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CIVIC MONITORING OF LOCAL ELECTIONS NIKSIC

Montenegro

2021

FINAL REPORT



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Centre for Monitoring and Research CeMI

Bul. Josipa Broza 23A, 81000 Podgorica, Montenegro

E-mail: info@cemi.org.me

www.cemi.org.me

Editor:

Zlatko Vujovic

Authors:

Zlatko Vujovic

Teodora Gilic

Vladimir Simonovic

Milica Zrnovic

Maja Bjelic

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I SUMMARY

Election day was marked by tensions among political opponents who ran in the local elections, as well as a large number of reported irregularities in front of polling stations. CEMI observers noted a high level of irregularities regarding difficult access to polling stations, especially in the northwestern part of the municipality. The largest number of irregularities at the polling stations, reported by CeMI observers through the “Fair Elections” application, refers to the violation of the secrecy of the ballot by voters and the inadequate behavior of polling station members by loudly naming voters and using mobile phones at the polling station. On the other hand, citizens mostly reported irregularities that took place in front of and in the immediate vicinity of polling stations, as well as incidents that our field team checked in each individual case.

The elections were held in a rather poor health situation caused by the COVID-19 pandemic. In this regard, the prepared measures of the Ministry of Health, which informed “citizens who are registered in the voter list of the Municipality of Niksic, and reside in other places, that their travel will be allowed on the basis of notification of the Ministry of Interior on elections” could jeopardize regularity of elections and the constitutionally guaranteed right to vote. CeMI reacted to the mentioned measures, and officially addressed the Prime Minister and Deputy Prime Minister of Montenegro and the Ministers of Health and Interior, with a proposal to withdraw the planned measures, in order to prevent consequences that could jeopardize the regularity of the election process. In addition, the introduction of measures requiring the possession of an employment contract as a condition for a movement permit prevents or restricts the movement of observers on election day. The Government of Montenegro and the competent institutions reacted promptly to our suggestions, which CeMI welcomes. In this way, the consequences that could jeopardize the regularity of the election process were prevented, and voters were allowed to exercise their right to vote.

The situation with the COVID-19 pandemic did not prevent the citizens of Niksic from going to the polling stations and exercising their right to vote. Voter turnout of 81.8%, although lower than during the 2020 parliamentary elections when it was 82.6%, indicates that citizens are increasingly interested in political matters at both the national and local level.

Six electoral lists run in the elections. One electoral list was rejected due to insufficient signatures of voters supporting the electoral list. For the 2021 local elections in Niksic, no electoral list was registered on the basis of minority rights, i.e. as a minority electoral list.

Inspecting the Voter Register, CeMI determined that the unique personal identification number of almost a thousand voters with the right to vote in the municipality of Niksic also exists in the voter list of the Republic of Serbia, i.e. that there is the same number of double registered voters who can use the right to vote in two countries. This also raises the question of the legality of dual citizenship for these persons. The legal presumption is who has the right to vote in Montenegro and Serbia also has citizenship in those countries. CeMI calls on the Ministry of the Interior to initiate procedures for verification and possible revocation of citizenship for those people, i.e. deleting from the Voter Register of Montenegro.

No objections were filed regarding the work of the MEC, while irregularities regarding their work were of a more technical nature.

Polling stations worked under pressure, especially in the first part of the day when the majority of voters went out to vote while the pulling boards started working. The vast majority of polling boards opened polling stations on time, while only a few were late due to technical problems, fires and other unforeseen circumstances. More serious problems arose when the time came for mobile teams to visit voters that vote by letter. Due to the composition of the polling boards and the status of the opposition parties in these elections, it was difficult to make an agreement on who will visit the voters, by which transport and where the mobile box should stand. This caused conflicts between activists of certain political options, but due to the timely reactions of the police who tried to calm the passions and be mediators in the conflicts, no serious incidents occurred.

On a scale from 1 to 5, where 5 represents the maximum score, the PS opening process was marked by CeMI's observers with an average mark of 4.42, the voting was marked with the average mark of 4.27, whereas the closing of PS and votes' tabulation was marked with 4.23 by CeMI's observers.

The election campaign started before the confirmation of the electoral lists, and it can be said that it did not end after August 30, 2020. Online media, social networks and technologies have enabled foreign influence on the election process in Niksic, especially Serbian media. During the election campaign in Niksic, 4,730 articles about Montenegro were published in Serbia, and in more than a thousand texts, the topics were the elections themselves. Some media have introduced special sections dealing only with the elections in Niksic, as well as TV shows where advocates of greater Serbia ideology discuss the topic of local elections, such as the Happy TV program "Battle for Niksic". On the other hand, the traditional media in Montenegro generally covered all political parties without discrimination.

The election process was also influenced by foreign actors, especially the media from the region, who often reported in an unprofessional and biased manner.

The analysis of the political campaign in the online space, evidently indicates that the pro-Serbian and pro-Russian political ideology continues to lead a much better and more organized campaign on social networks, as it did during the 2020 parliamentary elections. It can be concluded that a network of pages, groups, meme profiles and other media that was already built and acted in a coordinated manner during the parliamentary elections in 2020, was a base that was also used for the local elections in Niksic.

The abuse of social media was also visible during the pre-election silence. Namely, the election silence began at midnight on March 13 and lasted until the polls closed. In this period, the number of content published by political parties on Facebook is 142. Individually, the coalition "European Team for Niksic" had 15 posts, "For the future of Niksic" 37, "Miodrag Dak Davidovic – People's Movement" 8 posts, SDP "With heart for Niksic" 15 posts, "Black on White – Niksic Can" 28 and "Peace is our nation" 39 posts. A total of 90,774 Facebook

interactions were made on the mentioned posts, of which as much as 82% were only from Democratic Montenegro and the coalition “For the Future of Niksic” (74,969 interactions). The data indicate that all parties were active on the Facebook platform during the period of election silence and that they performed self-presentation by communicating on social networks. The parties communicated the most through photos (46.7%), video (38.1%) and Facebook live (8.6%).

When it comes to paid content on Facebook, although most parties had sponsored content that was active on March 13, due to the legal not regulation of social media, it does not constitute a violation of pre-election silence. On the other hand, organizing an event that is part of a political campaign and that is broadcast live on social networks is a violation of pre-election silence. Therefore, the event organized by GP URA on March 13 which was broadcast live on social networks is a violation of the rules of advertising during the pre-election silence.

The previous composition of the municipal council consisted of 20 women out of 41 councilors (48.78%). There are a total of 97 women out of 246 candidates (39.43%) on the six electoral lists for 2021. Two of the six electoral lists have a woman as the first candidate on the list – the coalition “European Team for Niksic” and the coalition “Black on White – Niksic Can” When it comes to election administration bodies, the president and deputy MEC are both men, while secretary woman. Two of the four permanent members are women. The representation of women in polling stations is the majority, although in most polling stations the function of president is performed by a man. According to the preliminary results of the local elections in Niksic, a significantly smaller percentage of women will participate in the Municipal Board of this city than in the previous convocation, i.e. 36.58%.

After more than a month of negotiations, the local government in Niksic was formed between three coalitions led by parties that are in power at the state level: DF, Democrats and URA. Marko Kovacevic, the holder of the electoral list “For the Future of Niksic” became the new president of Niksic municipality.

II INTRODUCTION AND ACKNOWLEDGEMENTS

Centre for Monitoring and Research, CeMI is a non-governmental organization that has been conducting election monitoring in Montenegro for more than 20 years, but also in other countries through membership in the European Network of Election Observation Monitoring Organizations ENEMO. By implementing civic election monitoring projects, CeMI sought to contribute to democratic conditions for holding transparent, free and fair elections, through civic control of the electoral process in local elections.

CeMI's observation mission accredited 181 observers to monitor the election process of the local elections in Niksic in 2021. In addition to the mission's core expert team in charge of monitoring various segments of the election process and conducting civic election monitoring, CeMI had a team of local coordinators on the ground, as well as a team of long-term observers to support short-term observers.

The Centre for Monitoring and Research CeMI wishes to express gratitude to the British embassy in Podgorica, which financially supported the Civic Election Monitoring Project and enabled another observation mission. CeMI also wishes to thank all representatives of the election administration, state bodies, local government and local self-government bodies, political parties, the media and domestic non-governmental organizations with which cooperation has been established in the implementation of this mission.

As part of civic election monitoring, CeMI implemented a number of activities. Monitoring of compliance with election legislation was carried out through monitoring the work of the Niksic Municipal Election Commission in relation to the proper implementation of the Law on Election of Councilors and MPs and the Law on Voter Register. Special attention has been paid to monitoring the election campaign since its announcement on January 5, 2021, monitoring the work and reporting of the media during the election campaign and monitoring the electronic voter identification system. CeMI also inspected the central voter register.

CeMI had full coverage during the election day, i.e. we had observers at all polling stations, who reported to the legal team and the computer center on irregularities at the polling stations, as well as on the turnout, and at the end of the election day they reported about the results of the vote itself.

Using the web and mobile application "Fair Elections", which was developed for the purpose of monitoring the Parliamentary Elections 2020, and which was improved for the needs of local elections in Niksic with new functionalities, as well as through social networks, regular press conferences and direct links with the media, citizens had the opportunity to follow the collected data live and to have an insight into the projections of turnout, results and observed irregularities at all times. CeMI presented projections of the results during the election night, and a Preliminary Statement with key findings was presented after election day. In this Final Report, a comprehensive assessment of the electoral process is given, with recommendations for improving the electoral legislation and its harmonization with international standards.

The elections in Niksic were the first local elections held after the 2020 parliamentary elections, which were followed by a change of government at the central level, and consequently all parties wanted to prove their power. The fact is that these elections, regardless of whether they are local, were an indicator of the direction in which politics is really going, i.e. whether the worse or better result of some actors, who are the government or the opposition at the national level, will influence in which direction they go.

The election campaign was characterized by populist discourses and messages were sent to citizens, usually against opponents, and not so much about the real changes that Niksic needed. There was a lack of dialogue and political opponents were not objective, nor did they take into account any background and point of view, they simply ignored each other. Party programs were usually unclear with the final figures to be achieved in the various development parameters, but most of them without a clear way in which these goals would be achieved.

In the previous local elections in Niksic in 2017, only two political parties participated – the Democratic Party of Socialists (DPS) and the Social Democrats (SD), while other parties boycotted the elections after the opposition decided not to recognize 2016 elections results. 26,322 citizens went to the polls, i.e. 45% of registered voters. DPS won 21,104 votes, SD 2,324 votes, and these two parties formed the local government in Niksic.

During the local elections in 2021, what was happening at the national level was also happening at the local level. The political division between sovereignist and pro-Serbian ideology was much more visible at the local level. In this regard, the Serbian Orthodox Church has openly joined the political campaign, supporting the coalition of Aleksa Becic and Zdravko Krivokapic.

On the other hand, an important event on the political scene was the DPS congress, during which a number of individuals that provoked more negative than positive reactions from voters and sympathizers, were replaced. Bearing in mind that in these local elections the DPS individually achieved the best result, it can be concluded that after the 2020 parliamentary elections there was a slight recovery of the DPS when it comes to the position of voters, which further shook the current government's position at the national level.

IV LEGAL FRAMEWORK AND ELECTORAL SYSTEM

A. Legal framework

The Constitution and the Law on Election of Councillors and MPs consist of the basic legal acts governing the manner of exercising voting rights and the procedure of organising elections at all levels in Montenegro. No separate regulations governing the issue of local elections exist.

Article 45 of the Constitution of Montenegro provides that a citizen of Montenegro who has reached the age of 18 and has at least two years of residence in Montenegro has the right to vote and to be elected. Voters' rights under the Constitution are exercised in elections. The Law on Election of Councillors and MPs regulates the manner and procedure of elections of representatives to the assembly of the municipality, the city municipality, the capital city and the royal capital and to becoming a councillor in the Parliament of Montenegro. It also covers the organisation, composition and competence of the election administration, determining voting results and the distribution of mandates, and the protection of voting rights and other issues of importance for the organisation and the conduct of elections.

