monitoring results indicate that both public and private media provided the contestants with a platform to present their views through talk-shows, interviews and debates.⁵⁸ However, the news mainly focused on the general coverage of the campaign-related statements and activities of the political parties and offered little in-depth coverage or analysis about their platforms.

The *RTCG* complied with its legal obligations to provide contestants with free airtime for the presentation of rallies and election advertisements, and organized seven debates. While not legally required, *RTCG-1* provided every party with 30 minutes for the presentation of their programmes and 60 minutes for an interview with their leaders.⁵⁹ The *RTCG* decided to refrain from editorial coverage of campaign activities in the news. Instead, it accepted and broadcasted footage of campaign rallies and other campaigning events prepared and submitted by the parties.⁶⁰ This decision prevented *RTCG-1* from detailed and analytical reporting on the campaign.

It is recommended that the public media makes additional efforts to actively cover the campaign in an impartial and professional manner, rather than relying on the coverage submitted by the political parties.

⁵⁶ Two DF paid advertisements describing the DPS party as “Milo and his thieving gang” were aired and subsequently removed at the initiative of the broadcasters. Other DF advertisements portraying a campaign worker of DPS robbing a passer-by and a DPS leader benefiting from corruption were aired unobstructed.

⁵⁷ The OSCE/ODIHR EOM media monitoring identified a number of political advertisement exceeding the legal limit, including a DPS advertisement that lasted 110 minutes and 50 seconds.

⁵⁸ The OSCE/ODIHR EOM media monitoring was conducted from 12 September to 14 October, and included the primetime coverage (18:00 – 00:00) of five TV stations – *RTCG-1*, *Atlas*, *Pink M*, *Prva* and *Vijesti*, and four daily newspapers – *Dan*, *Dnevne Novine*, *Pobjeda* and *Vijesti*.

⁵⁹ All electoral contestants used the time provided for the interviews and 16 used the time for the presentation of their programmes.

⁶⁰ See [the Explanatory Memorandum to Recommendation R \(99\) 15](#) of the Committee of Ministers of the Council of Europe, which provides that “There is unanimity that publicly funded broadcasters should provide a complete and impartial picture of the political spectrum in the coverage of an election, given the remit of such broadcasters, which is to serve the public interest and offer a diverse, pluralistic and wide range of views at all times, especially during election periods.”

The OSCE/ODIHR EOM media monitoring results of private outlets indicate that *Pink M* displayed a clear bias in the news, favoring the DPS, and maligning the opposition parties. The DPS received 17 per cent of politically relevant news coverage during the campaign, largely positive in tone, while the DF and Key received 32 and 11 per cent, respectively, which was negative in tone. In their reporting, the comments of journalists were mixed with selective presentation of facts and rarely gave contestants the opportunity to reply. By contrast, TV *Vijesti* displayed a different approach by providing the DPS, DF and Key with 17, 14 and 14 per cent of coverage, respectively, with a more critical attitude towards the DPS.

TV *Prva* and *Atlas* largely focused on the coverage of campaign rallies of some contestants. TV *Atlas* provided the DF, Key and DPS some 18, 18 and 16 per cent of coverage, respectively, mainly positive in tone. TV *Prva* devoted its positive and neutral coverage to the DPS, with 17 per cent, to the SD, with 8 per cent, and the DM, with 5 per cent, while Key and the DF were allotted 10 and 8 per cent of mainly negative and neutral coverage, respectively.

The coverage of the campaign in the print media was similar to that on television. Daily *Dnevne Novine* and *Pobjeda* were largely presenting the government and the DPS in a positive manner, while sharply criticizing the DF. Daily *Dan* and *Vijesti*, in contrast, were visibly supportive of the Key coalition, while being critical of the government and the DPS.

XI. CITIZEN AND INTERNATIONAL OBSERVERS

The election law provides for observation by citizen and international organizations. Three major citizen observer groups: the Center for Monitoring and Research (CeMI), the Center for Democratic Transition (CDT) and the Network for Affirmation of NGO Sector (MANS) were active in observing the pre-electoral period at all levels of the election administration. The CDT conducted partial parallel vote tabulation (PPVT), while the CeMI organized both PPVT and parallel vote tabulation (PVT) announcing results a few hours after the closing of polling stations. The results announced by the CeMI were later confirmed by the preliminary results proclaimed by the SEC. More than 2,600 observers were accredited for election day, including 500 international observers.

XII. COMPLAINTS AND APPEALS

Complaints about infringements of electoral rights may be filed by voters, candidates and submitters of the candidate lists to the responsible election commission, with the Constitutional Court being the final appellate instance.⁶¹ Complaints related to voter registration are submitted to the MoI and appealed to the Administrative Court.

Deadlines for consideration of complaints are short: election commissions and the Administrative Court must decide on complaints and appeals within 24 hours; the Constitutional Court has 48 hours to render a

⁶¹ PB decisions, actions or inactions are appealed to MECs, MEC acts are appealed to the SEC, and SEC decisions to the Constitutional Court.

decision.⁶² The short deadlines may pose a particular problem when the SEC receives a large number of complaints and appeals, especially since the election law provides that if an election commission does not decide on an appeal within the deadline, the appeal is deemed satisfied. The OSCE/ODIHR has previously recommended reviewing the current deadlines to ensure effective legal remedy.⁶³ Additional time may be given for appeals requiring further investigation.

As previously recommended by the OSCE/ODIHR, the deadline for electoral dispute resolution could be extended to allow for an effective legal remedy.

Prior to election day, a small number of complaints were submitted to MECs and appealed to the SEC, largely related to the formation of the PBs.⁶⁴ Discussion on these complaints at the MECs and SEC was open and collegial, and all members had an opportunity to express their views. However, lengthy arguments among SEC members often reduced the efficiency of the sessions held on complaints. Although with delay, all SEC decisions were posted on its website; while not all MEC decisions were made public, reducing the transparency of the election dispute resolution process.

No appeals were made on voter registration to the Administrative Court. The Constitutional Court rejected one appeal related to the parliamentary elections submitted by the Democrats, challenging SEC's decision that a candidate could not be a member of a PB or an authorized representative.

Before election day, the special prosecutor received some 10 complaints related to the inaccuracy of voter lists, vote-buying, and alleged fraud with identification documents. Many interlocutors informed the OSCE/ODIHR EOM that they refrained from pursuing legal actions, as they lacked confidence in the system to provide an adequate legal remedy and in the overall impartiality and independence of law enforcement and judicial bodies.

XIII. PARTICIPATION OF NATIONAL MINORITIES

The Constitution recognizes Montenegrins, Serbs, Bosniaks, Albanians, Muslims, and Croats and “the others” as “peoples and national minorities who live in Montenegro”, but does not clarify which groups belong to each category.⁶⁵ In general, members of national minorities enjoyed equal opportunities to participate in the electoral process, both as candidates and as voters.

There is no overall majority population in Montenegro; however, neither those who self-identify as

⁶² The Administrative Court's challenge of short timelines for voter registration appeals was rejected by the Constitutional Court on 14 October 2015.

⁶³ Paragraph 5.10 of the 1990 OSCE Copenhagen Document provides that “everyone will have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity.” In addition, paragraph 95 of Explanatory Report to the Venice Commission's Code of Good Practice in Electoral Matters recommends a time limit of three to five days both for lodging appeals and making rulings, possibly with more time for Supreme and Constitutional Courts.

⁶⁴ For example, the SDP appealed decisions on the composition of PBs in Andrijevica and Nikšić. The SEC rejected both appeals.

⁶⁵ According to the 2011 census, Montenegrins comprise 44.98 per cent of the population and Serbs 28.73 per cent. Of the smaller ethnic groups according to self-identification, the largest are Bosniaks (8.65 per cent), Albanians (4.91 per cent) and Muslims (3.34 per cent). Roma constitute 1.01 per cent of the population and Croats 0.97 per cent.

Montenegrins or those as Serbs consider themselves to be a national minority.⁶⁶ Furthermore, the difference between these two identities is often measured in political rather than ethnic terms. To some extent, this difference was reflected during the election period in the campaigns of the two largest political parties, the DPS and the DF.

Regarding the effective participation of national minorities as voters, language was not a major factor in these elections, since most ethnic groups in Montenegro speak languages that belong to the same language family. The two significant exceptions concern ethnic Albanians (Albanian language) and ethnic Roma (Romani language). A bilingual Montenegrin and Albanian language version of the ballot was made available in 77 polling stations, in areas with significant numbers of Albanian voters. There was no Romani version.

Regarding the effective participation of national minorities as candidates, there were registered Bosniak political parties, but no specific party for Muslims.⁶⁷ National minority party lists were also registered for Albanians and for Croats; however, there were none for the Roma. Campaigning in national minority languages is permitted. Posters in the Albanian language were freely displayed in those areas where ethnic Albanians lived in significant numbers. Other national minority parties also displayed their campaign materials. Both the official scripts of Montenegro, Latin and Cyrillic, were used widely.

At campaign rallies, members of national minorities were included by major political parties, in particular the DPS, and most political parties mentioned the multicultural and multiethnic diversity of Montenegro in their campaigning. However, for the most part, it was not possible to discern specific policy commitments towards the needs of national minorities. Many interlocutors noted that significant numbers of national minorities choose to support the larger political parties, and in particular the DPS, rather than specific national minority parties.