In addition to the Constitution and the Law on Election of Councillors and MPs, the set of laws in the field of electoral legislation also include: the Law on Financing of Political Entities and Electoral Campaigns, the Law on Voter Register and the Law on Political Parties. Moreover, laws in the field of broadcasting are also important, including the Law on Electronic Media and the Law on Public Broadcasting Services of Montenegro.

B. Electoral system

In Montenegro, a party-list proportional representation system is applied. Candidate lists are closed and blocked without the possibility of preferential voting. Pursuant to Article 39a of the Law on Election of Councillors and MPs, the less represented gender must be present on the electoral list by at least 30% of the candidates, and that on each electoral list, at least one in four candidates must be a representative of the less represented gender.

For the allocation of political party mandates, the D'Hondt formula is used with the application of the legal election census of 3%. In the process of the distribution of mandates, this method includes only those lists that exceed the envisaged electoral legal census.

The electoral lists must receive at least 3% of the valid votes in order to participate in the allocation of seats. The statutory election census is defined differently for minority populations. The right of positive discrimination defined in Article 94, paragraph 2,

item 1, uses the electoral lists of members of a certain minority group, such as of a certain minority national community, with a participation of up to 15% of the total population in the constituency, according to the latest census data.

At the local level, for the election of councillors on the minority list, should none fulfil the condition of the legal election census of 3%, they must acquire the right to participate in the distribution of the mandate individually, with the number of valid votes obtained (i.e. they will not be applied legally census, but will directly qualify in the process of the distribution of mandates using D'Hondt formula).

V ELECTION ADMINISTRATION

The structure of the election administration in Montenegro is three-tiered. The central election administration body is the State Election Commission (hereinafter: SEC). At the local level there are Municipal Election Commissions (hereinafter: MEC), and at the level of polling stations there are Polling boards (hereinafter: PBs). All decisions of these bodies must be made by a majority of the total number of members at each level of the election administration. Given that the authorized representatives of political entities have equal voting rights that they acquire 20 days before the election day, they are also included in the total number of members.

When it comes to local elections, it is important to note that the MEC has the function of administrator of the election process in the municipality where the elections are held, while the State Election Commission acts on objections to the work of the MEC as a second instance body.

The work of the election administration in the last phase of the election process was mostly characterized by the conduct of election activities in accordance with the law. The election administration bodies generally performed their tasks adequately. There were several cases in which polling boards did not understand their rights and obligations well enough, but the MEC kept the control of polling boards, and responded quickly to problems that arose during election day. After the polling stations were closed, the counting process went smoothly. The MEC performed its duties efficiently by processing the data from polling stations in an organized and efficient manner.

A. State Election Commission

The composition of the SEC consists of the President, the Secretary and nine permanent members, and one authorized representative of the submitter of the electoral list in the expanded composition. According to the Law on Election of Councillors and MPs, the President of the SEC is appointed by the Parliament, at the proposal of the working body of the Parliament responsible for election and appointment, after a previously conducted public competition. Four members of the permanent composition are appointed on the proposal of the parliamentary majority, and four, one of whom performs the function of secretary, on the proposal of the parliamentary opposition. One member of the permanent composition is also appointed as a representative of a political party, i.e. the submitter of the electoral list for authentic representation of members of a minority peoples or minority national communities, which received the largest number of votes in previous elections, and his/her deputy should be a member of another minority peoples or minority national communities. One member of the permanent composition of the SEC is appointed by the Parliament, at the proposal

of the working body of the Parliament responsible for election and appointment after a previous public competition, from the representatives of civil society, non-governmental sector and university, who is expert in electoral legislation.

The SEC lacks the authority for conducting local elections, but has the role of a second instance body in the administrative procedure, in case the MEC rejects a filed objection, i.e. the objection against the decision, action or omission of the MEC shall be submitted to the SEC.¹

B. Municipal Election Commission

The conduct of local elections is the responsibility of the MEC. This body is composed of a president and four members, as well as one authorized representative of the submitter of electoral lists. When it comes to local elections, the MEC is competent to: take care of a lawful election administration; organise technical preparations for election administration; designate polling stations for election of councillors and MPs; form polling boards and appoint the presiding officer and members of polling boards for election of councillors and MPs and organise their training on polling board work procedures; determine the number of ballot papers for individual polling stations, stamp them, and together with the stamped extract from the electoral register, deliver them to polling boards with a written record of delivery; assess whether candidate lists for election of councillors have been compiled and submitted in conformity with the Law; validate and publish candidate lists for election of councillors; publicly disclose the number of voters in a municipality and per polling stations; ascertain the results of election of councillors, as well as the number of votes for each candidate list and determine the number of seats belonging to each candidate list for election of councillors; issue certificates to elected councillors; publicly announce the results of the election of councillors; submit a report to the municipal council on the results of election of councillors and about the filling in of vacant councillor seats; submit data on the election of councillors to the bodies in charge of statistical data collecting and processing.

According to Article 24 of the Law on Election of Councillors and MPs, the permanent composition of the municipal election commission shall be appointed by the municipal council, at the proposal of the municipal council working body responsible for elections and appointments, from among the candidates proposed by political parties or coalition candidate lists or voter groups having councillors in the municipal council. Considering the fact that the opposition parties boycotted the previous local elections in this municipality, the members of the permanent composition of the MEC are exclusively from the ranks of DPS and SD, as the only two political options that participated in the local elections in Niksic in 2017.

¹Art. 108 para. 2 Law on Election of Councilors and MPs

During the entire election campaign, MEC Niksic was extremely cooperative with CeMI observers and performed all its tasks professionally. It is important to note that the president of the MEC Niksic is the former president of the Basic Court in Niksic. The level of expertise of the MEC president undoubtedly contributed to a higher degree of professionalism in the work of this body. One of the long-standing recommendations of CeMI is the partial professionalization of municipal election commissions, bearing in mind the fact that in previous elections, most irregularities were recorded at the level of MECs.

Same as during the 2020 parliamentary elections, the printing of ballots was entrusted to Mercator International d.o.o. Bijelo Polje. The ballots were printed on March 5th, 2021, and 60,597 ballots were printed, on B-5 format, 120-gram pink paper with a watermark.

C. Polling boards

To hold these elections, 141 polling boards were formed, of which 138 in the municipality of Niksic and three in special polling stations.

Given the previously mentioned fact of the boycott of the previous local elections, all members of the polling boards are from the ranks of the DPS and SD. Of the total number of members, 88 presidents and deputies are from the DPS, and 50 from the SD. At all 138 polling stations, DPS had three members and three deputies of the polling boards, while the SD had one member and one deputy member at each polling station. Other electoral lists appointed authorized representatives and observers at polling stations.

VI REGISTRATION OF ELECTORAL LISTS

The President of Montenegro, Milo Djukanovic, announced the local elections in Niksic on January 5th, 2021.² According to the decision of the MEC Niksic from 8 January 2021, the minimum number of voter signatures in support of the electoral list for the election of councillors in the Municipal Council of Niksic is 468, bearing in mind that in the parliamentary elections held on 30 August 2020, 58,440 voters were registered, and in accordance with Article 43, paragraph 1 of the Law on Election of Councillors and MPs, the electoral list for the election of councillors can be determined if it is supported by at least 0.8% of voters in the constituency.

The registration of electoral lists was conducted mainly in accordance with the Law on Election of Councillors and MPs. A sole case is the electoral list of a group of citizens "MY CITY", which was rejected after it was determined that it does not meet the conditions from Article 43 of the Law on Election of Councillors and MPs. Namely, the submitter of the electoral list did not act in accordance with the Conclusion on eliminating the errors in the electoral list of 17 February 2002, by not submitting a sufficient number of signatures of voters in support of the electoral list. After checking the list of signatures, the MEC established that a number of voters who supported this list do not reside in the municipality of Niksic, and some of the signatures were those of the voters who supported another electoral list.³

1. EUROPEAN TEAM FOR NIKSIC! (DPS – DEMOCRATIC PARTY OF SOCIALISTS OF MONTENEGRO, SD – SOCIAL DEMOCRATS OF MONTENEGRO, LPCG – LIBERAL PARTY OF MONTENEGRO – PATRIOTIC KOMITAS ALLIANCE)
2. MIODRAG DAKA DAVIDOVIC – PEOPLE'S MOVEMENT
3. SDP – WITH HEART FOR NIKSIC!
4. FOR THE FUTURE OF NIKSIC – DEMOCRATIC FRONT, Socialist People's Party of Montenegro, Voter Group For the Life of Niksic, United Montenegro, Workers' Party, Yugoslav Communist Party of Montenegro, Serbian Radical Party, Socialists of Montenegro, Party of Pensioners with Disabilities and Social Justice of Montenegro
5. dr Dritan Abazovic – Black on White – Niksic Can, Civic movement United Reform Action URA and non-partisan personalities
6. MR MOMO KOPRIVICA – PEACE IS OUR NATION – DEMOCRATS – WE WON'T GIVE NIKSIC – DEMOS – PARTY OF PENSIONERS, PEOPLE WITH DISABILITIES AND RESTITUTIONS – PLENUM 083 – CHOOSE FREEDOM

During the election process in Niksic, there were no minority electoral lists.

²<https://niksic.dik.co.me/wp-content/uploads/sites/19/2021/01/Odluka-1.jpg>

³<https://niksic.dik.co.me/wp-content/uploads/sites/19/2021/02/Rje%C5%A1enje-o-odbijanju-izborne-liste.pdf>

VII REGISTRATION OF VOTERS

In accordance with Article 17 of the Law on Voter Register, on 4 March 2021, the Ministry of the Interior published a numerical tabular presentation of data on changes in the concluded voter register in the municipality of Niksic, in relation to the voter register according to which previous elections were held in this municipality. According to the Ministry of the Interior, 58,833 voters had the right to vote in the local elections in Niksic, i.e. 393 more than in the parliamentary elections on August 30 last year. The number of newly registered voters is 610. Out of that number, 577 voters acquired the right to vote by coming of age, 19 by registering their residence, and 14 by acquiring Montenegrin citizenship. 557 voters were erased from the voter register, as follows: 550 due to the fact of death, six due to the loss of Montenegrin citizenship and one person due to deregistration of residence outside Montenegro. By entering the ID number or travel document, voters can check the voter register directly through the internet portal www.biraci.me, and discover whether they are in the voter register and at which polling station they are voting.

On 28 January 2021, the Ministry of the Interior made a decision on the formation of the Council for the Control of the voter register. Also, the Ministry of Interior made a decision establishing the Council for Transparency of the Ministry of Interior. One of the members of this council is also a representative of CeMI. The task of both bodies is, among other things, to consider the needs and contribute to improving the situation with the voter register, as one of the key segments of the electoral process, which has been continuously recognized as a stumbling block through OSCE and ODIHR recommendations.