XIV. ELECTION DAY

Election day generally proceeded in an orderly manner, with only a few cases of tension. Citizen observers and authorized representatives of the candidate lists were present in almost all polling stations observed, contributing to the transparency of the process. Although many concerns were expressed before election day that the changes in voting location could cause difficulty in voters finding their polling station, it was not a major issue on election day. Voter turnout was reported as 73 per cent. The secrecy of the vote was compromised in small polling stations where fewer than 20 voters were registered. The OSCE/ODIHR previously recommended to consider counting votes from small polling stations at the municipal level or other means, while safekeeping the integrity of the electoral process.

The IEOM observed the opening of 86 polling stations, voting in 808 polling stations, the vote count in 76 polling stations and the tabulation in 23 MECs. Throughout election day and the days following, OSCE/ODIHR EOM observers heard allegations about vote-buying taking place on a wide scale, but no evidence was presented to substantiate these allegations.

⁶⁶ The Serbs; however, have formed their own National Minority Council, and as a result receive state funding for the preservation of ethnic, linguistic and religious distinctiveness.

⁶⁷ Bosniaks and Muslims generally reside in the same geographical locations.

A. OPENING AND VOTING

Polling stations were open from 07:00 until 19:00. The opening was assessed by IEOM as good or very good in 94 per cent of observations.⁶⁸ Polls opened with small delays in 18 cases, at times due to technical problems with the EVID machines and the confusion created by the allocation of tasks among PB members. Neither of these irregularities significantly affected the process. Observers were able to follow the process without restrictions in 97 per cent of polling stations observed.

In a positive overall assessment of voting, the process was assessed as good or very good in 97 per cent of observations. New identification procedures were applied consistently in 98 per cent of observations. The EVID was not working properly in 6 per cent of observations, largely due to power cuts, but most PBs proceeded with voting using manual identification of voters without a negative effect on the process.

In 29 per cent of observations, voters were refused the right to vote for various reasons: not being on the electoral register – 24 per cent; no proper identification – 5 per cent; other reasons – 2 per cent. In 90 per cent of observations, if the voters were not found on the electoral register, the PB assisted voters in finding the correct one. Group/family voting was the most frequent irregularity, observed in some 3 per cent of the polling stations observed. Unauthorized persons were present in 3 per cent of observed polling stations and interfered in the process in 1 per cent of those. Half of the polling stations observed were not accessible for voters with physical impairments.

The representatives of civil society organizations condemned the suspension of the Internet services of *Viber* and *WhatsApp* on election day alleging that it affected their ability to maintain contact with citizens and collect information from their observers in the field.⁶⁹ Moreover, a few days before the elections, the CDT website was hacked, hindering the work of the organization. Authorities also announced the detention of 20 persons allegedly from Serbia who were suspected of planning terrorist attacks on election day.⁷⁰

B. COUNTING AND TABULATION

The overall assessment of counting was good or very good in 89 per cent of observations, but procedural problems persisted in 11 per cent. These were linked to PB members lacking knowledge and understanding of procedures. The procedure for determining the validity of ballots was followed in 96 per cent of observations. A copy of the results protocol was provided to members of the PB in 91 per cent of observations. The transparency of the counting process was assessed as good or very good in 68 polling stations observed. Interference in the work of the PB was noted in 6 observed polling stations.

⁶⁸ For the rest of the polling stations, the problems observed were: missing material, ballots not arranged in numerical order, no drawing of lots to determine the responsibility of the PB members, damaged stamp/seal, the ballot boxes not checked, closed and sealed in the presence of the first voter.

⁶⁹ The authorities stated that the services were suspended because of allegedly unwanted text messages being sent to voters.

⁷⁰ On the eve of election day, Montenegro's police chief stated that 20 Serbian citizens suspected of planning armed attacks in Montenegro had been arrested. On 27 December state prosecutor for organized crime issued international arrest warrant for 3 citizens of Serbia and 2 of Russian Federation for plotting the coup.

The tabulation was observed in all 23 MECs, which was assessed positively in all but one case. The majority of procedures were followed. However, MECs in Podgorica and Nikšić had not completed the tabulation by 03:00 on the day after the elections, and decided to stop and continue later in the day. In addition, the MEC in Bijelo Polje identified problems in 58 out of 103 PB protocols that did not reconcile and called in several of these PBs to conduct recounts, which delayed the announcement of the results by the SEC.

At the SEC level, the tabulation was not conducted in a transparent manner, being mainly under the control of the DPS members.⁷¹ Eighteen out of the 23 protocols submitted by the MECs required corrections. Some MECs were called by the SEC to give explanations about figures on the protocols that did not match.

To ensure the transparency and accountability of the process, the SEC could consider to publicly tabulate results, as well as to regulate tabulation procedures for MECs in more detail.

XV. POST-ELECTION-DAY DEVELOPMENTS

A. ANNOUNCEMENT OF RESULTS AND POLITICAL DEVELOPMENTS

On 17 October, four opposition contestants, the DF, Key, Democrats and SDP, announced their refusal to acknowledge the election results because of what they called massive abuses and attempts of the government to instill fear that would prevent voters from casting their ballots (although the voter turnout was the highest since 2002). In a joint statement, the opposition leaders demanded an immediate and thorough investigation into the alleged attempted terrorist attack.⁷²

Preliminary results were announced by the SEC on 18 October and were published on its website drawn per polling station.⁷³ Despite the lack of clear instructions from the SEC on how to determine the validity of a questionable ballot, the number of such ballots was only 5,519, representing 1.4 per cent of ballots cast.

On 26 October, the prime minister resigned from the position. The president named Dusko Marković as prime minister-designate responsible for forming a new government. Mr. Marković is the deputy chairperson of the DPS who served as one of the deputy prime ministers and formerly as head of the national intelligence service.

On 27 October, the DF, Democrats and SDP requested the SEC not to declare the final results until the

⁷¹ The first version of the preliminary results presented by the SEC on the night of 17 October contained mistakes with differences in the total number of votes compared to the valid and invalid ballots. In order to correct the mistakes, the civil society representative and the SEC member nominated by the SNP were involved in the tabulation for the final version of the preliminary results.

⁷² On 18 October, a statement from the special prosecutor made reference to reasonable suspicion that a Serbian-Montenegrin criminal group intended to assassinate the prime minister and launch attacks against citizens and police in front of the parliament building after the announcement of the election results. On 20 October, during an interview on TV *Vijesti*, Mr. Katnić stated that the prosecution has convincing evidence that an attack was planned.

⁷³ At the time of announcement of results, the SEC had 26 members: 11 permanent and 15 authorized. The authorized representative of the PCG was recalled by his party, and 25 members voted on the preliminary results – 14 in favour and 11 against.

investigation into the alleged planned terrorist attack on election day was legally concluded. In an open letter to the SEC, the opposition parties claimed that proclamation of the election results would deepen the political crisis in the country.

In a tense atmosphere, the SEC determined the final results on 29 October, with only 15 out of 28 members voting. The opposition representatives left the session before voting, claiming irregularities during the electoral process and alleged corruption of one of the authorized representatives.⁷⁴ The final results confirmed the preliminary results, with no changes in the number of mandates allocated and some minor changes in the number of votes cast. According to final results, 9 parties and coalitions were elected, including 19 women (23.4 per cent).

B. POST-ELECTION DAY COMPLAINTS AND APPEALS

Complaints submitted to MECs after election day mostly sought to annul voting results in particular polling stations and requested repeat voting.⁷⁵ Some 10 such complaints were filed by electoral contestants in Andrijevica, Budva, Cetinje, Nikšić, Podgorica, and Ulcinj. MECs ordered repeat voting due to violations of varying gravity.⁷⁶ The SEC reversed MEC decisions with regard to all but one polling station in Podgorica, where repeat voting took place on 23 October. The SEC decision reasoned that repeat voting should be granted only where irregularities were such as to affect election results in the given precinct.

On 24 October, the Constitutional Court rejected six appeals from voters in Budva who argued that a closed list system was not in compliance with the constitutional principle of direct elections. The Court also upheld the SEC's decisions refusing repeat voting in three cases, on the appeal brought by the Albanian Coalition with One Goal.⁷⁷ The DF's appeal of the SEC decision on final election results was dismissed by the Court on the basis that such decision was not appealable under the election law, raising a question about availability of effective remedy against this administrative decision.⁷⁸ The Court reviewed cases on the basis of written submissions, as it holds hearings only when it deems necessary. The OSCE/ODIHR has previously recommended that the court hold public hearings on all election appeals.⁷⁹

As of 19 October, the special prosecutor opened 157 cases on the basis of complaints made on and after election day, including allegations of buying identification cards, as well as pressuring voters.⁸⁰ All these

⁷⁴ These claims included: climate of fear created on election day; pressure on DF members made by police one day before election day, inaccurate voter lists, and fraud in the collection of support signatures.

⁷⁵ Some irregularities automatically trigger the dissolution of the PB and repeat voting, for example, if the control sheet is not found in the opened ballot box, or if the number of ballots in the ballot box is different from the number of voters who cast votes.

⁷⁶ In Ulcinj, the MEC decided to order repeat voting in one polling station where one voter was unjustifiably denied mobile voting. In Cetinje, the MEC ordered repeat voting due to one missing ballot, while in Nikšić – due to two missing control coupons. The MEC in Andrijevica rejected a request to repeat elections in polling stations where the same ballot box was used for local and parliamentary elections.

⁷⁷ One in Podgorica and two in Ulcinj.

⁷⁸ Paragraph 5.10 of the OSCE Copenhagen Document provides that everyone should have an effective means of redress against administrative decisions.