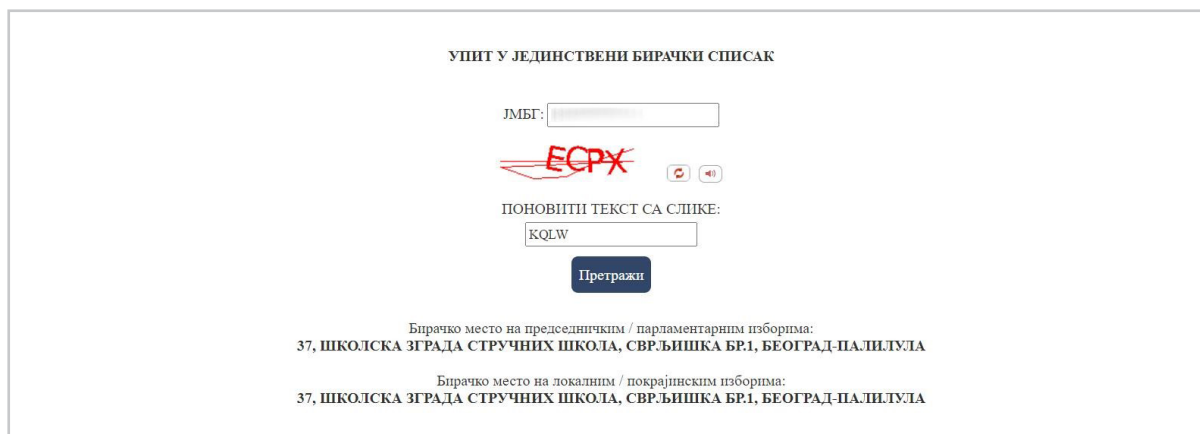
As in previous election processes, the issue of the voter register remains one of the key topics to which the public pays great attention. Accordingly, in the pre-election period, the media reported that the voter register for the local elections in Niksic included 954 persons with the right to vote in Serbia. CeMI requested and received a list of these persons from the online portal Standard, in order to conduct an investigation into these allegation, bearing in mind that CeMI is able to inspect the voter register on the basis of Article 21 of the Law on Voter Register, which the Ministry of Interior is obliged to grant to the MEC for the municipal voter register, the parliamentary party, the submitter of the confirmed electoral list, and the non-governmental organization authorized by the competent body to monitor the elections, at their request, within 48 hours from the date of receipt of the request, provide electronic access to the voter register and the changes made to it.

A. The problem of double registered voters

By carefully inspecting the data provided to us by Standard, we determined that there are 969 persons on the list, i.e. slightly more than the number published in the media. Considering that the list of persons who are allegedly in the voter register of Serbia does not contain the personal identification number of these persons, but only the date of birth, it was first necessary to acquire their personal ID number, which can be done through the voter register. When the personal ID number of these persons is entered on the website <https://upit.birackispisak.gov.rs/>, incomplete information is obtained, i.e. the polling station in Serbia where the person with this personal ID

⁴<https://mup.gov.me/ResourceManager/FileDownload.aspx?rId=428459&rType=2>

Picture 1: Example of a positive result after an inspection of the voter register of Serbia



number is registered, but without the name and surname. For example, one of the people named by the Standard portal as a person who may be on the Serbian voter list is Andrijana Djordan, an adviser to the Prime Minister and head of the Public Relations Service.

By inspecting the voter register of Montenegro and checking the unique personal ID number on the above-mentioned website⁵, we acquired the information that a person with the same unique personal ID number is registered in Serbia at polling station 37, School building of Vocational Schools, Svrljiska no. 1, Belgrade, Palilula. On the other hand, checking the unique personal ID number of another person who is not on the submitted list, such as employees of CeMI, returns the information that there is no data for the unique personal ID number.

Out of 969 persons from the received list that we checked, eight persons did not have data, i.e. three persons were not entered in our voter register, so it was not possible, nor was there a need to check their status in the voter register of another country, and for five persons registered in the Montenegrin voter register did not have data in the Serbian voter register. In most cases, the results of the search through the unique personal ID number returned a positive result, i.e. 961 persons who are registered in the voter list of Montenegro have a unique personal ID number for which there is an address and number of the polling station in Serbia. The oldest person entered in the voter register, and whose unique personal ID number is also in the voter register of Serbia, was born in 1930, during the Kingdom of Yugoslavia, and the youngest in 2002, in the State Union of Serbia and Montenegro. We must keep in mind that all persons on this list were born in the period before Montenegro gained independence. The unique personal ID number of a citizen is, as the name says – unique, and there is no reason for it to change after gaining independence.

Based on the above, we believe that no less than 961 persons who are registered in the voter register for the municipality of Niksic, are also registered in the voter register of the Republic of Serbia, i.e. they have a double residence, which is a violation of the law.

The results of the investigation into the voter register also opens the question of the legality of dual citizenship for those persons. The legal presumption is that persons with the right to vote in Montenegro and Serbia also have both citizenships. CeMI calls on the Ministry of the Interior to initiate procedures for verification and possible revocation of citizenship, i.e. deletion from the Montenegro voter register.

⁵After CeMI conducted a control of the voter register for the upcoming local elections in Herceg Novi and came to the information that 1,974 voters from that municipality were registered in Serbia, the functionality of the website upit.birackispisak.gov.rs was changed in such a way that in addition to JMBG voters need to enter the ID number, which prevents further verification.

VIII ELECTION CAMPAIGN

The election campaign for the local elections began even before the confirmation of the electoral lists. The campaign intensified in the final phase, with political entities using almost all available techniques to promote their election programs before the elections: audio-visual marketing, online campaigns, billboards, distribution of propaganda material, contact with voters in the field and door-to-door campaign.

The election campaign was quite diverse, starting with the political parties that campaigned in line with the current challenges and the health situation in the country (SDP), by not organizing rallies, meetings, or even press conferences, to those who have not adapted their campaigns to current pandemic measures. Some of the organised events were home visits of sympathizers, mass campaigns on the streets, caravans, i.e. rides through the city and suburbs with branded cars.

During the election, there was an evident campaign of public officials and the frequent appearance of public officials from other municipalities in Niksic. Among others, the President of the Parliament of Montenegro, the Deputy PM, as well as, in a somewhat less open format, the PM of Montenegro, and some of the ministers. When it comes to the misuse of state resources, it is important to mention the case when the President of the Municipality of Budva during working hours in official premises, received, and presented in the media the visit of the submitter of the electoral list of the coalition “For the Future of Niksic”, which was part of this coalition’s election campaign.

However, the election campaign was mostly and most aggressively conducted online, with an emphasis on Facebook, Instagram and YouTube channels, which is partly conditioned by the COVID-19 situation, and which political entities more or less skilfully used.

Bearing in mind the tension filled general pre-election atmosphere, CeMI welcomes the decision of the Ministry of the Interior to form an Operational Team to control the election process in Niksic, but we believe that a high-ranking official of the URA political party, Rade Milosevic, the former president of the party’s municipal board in this city, should not have been appointed as the head of this team. We believe that such an important function should not be performed by a person belonging to a political party, especially if we consider the fact that the party to which he belongs competed in these elections.

IX WOMEN PARTICIPATION

The participation of women in the Municipal Board of Niksic before the local elections in 2021 was 48.78%. The total number of candidates on the electoral lists was 246. Of that number 97 (39.43%) were women. All electoral lists complied with the provision of Article 39a of the Law on Election of Councillors and MPs, which stipulates that, in order to achieve the principle of gender equality, at least 30% of candidates of the underrepresented gender shall be on the electoral list, and that on the electoral list among every four candidates according to the order on the list (first four places, second four places and so on until the end of the list) there is at least one candidate belonging to the underrepresented sex.

Table 1: Number of women on electoral lists for Local Elections in Niksic 2021

Electoral List	Number of candidates	Number of women
EUROPEAN TEAM FOR NIKSIC! (DPS - DEMOCRATIC PARTY OF SOCIALISTS OF MONTENEGRO, SD - SOCIAL DEMOCRATS OF MONTENEGRO, LPCG - LIBERAL PARTY OF MONTENEGRO - PATRIOTIC KOMITAS ALLIANCE)	41	16
MIODRAG DAKA DAVIDOVIC – PEOPLE’S MOVEMENT	41	16
SDP – WITH HEART FOR NIKSIC!	41	18
FOR THE FUTURE OF NIKSIC - DEMOCRATIC FRONT, Socialist People's Party of Montenegro, Voter Group For the Life of Niksic, United Montenegro, Workers' Party, Yugoslav Communist Party of Montenegro, Serbian Radical Party, Socialists of Montenegro, Party of Pensioners with Disabilities and Social Justice of Montenegro	41	19
dr Dritan Abazovic – Black on White - Niksic Can, Civic movement United Reform Action URA and non-partisan personalities	41	14
MR MOMO KOPRIVICA - PEACE IS OUR NATION - DEMOCRATS - WE WON'T GIVE NIKSIC - DEMOS - PARTY OF PENSIONERS, PEOPLE WITH DISABILITIES AND RESTITUTIONS - PLENUM 083 - CHOOSE FREEDOM	41	14
TOTAL	246	97

On two electoral lists, the coalition “European Team for Niksic” and the coalition “Black on White – Niksic Can”, the first person on the list (list holder) is a woman. The fewest number of women is on the list of the coalition “For the Future of Niksic”. Also, there are no women in any of the first four positions on this list.

Graph 1: Participation of women among candidates for municipal council

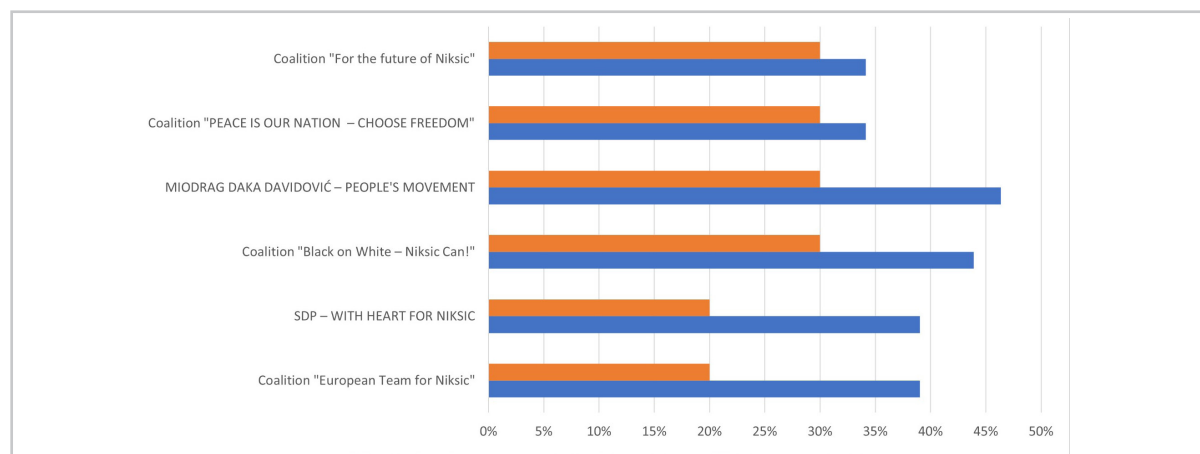


Table 2: Participation of women on electoral lists

Electoral list	No. of candidates	No. of women	% of women on the list	Among the first 10 candidates	Between 11-20 place	Between 21-31 place	Between 31-40 place	41 place
Coalition "European Team for Niksic"	41	16	39.02%	20%	60%	20%	50%	YES
SDP – WITH HEART FOR NIKSIC	41	16	39.02%	20%	30%	30%	80%	NO
Coalition "Black on White – Niksic Can!"	41	18	43.90%	30%	40%	50%	50%	YES
MIODRAG DAKA DAVIDOVIĆ – PEOPLE'S MOVEMENT	41	19	46.34%	30%	30%	50%	80%	NO
Coalition "PEACE IS OUR NATION – CHOOSE FREEDOM"	41	14	34.15%	30%	40%	40%	30%	YES
Coalition "For the future of Niksic"	41	14	34.15%	30%	30%	30%	60%	NO

Graph 2: Position of the first woman candidate on individual electoral list

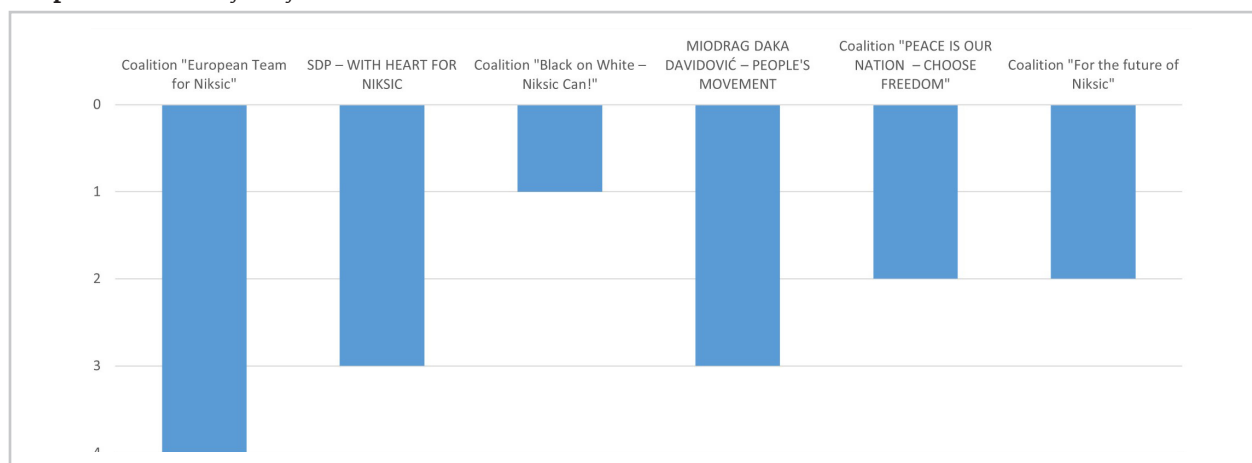


Table 3: Positions of women on electoral lists according to the positions within four-position clusters (each row represents an electoral list)