⁷⁹ Paragraph 12 of the 1990 OSCE Copenhagen Document states that “proceedings may only be held in camera in circumstances prescribed by law and consistent with obligations under international laws and international commitments.” See also Article 10 of the Universal Declaration of Human Rights and Article 14 of the ICCPR.

⁸⁰ Some 99 initiated cases were based on complaints by MANS, 19 by political parties, 26 by the police, 9 by citizens, and 4 by the Special Prosecutor on its own initiative.

cases were being investigated: eight persons were interviewed as suspects, six were remanded in custody, and one search warrant was issued.

XVI. RECOMMENDATIONS

These recommendations, as contained throughout the text, are offered with a view to enhance the conduct of elections in Montenegro and to support efforts to bring them fully in line with OSCE commitments and other international obligations and standards for democratic elections. These recommendations should be read in conjunction with prior OSCE/ODIHR recommendations, which remain to be addressed. The OSCE/ODIHR stands ready to assist the authorities of Montenegro to further improve the electoral process and to address the recommendations contained in this and previous reports.⁸¹

A. PRIORITY RECOMMENDATIONS

1. Consideration should be given to undertaking comprehensive electoral reform with the aim to harmonize election legislation internally and with other relevant laws. The reform process should be inclusive and completed well in advance of the next elections. In addition, the SEC could be more pro-active in timely promulgating regulations to address gaps and inconsistencies in the election law and to ensure its consistent application.
2. To further increase transparency and accountability of the election administration and to earn trust of election stakeholders, media should be granted access to all SEC meetings and the SEC should publish all relevant documents, including its decisions, in a timely manner.
3. In line with previous OSCE/ODIHR recommendations, the residency and legal competence requirements for voting should be reviewed so that they are in line with the Constitution as well as international obligations and good practice.
4. To achieve a better balance between women and men holding publicly elected positions, political parties could consider internal measures to promote women to senior positions within party structure and to increase visibility of female candidates during election campaigns.

B. OTHER RECOMMENDATIONS

Election Administration

5. Measures to safeguard impartiality and professionalism of the election administration could be taken, particularly to address potential conflicts of interests and avoid political tension. Consideration could be given to requiring members to sign a code of conduct to help ensure their impartiality, professionalism and neutrality. More efforts could be made to further increase the human and operational capacities of the SEC.

⁸¹ According to the paragraph 24 of the [1999 OSCE Istanbul Document](#), OSCE participating States committed themselves “to follow up promptly the ODIHR’s election assessment and recommendations.”

6. Consideration could be given to clarifying the role of authorized representatives and limiting their direct involvement in the decision-making process.
7. It is recommended that the SEC provides comprehensive guidelines to all educators to assure consistent training at all levels; instructions should be efficiently communicated to MECs.

Voter Registration

8. To ensure the protection of personal data, consideration should be given to formally regulating the process of sharing the electronic database of voters with political parties and civil society and limiting the range of sensitive data made available. The election law and Law on the Electoral Register should be implemented in compliance with the Law on the Protection of Personal Data.

Candidate Registration

9. In line with a previous OSCE/ODIHR recommendation, consideration could be given to removing the restriction to sign in support of only one candidate list.

Election Campaign

10. Consideration could be given to amending the election law to clearly define when the official campaign period starts and ends.
11. Political parties could consider agreeing on and adopting a Code of Ethical Conduct during the election campaign.

Campaign Finance

12. Consideration could be given to requiring election contestants to submit interim reports on campaign expenditures prior to election day to increase transparency.
13. To fulfill its mandate in a timely and efficient manner, consideration should be given to providing the Agency for Prevention of Corruption with adequate capacity and resources.

Media

14. Effective supervision of media compliance with the law during the electoral campaign could be strengthened by a proactive independent body authorized to decide on complaints and take prompt and effective action against infringements of the law.
15. The existing legal framework for the media would benefit from a revision to clearly define a political advertisement.
16. It is recommended that the public media makes additional efforts to actively cover the campaign in an impartial and professional manner, rather than relying on the coverage submitted by the political parties.

Complaints and Appeals

17. As previously recommended by the OSCE/ODIHR, the deadline for electoral dispute resolution could be extended to allow for an effective legal remedy.

Election Day

18. To ensure the transparency and accountability of the process, the SEC could consider to publicly tabulate results, as well as to regulate tabulation procedures for MECs in more detail.