Electoral list	No.	1st	%	2nd	%	3rd	%	4th	%
Coalition "European Team for Niksic"	16	4	25,00%	2	12,50%	3	18,75%	7	43,75%
SDP – WITH HEART FOR NIKSIC	19	4	21,05%	4	21,05%	6	31,58%	5	26,32%
Coalition "Black on White – Niksic Can!"	16	3	18,75%	2	12,50%	4	25,00%	7	43,75%
MIODRAG DAKA DAVIDOVIĆ – PEOPLE'S MOVEMENT	14	0	0,00%	5	35,71%	5	35,71%	4	28,57%
Coalition "PEACE IS OUR NATION – CHECK FREEDOM"	18	5	27,78%	5	27,78%	5	27,78%	3	16,67%
Coalition "For the future of Niksic"	14	5	35,71%	2	14,29%	5	35,71%	2	14,29%
TOTAL	97	21	21,65%	20	20,62%	28	28,87%	28	28,87%

As it can be seen, a large number of women were distributed in every third and every fourth place on the electoral list, i.e. in these two positions they were distributed in 57.74% of cases.

According to the results of the local elections in Niksic, 15 women, or 36.58%, will participate in the Municipal Board of this city, namely: the coalition "EUROPEAN TEAM FOR NIKSIC!" - 8, coalition "Black on White - Niksic Can" - 1, coalition "PEACE IS OUR NATION - CHOOSE FREEDOM" - 3 and coalition "FOR THE FUTURE OF NIKSIC" - 3.

X ELECTION DAY

Election day monitoring was realised through four groups of activities:

1. Monitoring the implementation of election procedures at PSs – opening, voting, closing of PSs and counting/tabulation of votes, continuous communication of observers with operators and the legal centre to collect the data on voter turnout and irregularities during election day;
2. Parallel voting tabulation (PVT) based on the results from almost all PSs collected by short-term observers and mobile teams that visited several PSs during the day and monitored the work of MECs during the tabulation of results at the local level;
3. Monitoring the work of MECs and the SEC and;
4. Media and public relations – data on voter turnout and irregularities during election day were communicated through social networks, and information has also been published on numerous internet portals. Only one text about the election results, where the title mentions CeMI on the Vijesti portal, was read by no less than 493,259 visitors, which speaks of the great interest in these elections and the work of CeMI. On election night, after the polls closed, CeMI held four press conferences at which we presented voting trends and projections of election results. CeMI informed the citizens about the turnout at following intervals: 9:00h, 11:00h, 13:00h, 17:00h and 19:00h.

A. Conducting the electoral procedure

CeMI has established the 'Fair Elections' service to monitor possible irregularities during the election process. This endeavour primarily enables the observers, but also the citizens/voters, to report irregularities and violations of voting rights in real time, directly to CeMI's Legal Team. At the same time, during election day, voters were able to receive free legal aid and legal advice on whether there was a violation of voters' rights in a particular situation and how voters can protect their rights. During the entire election day, Android and iOS applications, a web portal and two open lines for direct communication with CeMI's Legal Team were available to citizens.

During the election day, CeMI received 92 reports of irregularities and provided citizens with legal advice in 14 cases which mainly referred to the procedure of voting by letter.

Out of the total number of submitted reports through the 'Fair Elections' service, citizens submitted 24 (26%) reports, while CeMI's observers submitted 68 (74%) reports. Along with processing the received reports on irregularities, CeMI's Legal Team made the most characteristic irregularities and violations accessible to the Montenegrin public through the web portal and 'Fair Elections' application, thus contributing to the transparency of the election process, but also pointing out the most common irregularities and violations of electoral rights, so that citizens can recognise and report other eventual irregularities and violations.

Election day was marked by numerous irregularities that appeared in a similar form at a relatively large number of PSs. Irregularities were in most cases the result of untrained PBs but ultimately did not call into question the regularity of elections.

When we talk about irregularities at the polling station, they mostly appeared in a similar form at most of the polling stations where they were recorded. It is positively surprising that, unlike the parliamentary elections held only half a year ago, only a small number of irregularities were reported regarding non-compliance with measures to prevent the spread of the COVID-19 virus.

All irregularities registered by CeMI's observers during election day can be grouped into the following categories:

a. Examples of irregularities in conducting the election procedures. These irregularities are related to:

§ Violations of the secrecy of voting by voters taking photos of ballots, voters' public declaration about the option for which they voted, acceptance of unfolded ballots by the PBs and non-compliance with procedures that ensure secrecy of voting at PSs, accounted for most election day irregularities and violations. There was a total of 23 reports of violations of the voting secrecy procedure. One of the most common violations was voters taking photos of their ballots which is at the same time contrary to Article 71a of the Law on Election of Councillors and MPs, which prescribes the prohibition of the use of electronic telecommunications devices in the polling station. A total of seven (7) such cases were registered at three polling stations: 33, 60 and 63. It is important to note that among these cases, two situations were registered in which several members of the same family photographed their ballots. Public voting took place at polling stations: 6, 47, 69, 92, 120 and 131, i.e. one case of public announcement of the option for which the voter voted was registered at each of these polling stations. An unfolded or incorrectly folded ballot was registered as an irregularity in five (5) cases, at polling stations 49, 54 and 124. In six (6) cases, there was a loud pronouncing of the names and surnames of voters by the polling board, at polling stations 4, 36, 44, 100 and 124.

§ Non-compliance with measures to prevent the spread of COVID-19 virus in a way that in five (5) cases of non-compliance with these measures were registered. Namely, it was registered that voters and members of the polling station committee do not wear, i.e. incorrectly wear masks, members of the polling station committee do not react to voters who come to the polling station without a mask, no disinfectant is used, and the polling station is not large enough to allow the prescribed distance of two meters between all persons. These irregularities occurred at polling stations 4, 73, 101, 128 and 132.

b. Inadequate behaviour of representatives of the election administration bodies was registered with regard to the performance of the PBs, which violated Art. 71a of the Law on Election of Councillors and MPs, according to which the use of electronic devices for communication in the voting room is prohibited and Art. 81 paragraph 1 and paragraph 3 of the Law on Election of Councillors and MPs, which stipulate that the members of the polling board must not in any way influence the decision of the voters, and that the members of the polling board are obliged to ensure that no one interferes with the voter when filling in the ballot paper, and that the secrecy of voting is fully ensured. In that sense, at polling stations: 4, 12, 25, 35, 44, 46, 63

and 101, members of the polling board used mobile phones, contrary to Article 71a of the Law on Election of Councillors and MPs. At polling station 4, it was also noted that members of the polling board did not verify the identity of voters by temporarily removing their masks. At polling station 95, one of the members of the polling board publicly called on voters to vote for a certain electoral list. The violation of Article 81, paragraph 3 occurred in the previously mentioned cases related to the violation of the secrecy of voting at polling stations where members of the polling boards were publicly pronounced names and surnames of voters.

c. According to the findings of CeMI's observers, which were obtained based on standardised questionnaires on the organisation of election day and the implementation of voting procedures, we can report on the following ratings:

- The process of opening polling stations was assessed by observers as excellent or very good in 80% of cases, while the opening was assessed as bad or very bad in 5.55% of cases. The average rating is 4.22.
- The voting process was rated by observers as excellent or very good in 80.42% of cases, while the opening was rated as bad or very poor in 2.06% of cases. The average rating is 4.27.
- The procedure of closing polling stations and counting votes was assessed by observers with an excellent or very good grade in 85.9% of cases, while the closure was assessed as bad or very bad in 5.13% of cases. The average rating is 4.23.

According to field data, in at least 25.56% of polling stations, there was no Braille materials, while 31.11% of polling stations were inaccessible to persons with disabilities, according to observers. Among the PB members, a man is the president of the PB in 72.22% of polling stations, while in 27.78% of polling stations, a woman is in that position.

CeMI's observers were well received, and professional communication and cooperation with polling station members was established.

Although polling stations were mostly arranged in accordance with the recommendations for epidemiological protection of voters, our observers noted that the polling station was overcrowded in 12.37% of cases, and in 6.19% polling stations there was a disturbance of public order. Also, in 15.56% of cases, a minimum distance of two meters was not provided.

Problems with the exercise of the right to vote were recorded in 23.71% of polling stations, because the voter was not registered in that polling station. Also, in 3.85% of cases, there were voters waiting in front of the polling station at 20:00h, and 80% of these voters were not able to exercise their right to vote. Our observers also recorded a high percentage of group voting by members of the same family (31.96%), but no cases of voters trying to vote twice were recorded.

In 33% of polling stations, the use of mobile phones by members of the PBs or political party observers was recorded, and in 26% of polling stations our observers noticed that someone kept records of the names of voters who cast their ballots.

B. CeMI's estimates of the voter turnout and elections results

During the election day, CeMI reported on the turnout assessment via social networks and the website www.izbori.cemi.org.me.

At 09:06, the first estimate of turnout by 9:00 was published, which was 15.6%. The second turnout by 11:00 was announced at 11:23 and was 38%. The next turnout was announced at 13:25 when it was announced that by 13:00 the turnout was 61.2%. At 17:20 it was announced that the turnout by 17:00 was 77.8%. By 19:00, the turnout in the local elections in Niksic was 81.2%, which was announced at 19:15.

At the press conference held at 21:00, projections of the results of the parliamentary elections were presented based on 31.7% of the processed sample. At the third press conference held at 22:00, CeMI presented projections of results based on 77.4% of the total electorate and based on results from 112 polling stations. Already at this point CeMI had precise and accurate data on the won mandates for councilors in the Niksic Municipal Parliament. At the last press conference, CeMI presented projections of election results based on 80.3% of the processed electorate. Starting at 21:00, citizens were able to follow live data on the projections of election results via a direct link from two national TV stations, RTCG and Vijesti, which were networked with CeMI's software, as well as via the "Fair Elections" application.