ANNEX I: OFFICIAL ELECTION RESULTS⁸²

| | |
|------------------------------------------|---------|
| No of Registered Voters | 528,817 |
| No of Ballots Cast | 378,086 |
| No of Ballots Cast in Polling Stations | 347,424 |
| No of Ballots Cast Through Mobile Voting | 10,134 |
| No of Valid Ballots | 382,706 |
| No of Invalid Ballots | 5,513 |

| Party/Coalition | Votes | Percentage | Mandates |
|---------------------------------------------------------------|----------------|-------------------|-----------------|
| 1. Democratic Party of Socialists | 158,490 | 41.41 | 36 |
| 2. Democratic Front | 77,784 | 20.32 | 18 |
| 3. Big Coalition Key | 42,295 | 11.05 | 9 |
| 4. Democrats | 38,327 | 10.01 | 8 |
| 5. Social Democratic Party | 20,011 | 5.23 | 4 |
| 6. The Social Democrats of Montenegro | 12,472 | 3.26 | 2 |
| 7. Bosnian Party | 12,089 | 3.16 | 2 |
| 8. Positive Montenegro | 5,062 | 1.32 | 0 |
| 9. Albanians Determined Forza Dua | 4,854 | 1.27 | 1 |
| 10. Albanian Coalition with one Goal | 3,394 | 0.89 | 0 |
| 11. Croatian Civic Initiative | 1,802 | 0.47 | 1 |
| 12. List of Democratic Alliance of Albanians | 1,542 | 0.40 | 0 |
| 13. Serb Party - Milovan Živković | 1,201 | 0.31 | 0 |
| 14. Bosniak Democratic Alliance of Montenegro - Hazbija Kalač | 1,140 | 0.30 | 0 |
| 15. Alternative Montenegro | 878 | 0.23 | 0 |
| 16. Party of Pensioners, Disabled and Social Justice | 672 | 0.18 | 0 |
| 17. Party of Serb Radicals | 693 | 0.18 | 0 |
| Total | 382,706 | 100 | 81 |

⁸² Data aggregated according to final results published on the [SEC website](#).

ANNEX II: LIST OF OBSERVERS IN THE INTERNATIONAL ELECTION OBSERVATION MISSION

OSCE Parliamentary Assembly

| | | | |
|-------------|----------------|------------------------|----------------------|
| Margareta | CEDERFELT | Sweden | Special Co-ordinator |
| Fredrik | SVENSSON | Sweden | |
| Sonja | STANISAVLJEVIC | Serbia | |
| Azay | GULIYEV | Azerbaijan | Head of Delegation |
| Brecht | VERMEULEM | Belgium | |
| Hubertus | KNAPEN | Netherlands | |
| Halid | GENJAC | Bosnia and Herzegovina | |
| Dzenana | LEPER | Bosnia and Herzegovina | |
| Desislava | ATANASOVA | Bulgaria | |
| Ann-Christi | AHLBERG | Sweden | |
| Georgios | CHAMPOURIS | Greece | |
| Mavroudis | VORIDIS | Greece | |
| Giuseppe | TREZZA | Italy | |
| Fernando | AIELLO | Italy | |
| Cristina | DE PIETRO | Italy | |
| Luis | FERREIRA | Portugal | |
| Jose Luis | ABALOS | Spain | |
| Haydar | AKAR | Turkey | |
| Cenk | ILERI | Turkey | |
| Sena Nur | CELIK | Turkey | |
| Odile | LELARGE | France | |
| Ignacio | SANCHEZ AMOR | Spain | |
| Aila | PALONIEMI | Finland | |
| Mika | RAATIKAINEN | Finland | |
| Mart | NUTT | Estonia | |
| Mati | RAIDMA | Estonia | |
| Jurgen | KLIMKE | Germany | |
| Egon | JUETTNER | Germany | |
| Peter | OSUSKY | Slovak Republic | |
| Vesna | VERVEGA | Slovenia | |
| Peter | BRATSKY | Czech Republic | |
| Ladislav | SINCL | Czech Republic | |
| Silvia | DEMIR | Czech Republic | |
| Reinhold | LOPATKA | Austria | |
| Orla | HAV | Denmark | |
| Peter | BEYER | Germany | |
| Barbara | BARTUS | Poland | |
| Jan Richard | ANDERSSON | Sweden | |
| Margareta | KIENER NELLEN | Switzerland | |
| Francesco | PAGANI | Italy | Staff |
| Maria | CHEPURINA | Russian Federation | Staff |

| | | | |
|-------|----------|----------------|-------|
| Iryna | SABASHUK | Ukraine | Staff |
| James | LISHMAN | United Kingdom | Staff |

Parliamentary Assembly of the Council of Europe

| | | | |
|--------------|-----------|----------------|--------------------|
| Aleksander | POCIEJ | Poland | Head of Delegation |
| Gabriela | PESKOVÁ | Czech Republic | |
| Samvel | FARMANYAN | Armenia | |
| Gülsün | BILGEHAN | Turkey | |
| Silvia | BONET | Andorra | |
| Pierre-Alain | FRIDEZ | Switzerland | |
| Adele | GAMBARO | Italy | |
| Erkan | KANDEMIR | Turkey | |
| Matjaž | HANŽEK | Slovenia | |
| Ionuț-Marian | STROE | Romania | |
| James | HAMILTON | Ireland | Venice Commission |
| Ivi-Triin | ODRATS | France | Secretariat |
| Anne | GODFREY | France | Secretariat |
| Domenico | VALLARIO | Spain | Venice Commission |