Table 4: *CeMI estimates of local election results and mandate projections*

	%	Seats
Sample percentage	100%	
Overall voter turnout	81.2%	
Electoral list		
EUROPEAN TEAM FOR NIKSIC! (DPS - DEMOCRATIC PARTY OF SOCIALISTS OF MONTENEGRO, SD - SOCIAL DEMOCRATS OF MONTENEGRO, LPCG - LIBERAL PARTY OF MONTENEGRO - PATRIOTIC KOMITAS ALLIANCE)	40.4%	18
MIODRAG DAKA DAVIDOVIC - PEOPLE'S MOVEMENT	3.3%	1
SDP - WITH HEART FOR NIKSIC!	2.7%	0
FOR THE FUTURE OF NIKSIC - DEMOCRATIC FRONT, Socialist People's Party of Montenegro, Voter Group For the Life of Niksic, United Montenegro, Workers' Party, Yugoslav Communist Party of Montenegro, Serbian Radical Party, Socialists of Montenegro, Party of Pensioners with Disabilities and Social Justice of Montenegro	25.9%	11
dr Dritan Abazovic - Black on White - Niksic Can, Civic movement United Reform Action URA and non-partisan personalities	4.5%	1
MR MOMO KOPRIVICA - PEACE IS OUR NATION - DEMOCRATS - WE WON'T GIVE NIKSIC - DEMOS - PARTY OF PENSIONERS, PEOPLE WITH DISABILITIES AND RESTITUTIONS - PLENUM 083 - CHOOSE FREEDOM	23.2%	10

Table 5: Comparison of CeMI projections of local election results with official results

Izborna lista	CeMI %	CeMI Seats	MEC %	MEC Seats	Difference %	Difference Seats
Sample percentage	100%		100%			
EUROPEAN TEAM FOR NIKSIC! (DPS - DEMOCRATIC PARTY OF SOCIALISTS OF MONTENEGRO, SD - SOCIAL DEMOCRATS OF MONTENEGRO, LPCG - LIBERAL PARTY OF MONTENEGRO - PATRIOTIC KOMITAS ALLIANCE)	40,40%	18	40,41%	18	-0,01%	0
MIODRAG DAKA DAVIDOVIC – PEOPLE’S MOVEMENT	3,30%	1	3,26%	1	0,04%	0
SDP – WITH HEART FOR NIKSIC!	2,70%	0	2,64%	0	0,06%	0
FOR THE FUTURE OF NIKSIC - DEMOCRATIC FRONT, Socialist People’s Party of Montenegro, Voter Group For the Life of Niksic, United Montenegro, Workers’ Party, Yugoslav Communist Party of Montenegro, Serbian Radical Party, Socialists of Montenegro, Party of Pensioners with Disabilities and Social Justice of Montenegro	26,00%	11	25,9%	11	0,1%	0
dr Dritan Abazovic – Black on White - Niksic Can, Civic movement United Reform Action URA and non-partisan personalities	4,50%	1	4,42%	1	0,08%	0
MR MOMO KOPRIVICA - PEACE IS OUR NATION - DEMOCRATS - WE WON’T GIVE NIKSIC - DEMOS - PARTY OF PENSIONERS, PEOPLE WITH DISABILITIES AND RESTITUTIONS - PLENUM 083 - CHOOSE FREEDOM	23,20%	10	23,37%	10	-0,17%	0
Average deviation					0,04%	0

C. Official announcement of election results

Based on the election material from all polling stations for the election of councilors to the Niksic Municipal Parliament, the MEC Niksic determined:

- A total of 58,833 voters in the voter register;
- 45,217 voters voted at PSs;
- 2,942 voters voted outside the PSs, i.e. by letter;
- A total of 48,159 voters voted;
- 58,833 ballots were received;
- There were 10,674 unused ballots;
- There were 48,159 control coupons and 48,159 receipt-steaks;
- There were 48,159 used ballots; and
- There were 47,740 valid ballots.

MEC Niksic also determined the number of votes that individual electoral lists received (Table 6).

Table 6: Number of votes that individual electoral lists received

EUROPEAN TEAM FOR NIKSIC! (DPS - DEMOCRATIC PARTY OF SOCIALISTS OF MONTENEGRO, SD - SOCIALDEMOCRATS OF MONTENEGRO, LPCG - LIBERAL PARTY OF MONTENEGRO - PATRIOTIC KOMITAS ALLIANCE)	19.294	40,41%
MIODRAG DAKA DAVIDOVIĆ - PEOPLE'S MOVEMENT	1.594	3,26%
SDP - WITH HEARTH FOR NIKSIC!	1.259	2,64%
FOR THE FUTURE OF NIKSIC - DEMOCRATIC FRONT, Socialist people's party of Montenegro, Voters Group For the Life of Niksic, United Montenegro, Worker's Party, Yugoslac Communist Party of Montenegro, Serbian Radical Party, Socialists of Montenegro, Party of Pensioners, People with Disabilities and Social Justice of Montenegro	12.348	25,9%
dr Dritan Abazović - Black on White - Niksic Can, Civic Movement United Reform Action URA and nonpartisan personalities	2.140	4,42%
MR MOMO KOPRIVICA - PEACE IS OUR NATION - DEMOKRATS - WE WON'T GIVE NIKSIC - DEMOS - PARTIY OF PENSIONERS, PEOPLE WITH DISABILITIES AND RESTITUTION - PLENUM 083 - CHOOSE FREEDOM	11.150	23,37%

D. Communication with the public

During the election day, CeMI regularly informed the public on voter turnout and the irregularities via social media. During the election night, after the closing of the polling stations, CeMI presented the voting trends and the projection of election results. Press conferences were held at: 20:30h, 21:00h, 22:00h and 23:15h.

During the day, CeMI informed the citizens about the voter turnout at 9:00h, 11:00h, 13:00h, 15:00h and 19:00h. Throughout the election day, on CeMI's website www.izbori.cemi.org.me and through the "Fair Elections" application, citizens were able to follow the voting process and the irregularities received by the CeMI Legal Team.

CeMI reported to the public on irregularities at all polling stations in Niksic, on the basis of data collected from field observers and citizens who, during the election day through the application "Fair Elections" (www.ferizbori.me), and by phone number 020 653 736, informed CeMI of all observed. The CeMI legal team received a total of 92 reports of irregularities by the end of election day.

The Centre for Monitoring and Research enabled citizens to follow the turnout and result estimates via two national televisions RTCG and TV Vijesti, which were directly linked to CeMI's software for processing of the data received by our observers.

Citizens were also able to follow the live projections of the results through the website www.izbori.cemi.org.me, as well as through the "Fair Election" application. The application had almost 2,000 users, and in addition to reporting and monitoring of the received irregularities and the results, the application also allowed citizens to be informed about their voting rights. The website www.ferizbori.me recorded almost 14,000 visits during the election day, and the application "Fair Elections" was downloaded through the aforementioned website 247 times, and additional 176 times through Google Play Store. Data for the Apple Store is not yet available. The website www.izbori.cemi.org.me counted a total of 327,296 visits during the day.

Press conferences on election night were broadcast live on CeMI's YouTube channel, as well as CeMI's Facebook and Twitter accounts. Almost 10,000 people watched the press conferences on Twitter alone.

On election day, there is a noticeable increase in the likes of posts and followers of CeMI's profiles on social networks. Thus, the number of followers on Facebook increased by 388, on Instagram by 82 and on Twitter by 553.

The media scene in Montenegro is deeply polarized, which is reflected in the division between the so-called pro-Montenegrin and pro-Serbian media with a dominant foreign presence and influence of the media from Serbia.

Observing the legal framework, Article 64a of the Law on Election of Councillors and MPs prescribes that “the rights to media reporting in the pre-election campaign shall start on the date of validation of the candidate list of pre-election campaign participants and cease 24 hours before election day.” Also, Article 50 of the same Law stipulates that “As of the date of candidate list validation, until completion of the election campaign (hereinafter referred to as the election campaign), candidate list submitting entities shall be entitled to inform citizens of their candidates, programmes and activities on a daily basis, in equal duration and free of charge, through the national public broadcaster Radio and Television of Montenegro, as well as through regional and local public broadcasters, within the same daily time slots and topical coverage of news-stories. Throughout election campaigns, candidate list submitting entities shall be entitled to promote their candidates and programmes and to announce their promotion rallies in shows, during topical coverage of news-stories and through advertisements of commercial broadcasters, for a fee and in accordance with the rules adopted by the broadcaster.”

Article 2 of the Law on Financing of Political Entities and Election Campaigns provides that the election campaign starts from the day of calling the elections until the day of announcing the final election results, and that the election campaign includes a set of activities related to public representation and promotion of candidates, promoting and elucidating election programs with the aim of convincing voters to vote for the candidate of that political entity or the electoral list submitted by that political entity.

Bearing in mind that 5 January 2021 is the date of announcing the elections for councillors in the Municipal Council of Niksic, every public presentation as part of the election campaign, in accordance with the law, starts from the stated date. However, by monitoring social networks and media, CeMI concluded that certain political parties had started the election campaign through their Facebook profiles much earlier. We see such examples in the Democratic Front (DF) party, which, in December 2020 renamed its Facebook page to “For the Future of Niksic”, which is used for the campaign of this coalition for the local elections in Niksic. Their first activities are confirmed by the publication of a photo with the coalition’s logo on the Facebook page. Also, the submitter of the electoral list “For the future of Niksic” gave an interview for the portal www.in4s.net on 1 January, which they shared on social networks through the official website, within which the coalition’s program for local elections was promoted. Taking into account the stated facts related to the activities of the mentioned coalition, CeMI points out the anomaly of the Law on Media, which does not define social networks as media, which opens space for their abuse by political entities. The mentioned case shows that social media were used for promotion, however, there is no law which can determine that the coalition “For the Future of Niksic” violated the legal provisions on the start of the election campaign. Also, another shortcoming that CeMI emphasizes is the unregulated behaviour of political entities in the online space during the election campaign.

A. Traditional and electronic media

For the purposes of preparing this report, CeMI monitored 17 domestic media outlets⁶ and 1,148 articles published in traditional and electronic media in the period from February 17, 2021. till March 18, 2021. The report includes data on media coverage in relation to the electoral lists that participated in the election process, as well as information on the tone of media coverage of political events, whether some political parties are favored on one portal or less favored on others, and whether and in what way the political parties violated the electoral silence.

Out of the total number of articles, most of them reported about the coalition "European Team for Niksic" (480), followed by the coalition "For the Future of Niksic" (203), the coalition "Peace is Our Nation" (157), the coalition "Black on White – Niksic Can!" (166), "Miodrag Daka Davidovic – People's Movement" (74), while the least articles were about the coalition "SDP – With heart for Niksic!" (68).

Table 7: Number of published articles for each electoral list individually

Electoral list	No. of articles
Coalition "European Team for Niksic"	480
SDP – WITH HEART FOR NIKSIC	203
Coalition "Black on White – Niksic Can!"	157
MIODRAG DAKA DAVIDOVIĆ – PEOPLE'S MOVEMENT	166
Coalition "PEACE IS OUR NATION – CHOOSE FREEDOM"	74
Coalition "For the Future of Niksic"	68

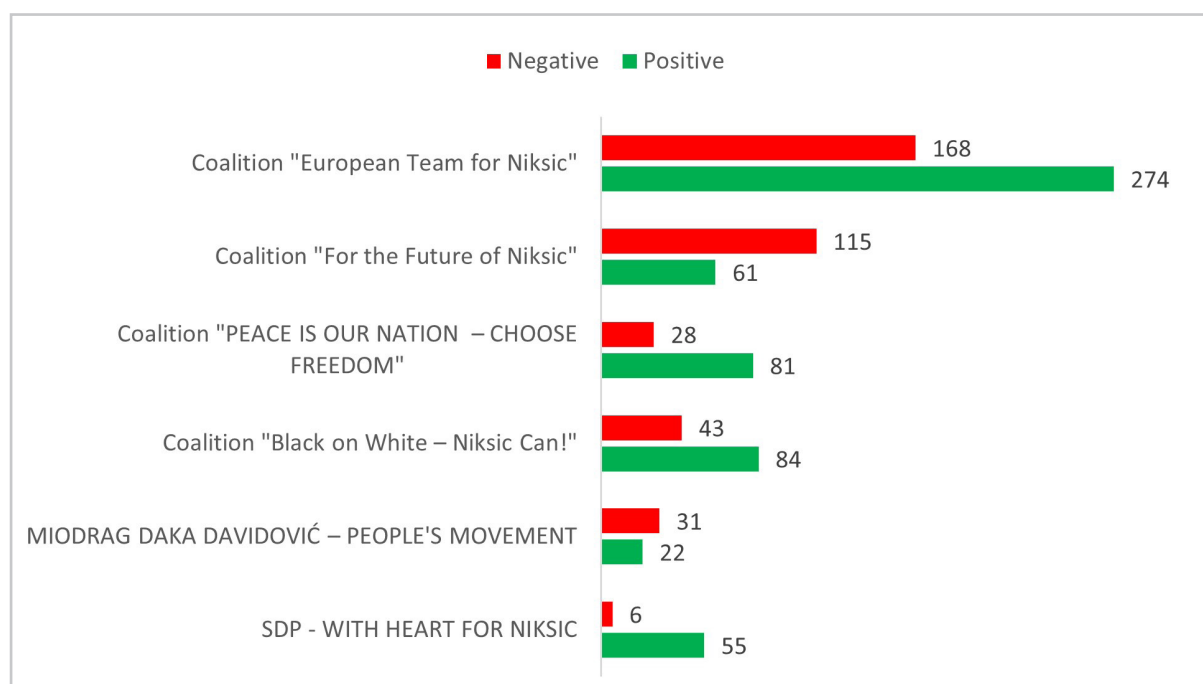
When it comes to the tone of the articles that were the subject of monitoring activities, a big difference is noted in the context of media reporting, which is rarely neutral, but more directed positively or negatively towards a certain political side. In the reporting period, there were a total of 180 (15.7%) articles with a neutral tone, while there were 968 articles (84.3%) with a positive or negative tone towards the one of the electoral lists, i.e. political parties that participated in the election race.