OSCE/ODIHR EOM Short-term Observers

| | | |
|--------------------|-------------------|----------------|
| Johannes | DOPSCH | Austria |
| Mario | GAVENDA | Austria |
| BIRGIT | KARGER | Austria |
| Valerie | MATHEIS | Austria |
| Pavel | DANEK | Czech Republic |
| Eva | DOHNALOVA | Czech Republic |
| Leona | KLEINOVA | Czech Republic |
| Olga | KOLDOVA | Czech Republic |
| Martin | KOSATKA | Czech Republic |
| Marek | KUBICEK | Czech Republic |
| Marie | MOHLEROVA | Czech Republic |
| Jiri | SKVOR | Czech Republic |
| Torsten | JUUL | Denmark |
| Erik | KJAERGAARD-JENSEN | Denmark |
| Michael Vigsø | POULSEN | Denmark |
| Taavi | TOOM | Estonia |
| Anne | SKROBOT | France |
| Kilian | VIVIEN | France |
| Gottfried | BRAMER | Germany |
| Peter Hugo Paul | BUSSMANN | Germany |
| Hendrik | BUURMANN | Germany |
| Dorothee | HUTTER | Germany |
| Christiane | JAENICKE | Germany |

| | | |
|-----------------|----------------|--------------------|
| Dorothea | LUKE | Germany |
| Heiko | MEINHARDT, DR | Germany |
| Hildegard | ROGLER-MOCHEL | Germany |
| Christine Maria | | |
| Chaban | SALIH | Germany |
| Andrea | WEBER | Germany |
| Krisztina | ÁNGYÁSI | Hungary |
| Erik | BAKTAI | Hungary |
| Gyozo Jozsef | GABRIEL | Hungary |
| Tibor | MADARÁSZ | Hungary |
| András | MOLNÁR | Hungary |
| Elza | SHCÖNSTEIN | Hungary |
| Ingvar | INGVARSSON | Iceland |
| Margret | SIGURDARDOTTIR | Iceland |
| Patricia | BARKER | Ireland |
| Bernard | DALY | Ireland |
| Patrizia | AGANGI | Italy |
| Eugenio | DEL PUNTA | Italy |
| Antonella | LEONARDI | Italy |
| Robert Eduard | BOSCH | Netherlands |
| Gisela Paulina | DÜTTING | Netherlands |
| Darko | PAVLOVIC | Netherlands |
| Christina | VAN HOUT | Netherlands |
| Simona Daniela | BARBULESCU | Romania |
| Janina-Maria | CISMARU | Romania |
| Ioana-Daniela | CRISTEA | Romania |
| Ioana Alice | DARBY | Romania |
| IRINA | DARIE | Romania |
| EMANUELA | | |
| Dragos | DUMITRACHE | Romania |
| MARIANA | IONESCU | Romania |
| Bianca Maria | NECSA | Romania |
| MARIA | NICULAE | Romania |
| IULIANA | | |
| Mirela | RUSU | Romania |
| MIHAELA | STAVRE | Romania |
| Ioana Sanda | STOICA | Romania |
| Diana | TASE | Romania |
| Julia Cristina | VANGHELE | Romania |
| Alexander | ALEXEEV | Russian Federation |
| Kirill | BOBROV | Russian Federation |
| Vasily | DULNEV | Russian Federation |
| Igor | FILYUK | Russian Federation |
| Andrey | GUSAR | Russian Federation |
| Dmitry | MALTSEV | Russian Federation |
| Konstantin | NAKICHENOVICH | Russian Federation |