Specifically, there were 577 articles with a positive tone (59.6%), while 391 (40.4%) were negative. Most articles with a positive tone referred to the coalition of DPS (274), URA (84), Democrats (81), DF (61), SDP (55), NP (22). When it comes to articles with a negative tone, most of them referred again to the coalition European Team for Niksic – DPS (168), then DF (115), URA (43), NP (31), Democrats (28), SDP (6).

The graph below shows the number of articles with a positive or negative tone in relation to each electoral list individually. It is evident from the analysis that the coalition "European Team for Niksic" had a dominant number of articles, both positive and negative. Also, it can be noticed that 63.8% of all articles were dedicated to only two electoral lists – the coalitions "European Team for Niksic" and "For the Future of Niksic".

⁶RTCG, Vijesti, FOS Media, Kolektiv.me, IN4S, CDM, Antena M, Borba.me, Kodex.me, Analitika, Aktuelno, Portal Standard, MINA, Pobjeda, Pogled.me, RTNK, Onogošt

Graph 3: Tone of published articles in relation to each electoral list



From the graph it is evident that the coalition “European Team for Niksic” had a dominant number of articles, both positive and negative. Also, it can be noticed that 63.8% of all articles were dedicated to only two electoral lists – the coalition “European Team for Niksic” and “For the Future of Niksic”.

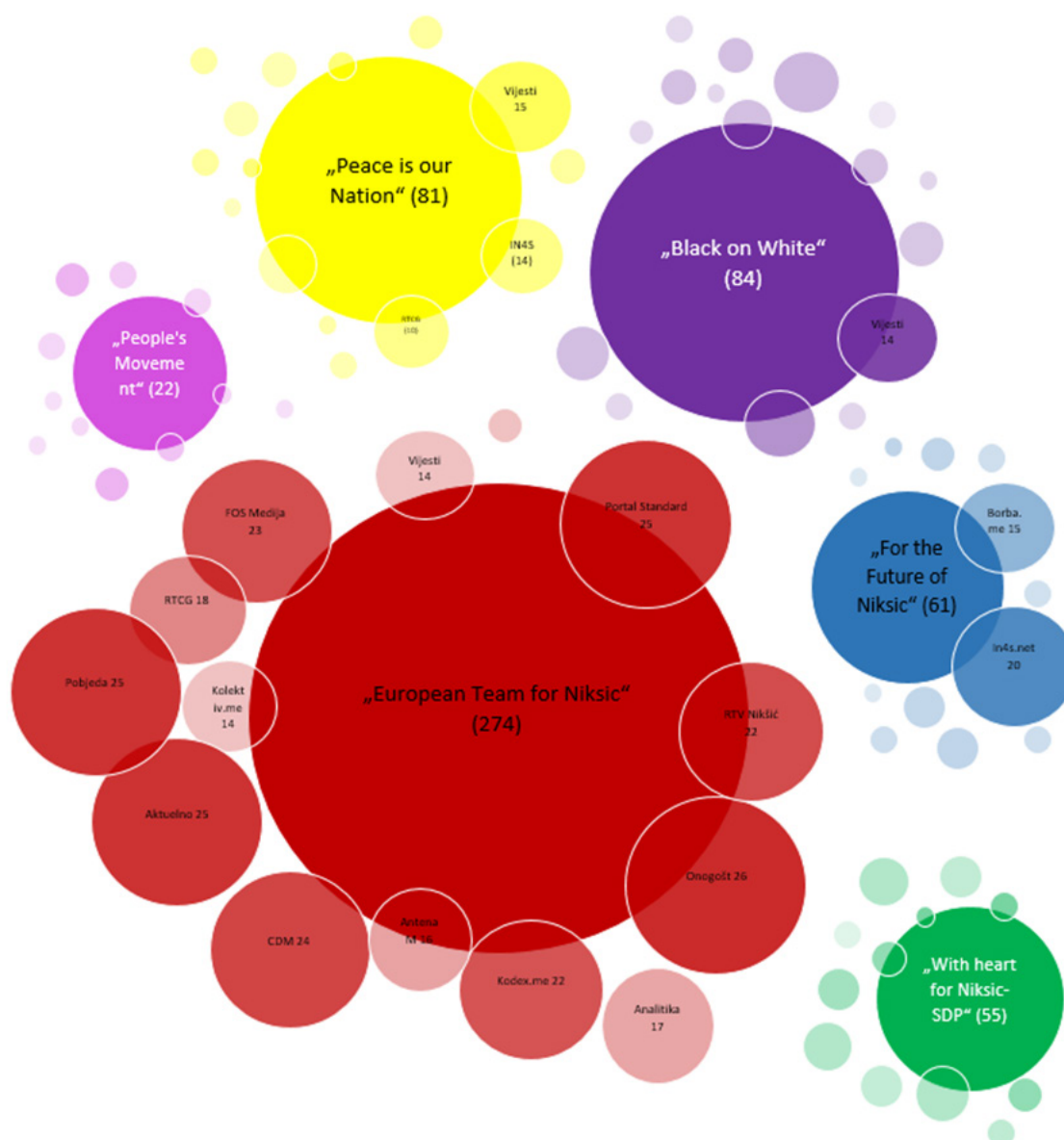
Analyzing media coverage in relation to only these two coalitions, we came to the conclusion that most media outlets that report positively about one side, at the same time report negatively about the other. When it comes to the positive and negative tone of media coverage in relation to these two coalitions, a graphic presentation of the media scene during the local elections in Niksic is presented in continuation. For the purpose of creating a clear graphic, the media outlet that published more positive /negative articles about one coalition than another is classified in the group of media around that coalition.

Looking at the media individually, it is easy to see that the majority favors one of the political parties, which is evident from the tone of their reporting, which is rarely neutral, as we mentioned earlier. The portals IN4S and Borba.me stand out, which wrote the most negative articles in relation to the coalition “European Team for Niksic”, and positive ones for the coalition “For the Future of Niksic”.

Below is a graphical presentation of the media scene during the local elections in Niksic, which shows first the positive and then the negative tone of media reporting in relation to all electoral lists. For the purpose of creating a clear graphical presentation, all electoral lists are presented in different colors. Also, the size and transparency of the bubble that represents each media is conditioned by the number of articles that the media published in relation to a certain electoral list. In other words, the smaller and brighter the bubble, the smaller the number of articles published by that media in connection with an electoral list. For the sake of better visibility, the media that published a large number of articles for an electoral list are listed in the bubbles, while a detailed presentation of the number of published articles for each list is listed separately in the footnotes.

Graph 4: Media and their reporting tone towards the electoral lists “European team for Niksic” (DPS) and “For the Future of Niksic” (DF)

POSITIVE TONE⁷



⁷“European Team for Niksic”: Vijesti (14), RTCG (18), FOS Media (23), Kolektiv.me (14), CDM (24), Antena M (16), Kodex.me (22), Analitika (17), Aktuelno (25), Portal Standard (23), MINA (3), Pobjeda (25), Onogošt (26), RTV Nikšić (22).

“For the Future of Niksic”: Vijesti (5), RTCG (1), FOS Media (2), Kolektiv.me (5), IN4S (20), Borba.me (15), Kodex.me (2), Portal Standard (2), Pobjeda (3), Pogled.me (1), Onogošt (4), RTV Nikšić (1).

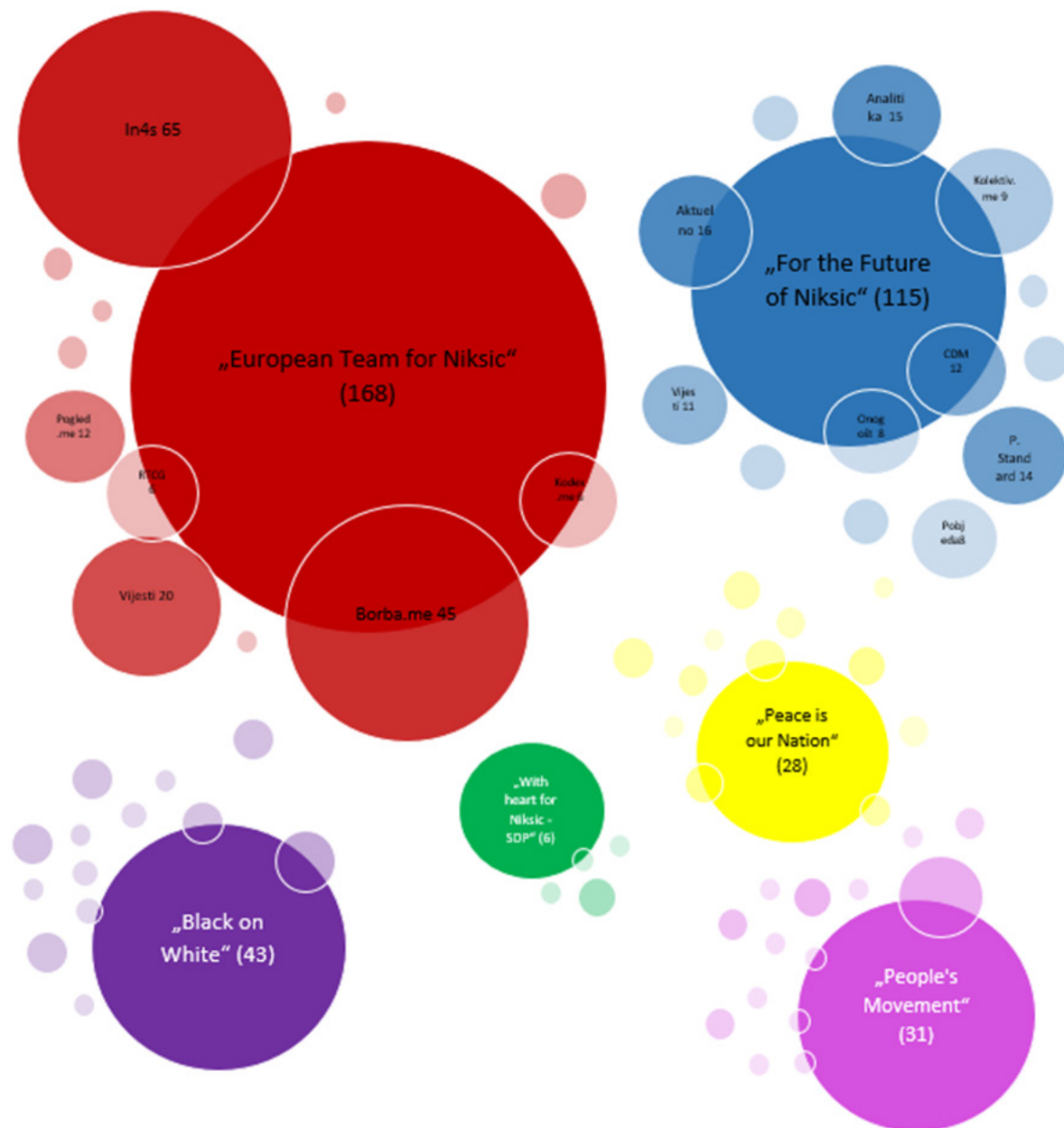
“Peace is our Nation”: Vijesti (15), RTCG (10), FOS Media (9), Kolektiv.me (3), IN4S (14), CDM (5), Antena M (3), Borba.me (1), Kodex.me (3), Analitika (1), Aktuelno (1), Portal Standard (4), Pobjeda (5), Onogošt (5), RTV Nikšić (2).

“Black on White”: Vijesti (14), RTCG (8), FOS Media (6), Kolektiv.me (7), IN4S (9), CDM (3), Antena M (3), Borba.me (3), Kodex.me (5), Analitika (2), Aktuelno (1), Portal Standard (5), Pobjeda (3), Pogled.me (1), Onogošt (5), RTV Nikšić (9).

“People’s Movement”: Vijesti (4), RTCG (1), Kolektiv.me (4), IN4S (2), CDM (2), Antena M (1), Analitika (1), Aktuelno (1), Pobjeda (2), Onogošt (1), RTV Nikšić (3).

“With heart for Niksic - SDP”: Vijesti (7), RTCG (5), FOS Media (3), IN4S (1), CDM (5), Antena M (4), Analitika (8), Aktuelno (7), Portal Standard (3), Pobjeda (5), Onogošt (3), RTV Nikšić (4).

NEGATIVE TONE⁸



⁸„European Team for Niksic”: Vijesti (20), RTCG (6), FOS Media (5), IN4S (65), Borba.me (45), Kodex.me (6), Analitika (1), Aktuelno (1), Portal Standard (1), Pobjeda (3), Pogled. me (12), Onogošt (3).

„For the Future of Niksic”: Vijesti (11), RTCG (5), FOS Media (5), Kolektiv.me (9), CDM (12), Antena M (5), Kodex.me (3), Analitika (15), Aktuelno (16), Portal Standard (14), Pobjeda (8), Onogošt (8), RTV Nikšić (4).

„Peace is our Nation”: Vijesti (1), RTCG (3), CDM (1), Antena M (5), Kodex.me (1), Analitika (3), Aktuelno (6), Portal Standard (2), Pobjeda (2), RTV Nikšić (4).

„Black on White”: Vijesti (2), RTCG (4), FOS Media (5), IN4S (1), CDM (6), Antena M (1), Kodex.me (2), Analitika (8), Aktuelno (5), Portal Standard (1), Pobjeda (5), Onogošt (2), RTV Nikšić (1).

„People's Movement”: Vijesti (1), RTCG (2), FOS Media (1), Kolektiv.me (2), IN4S (1), CDM (5), Antena M (1), Borba.me (1), Kodex.me (1), Analitika (3), Aktuelno (1), Portal Standard (10), Pobjeda (1), Onogošt (3).

„With heart for Niksic - SDP”: Vijesti (1), Kolektiv.me (1), CDM (1), RTV Nikšić (3).

B. Social media

When it comes to social media, CeMI used the CrowdTangle platform to monitor the activities of political parties on Facebook. There was a great dispersion of misinformation and spin news that are part of the strategy of the political parties that participated in this election process, and which were used to influence the attitudes of citizens and their free and informed choice. During the 2020 parliamentary elections, political parties used social networks and online space to spread certain political propaganda, using predominantly tools through which they tend to influence the political attitudes and opinions of citizens without revealing their real intentions.

During the pre-election campaign for the 2020 parliamentary elections, CeMI identified and monitored 26 meme accounts that were active and engaged in a coordinated network during the elections, i.e. that shared political content and were directly linked to portals whose credibility was questioned. During the 2021 local elections in Niksic, CeMI identified and monitored 19 meme accounts that were active during that period. Given that of the 26 meme accounts that were active for the 2020 parliamentary elections, some accounts were deleted or deactivated after the parliamentary elections, new ones were created in the period December 2020 – January 2021, while some changed their name during the period in between the elections, which suggests that these types of accounts are used exclusively for political purposes. List of meme accounts that were monitored during the 2021 local elections in Niksic is presented in continuation.

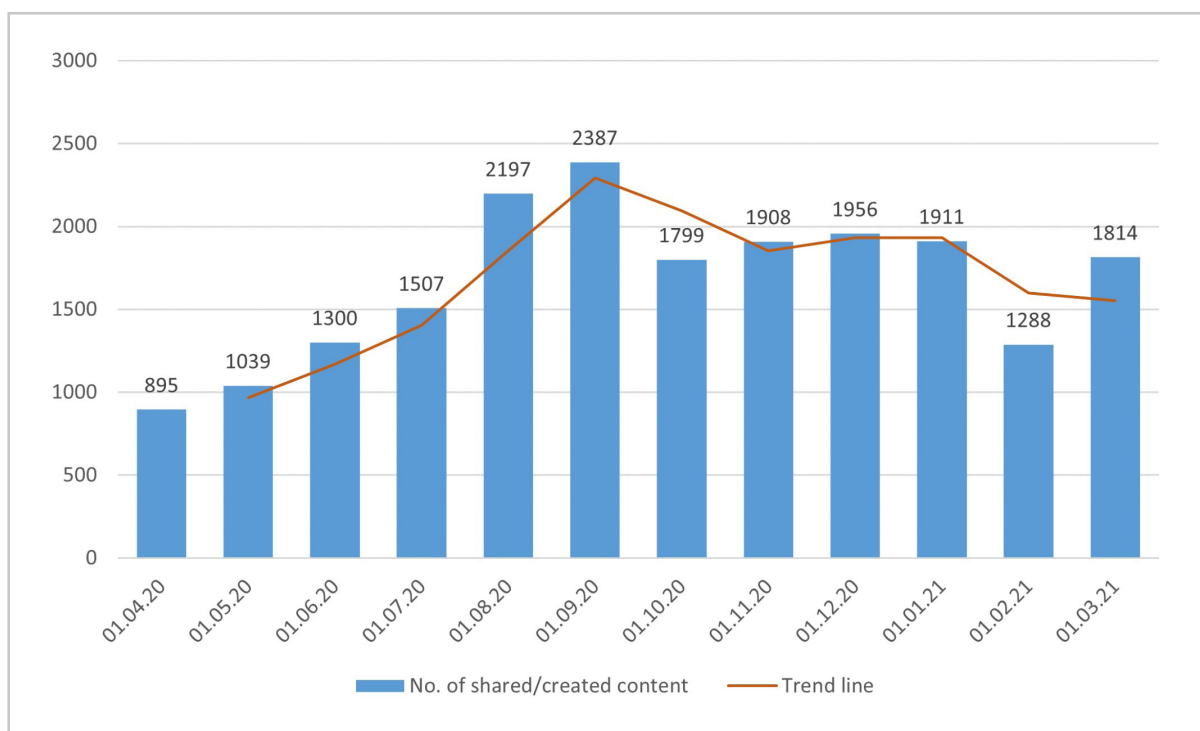
Table 8: List of meme accounts that were active during the 2021 local elections in Niksic

Name	No. of followers	No. of interactions between 01.12.2020. – 15.03.2021.
МИМистарство оностраних послова	19,694	286,637
Spavaš li mirno Prava strano istorije?	52,751	229,198
Stari Liberal	21,569	197,735
Nije se desilo	22,184	123,200
Бестебе	5,026	111,181
Nemojmo politizovati proteste	10,095	100,057
Ekološka država CrnaGora	3,399	74,128
Црмничке мудрости	7,793	67,761
Plava Torba DK	3,536	36,923
Ne budite dio tog ludačkog pokreta	4,736	31,101
Nismo mi takav lokal: Воскресение	3,073	28,264
Forumaš sa CdMa	954	16,377
Мудросери - Прва новорежимска МИМ страница	2,259	8,738
MIM je naša nacija.	2,139	6,493
LOŠI Glumci	19,098	4,027
Ne zalijecite se, više nas je	990	3,798
Dnevna doza crnogorskih dubioza	16,441	1,471

In the period after the parliamentary elections until the beginning of the election campaign for the local elections in Niksic, CeMI noticed that the percentage of published posts was much lower. Regular updates and activity of meme pages is noticed in the period immediately before the elections. Comparative analysis of the activity of these accounts on Facebook in the period from April 2020 until April 2021 meme accounts were most active in August 2020 (2,197 posts) and September 2020 (2,387), and again in December 2020 (1,956 posts), and activity is growing in March 2021. The data show that between the two election periods, meme accounts were active to a much lesser extent.

Graphical presentation of activities is presented below, i.e. the number of shared/created content by meme accounts in the reporting period, from which it can be seen that the higher activity of these accounts coincides with the periods of election campaigns in Montenegro.

Graph 5: Activity of meme accounts on social networks in the period from April 2020 – April 2021

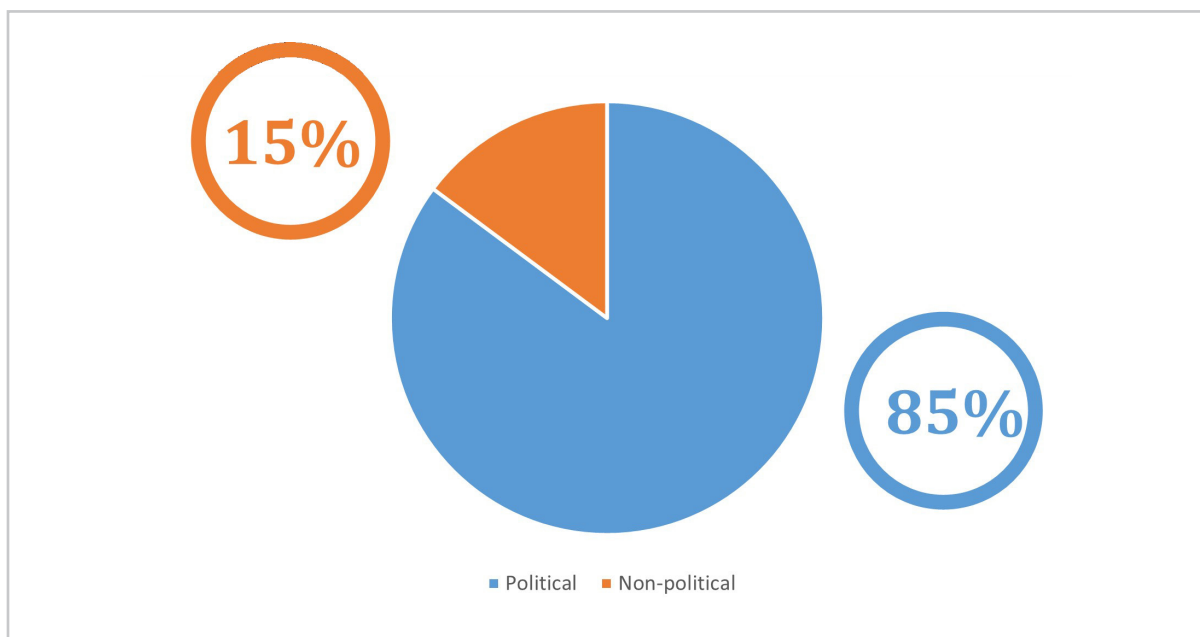


This data evidently suggest that the correlation between the period of election campaigns and the activity of these accounts on social networks is not a coincidence, and that most meme accounts were created to influence the electoral will of citizens, as CeMI concluded in its previous report on social media monitoring⁷ and reaffirmed by this report.

The fact that out of a total of 6,895 contents created, 5,827, i.e. 84.5%, were politically motivated contents proves that the meme accounts were politically active. 1014 contents, i.e. 15% are not political, 38 contents are difficult to define given the satirical and humorous approach of these orders to socio-political issues of society, while 16 contents were deleted and could not be accessed. The period that we took into account in this case is the period immediately before the official beginning and during the election campaign for the local elections in Niksic, i.e. from December 1, 2020, until March 15, 2021.