| | | |
|-----------------|---------------|--------------------|
| Anna | RYKOVA | Russian Federation |
| Yury | TRUBAYCHUK | Russian Federation |
| Vadim | YAKOVLEV | Russian Federation |
| Alexey | ZHOLUDEV | Russian Federation |
| Martin | BALCO | Slovakia |
| PETRA | GRADISEK | Slovenia |
| Asa Karl | CUSACK | United Kingdom |
| Helen Teresa | DUNCAN | United Kingdom |
| John Damian | EARLS | United Kingdom |
| Brian Stanley | GIFFORD | United Kingdom |
| Dominic Rupert | HOWELL | United Kingdom |
| David | | |
| Melanie Jane | LEATHERS | United Kingdom |
| Bernadette | MARJORAM | United Kingdom |
| Mary Kathleen | | |
| Anna | RUSSELL | United Kingdom |
| Naomie Anita | SCOTT-DUNNE | United Kingdom |
| Valerie Diana | SOLOMON | United Kingdom |
| David John | TAYLOR | United Kingdom |
| JOSEPH | WORRALL | United Kingdom |
| LLOYD | | |
| Bengt Arthur | ALMQVIST | Sweden |
| Hanna | CARLSSON | Sweden |
| Charlotta | | |
| Carl Matti | EK | Sweden |
| Rick Mikael | FORSLING | Sweden |
| Eva Helena | JACOBSSON | Sweden |
| Evy Birgitta | JANSSON | Sweden |
| Lars Johan | LAGERGREN | Sweden |
| Hans Birger | NAERESKOG | Sweden |
| Haakan Per | NYMAN | Sweden |
| Olov | | |
| Zackie Birgitta | STRJE WILKENS | Sweden |
| Madeleine | | |
| Bjorn Mikael | TEDEMAN | Sweden |
| Per Goeran | WIJK | Sweden |
| Ahmet Akif | OKTAY | Turkey |
| Nabil Sirri | AL-TIKRITI | United States |
| Robert William | BECKER | United States |
| Cynthia Regina | BUNTON | United States |
| Jane | DESNOYERS | United States |
| Ernest Milton | JONES | United States |
| Mary Sue | NEMICK | United States |
| Harold Wayne | OTTO | United States |
| Anne Terri | PESKOE | United States |

LONG-TERM OBSERVERS

OSCE/ODIHR EOM Core Team

| | | | |
|-------------|------------|----------------|-----------------|
| Roman | Jakič | Slovenia | Head of Mission |
| Donald | Bisson | United States | |
| Zarona | Ismailova | Tajikistan | |
| Adina | Borcan | Romania | |
| Vasil | Vashchanka | Belarus | |
| Iegor | Tilpunov | Ukraine | |
| William | Romans | United Kingdom | |
| Mario | Orru | Italy | |
| Pawel | Jurczak | Poland | |
| Przemyslaw | Laskowski | Poland | |
| Robert John | Gurnsey | United Kingdom | |
| Przemyslaw | Wasik | Poland | |

OSCE/ODIHR EOM Long-term Observers

| | | |
|-------------------|-----------|----------------|
| Eva | Fischer | Austria |
| Tereza | Ambrozova | Czech Republic |
| Niels Edvard | Waltorp | Denmark |
| Cecilia | Maronnier | France |
| Juergen | Binder | Germany |
| Martin | Kunze | Germany |
| Laura | Erizi | Italy |
| Vida Koren | Holm | Sweden |
| Lars Tore | Tollemark | Sweden |
| Alexander John | Folkes | United Kingdom |
| Paul Gerald | Wesson | United Kingdom |
| Bujar | Ajdari | United States |

ABOUT THE OSCE/ODIHR

The Office for Democratic Institutions and Human Rights (OSCE/ODIHR) is the OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and (...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Summit Document). This is referred to as the OSCE human dimension.

The OSCE/ODIHR, based in Warsaw (Poland) was created as the Office for Free Elections at the 1990 Paris Summit and started operating in May 1991. One year later, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 130 staff.

The OSCE/ODIHR is the lead agency in Europe in the field of **election observation**. Every year, it coordinates and organizes the deployment of thousands of observers to assess whether elections in the OSCE region are conducted in line with OSCE Commitments, other international obligations and standards for democratic elections and with national legislation. Its unique methodology provides an in-depth insight into the electoral process in its entirety. Through assistance projects, the OSCE/ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include: rule of law, legislative support, democratic governance, migration and freedom of movement, and gender equality. The OSCE/ODIHR implements a number of targeted assistance programs annually, seeking to develop democratic structures.

The OSCE/ODIHR also assists participating States' in fulfilling their obligations to promote and protect **human rights** and fundamental freedoms consistent with OSCE human dimension commitments. This is achieved by working with a variety of partners to foster collaboration, build capacity and provide expertise in thematic areas including human rights in the fight against terrorism, enhancing the human rights protection of trafficked persons, human rights education and training, human rights monitoring and reporting, and women's human rights and security.

Within the field of **tolerance** and **non-discrimination**, the OSCE/ODIHR provides support to the participating States in strengthening their response to hate crimes and incidents of racism, xenophobia, anti-Semitism and other forms of intolerance. The OSCE/ODIHR's activities related to tolerance and non-discrimination are focused on the following areas: legislation; law enforcement training; monitoring, reporting on, and following up on responses to hate-motivated crimes and incidents; as well as educational activities to promote tolerance, respect, and mutual understanding.

The OSCE/ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies.

All ODIHR activities are carried out in close co-ordination and co-operation with OSCE participating States, OSCE institutions and field operations, as well as with other international organizations.

More information is available on the ODIHR website (www.osce.org/odihhr).