⁹Final report "Reshaping the electoral run through the usage of social media in Montenegro", CeMI, IFES, October 2020

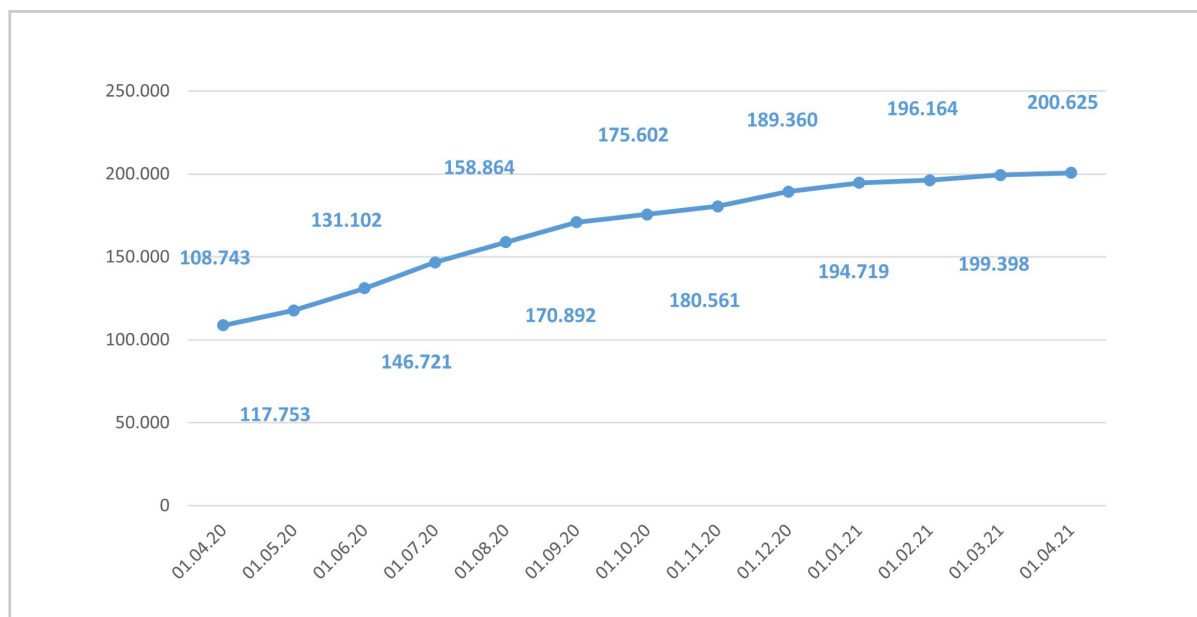
Graph 6: Percentage of politically motivated content shared by meme accounts during the election campaign for the 2021 local elections in Niksic



The activity of the meme page Portal Nadrealitika was recorded, which published a post on election day that CeMI was conducting exit polls, using the official logo of the organization. After CeMI's public reaction on this disinformation, this page was removed from Facebook and it was no longer accessible.

The fact that the number of people following meme accounts is constantly increasing is worrying, which once again speaks of the impact they can have on the citizens of Montenegro and their right to informed and free choice. Namely, in the period from April 2020 to April 2021, these accounts recorded an increase of 84.49% and together have around 200,625 followers on Facebook.

Graph 7: Number of followers of meme orders that were subject to monitoring for the period from April 2020 – April 2021



C. Electoral silence

The abuse of social media was also visible in two other ways: (1) during the electoral silence; (2) using paid content.

The electoral silence began at midnight on 13 March and lasted until the polls closed. During this period, the number of content published by political parties on Facebook was 142. Individually, the coalition “European Team for Niksic” had 15 posts, “For the Future of Niksic” 37, “Miodrag Daka Davidovic – People’s Movement” 8 posts, SDP “With heart for Niksic” 15 posts, “Black on White – Niksic Can” 28 and “Peace is Our Nation – Choose Freedom” 39 posts. A total of 90,774 Facebook interactions were made on the mentioned posts, of which as much as 82% were only from Democratic Montenegro and the coalition “For the Future of Niksic” (74,969 interactions). The data indicates that all electoral lists were active on Facebook during the period of electoral silence and that they performed self-presentation by communicating on social networks. Electoral lists communicated mostly through photos (46.7%), video (38.1%) and Facebook live (8.6%).

It should be especially noted that CeMI recorded the organization of the final gathering of the Civic Movement URA, which was broadcast live to Facebook users. Although the actions of this party cannot be sanctioned due to the legally unregulated status of social media and the behaviour on them, it is evident that this gathering is a violation of the rule of electoral silence on the prohibition of media representation, and that it was done in a “detour”, i.e. through a communication channel to which the law cannot be applied.

When it comes to paid content on Facebook, which covers only the territory of the municipality of Niksic, it was noticed that all political parties participating in this election process, except the coalition “European Team for Niksic” had paid content on Facebook on 13 March 2021, i.e. during the electoral silence. The Social Democratic Party of Montenegro (SDP) and the Civic Movement URA spent the most (over 100 EUR), while the Democratic Montenegro, the People’s Movement and the coalition “For the Future of Niksic” had paid content of up to 100 EUR. This data will be subject to additional investigation when it comes to monitoring of financial reports of political parties.

D. Paid Ads

In order to gain insight into the costs of advertising political parties on social networks, CeMI requested the Agency for the Prevention of Corruption (APC) to inspect the documentation related to advertising on the social network Facebook, which confirms that certain persons maintained profiles of political parties on Facebook. and made payments to sponsored posts.

CeMI noted that all electoral lists used multiple Facebook accounts for campaign purposes on which paid content was posted. The electoral lists that participated in the Niksic local elections used the official Facebook accounts of all parties that were part of the coalition, but also the Facebook accounts that were purposely created for the local elections (example: accounts “*Građanski pokret URA*” and “*URA Nikšić*”, “*Demokratska partija socijalista Crne Gore*” and “*Evropski tim za Nikšić*”, “*Demokratski front*” and “*ЗА будућност Никшића*”, “*Socijaldemokratska partija Crne Gore – SDP*”

and “SDP – Srcem za Nikšić – broj 3”). The exception is Democratic Montenegro, which campaigned mainly through the central Facebook account “Aleksa Bečić – Demokrate – Demokratska Crna Gora” (election campaigns for the 2020 Parliamentary Elections and 2021 Niksic Local Elections).

Insight into the documentation received by CeMI from APC, it is concluded that there is no uniform practice of reporting costs on social networks, given that political parties submitted different types of documentation, i.e. decisions, contracts, agreements and invoices, in which the costs of advertising on social networks are not fully specified. Political parties did not use the possibility of the Facebook option of Ad Manager, which provides insight into the list of all paid content, the period for which the post advertisement was paid and in what amount. On the other hand, political parties submitted incomplete documentation which did not specify exactly how much money a certain political party spent on boosting posts, regardless of the fact that Facebook allows each user to get the invoice and view their expenses on this platform.

CeMI proposes the introduction of an obligation for political parties to submit invoices for paid content on Facebook, as well as a listing of its Ads Manager, which shows an overview of all advertisements and the amount of money spent on boosting or sponsoring Facebook posts for political campaign purposes.

E. Foreign influence

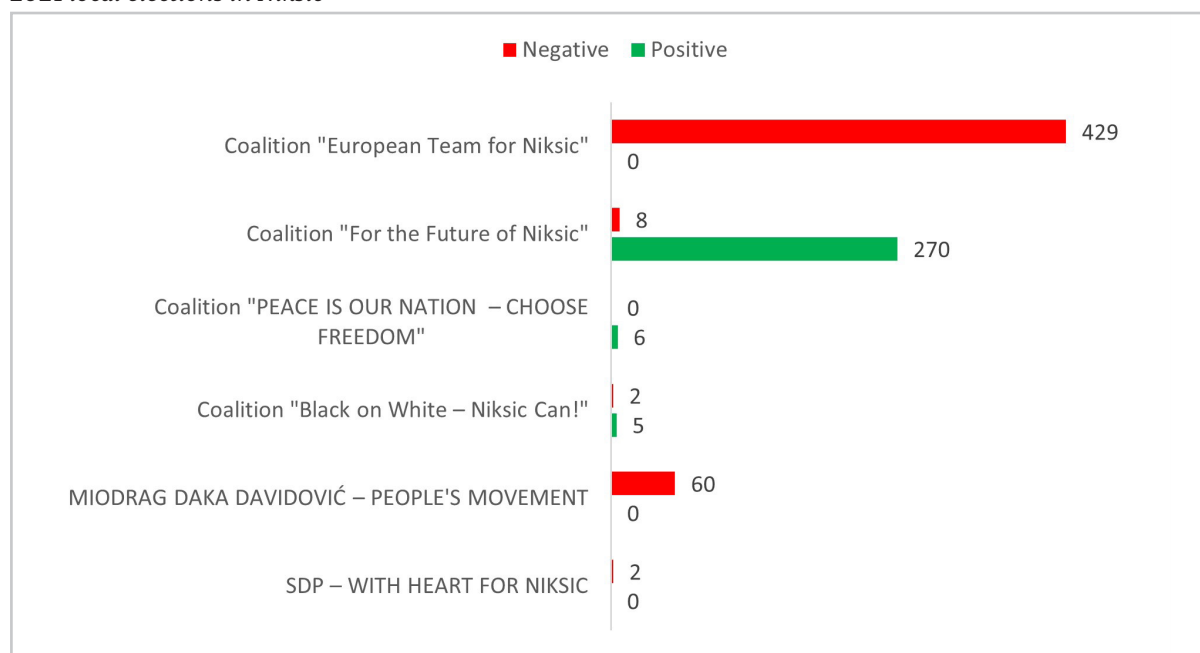
That the election process in Niksic had not only local, but also regional significance, is confirmed by the Serbian media attention paid to this topic. A large number of Serbian portals were recognized, such as Alo.rs, Novosti.rs, Informer.rs, 24sedam.rs, in4s.net and others, which placed information that had a positive tone towards the coalition “For the Future of Niksic”, as opposed to the coalition “European Team for Niksic”, which was written about in a negative context.

For the purpose of preparing this report, CeMI monitored 9 media from Serbia⁸ that reported on the events in Montenegro during the election campaign and a total of 893 articles published in the period from March 1, 2021 till March 23, 2021. The same case as with the Montenegrin media is a rarely neutral reporting and therefore 111 articles (12.4%) of the total analyzed were in a neutral tone, while the other 782, or 87.6%, were directed positively or negatively towards some electoral list.

When it comes to the electoral lists that participated in the 2021 local elections in Niksic, most of the articles with a positive tone referred to the coalition “For the Future of Niksic” (270), “Peace is our nation” (6) and “Black on white – Niksic Can”(5), while there were no positive articles when it comes to the other three electoral lists. Namely, in relation to them, only articles in a negative tone were published, namely: 429 articles related to the coalition “European Team for Niksic”, 60 articles for “Miodrag Daka Davidovic – People’s Movement” and two articles “SDP – With Heart for Niksic!”. In addition, there were eight articles in a negative tone concerning the coalition “For the Future of Niksic”, which exclusively criticized the leader of the list of this coalition for the 2020 parliamentary elections, Zdravko Krivokapic, and two concerning the civic movement URA, while there were no articles in a negative tone about Democrats.

¹⁰ALO.rs, Novosti, Blic, Kurir, Telegraf, Objektiv, Srbija Danas, Glas Javnosti, Спутник Србија

Graph 8: Tone of articles published in the media from Serbia towards each electoral list that participated in the 2021 local elections in Niksic



After the above said, it can be concluded that the media from Serbia mostly wrote about the coalition “European Team for Niksic”, which has negative propaganda primarily directed towards the DPS, and CeMI also noticed a large amount of spin information. Spin information was identified through incomplete articles with sensationalist headlines and photographs, but without a broader description of the event, which attempts to influence public opinion⁹. It is interesting that the media from Serbia also reported irregularities noticed by CeMI observers, citing CeMI as a source. However, the irregularity that there was an incident with a voter at the polling station due to wearing a Christian Orthodox cross was reported exclusively by Serbian portals without stating the source of this claim or the photo confirming that this event had occurred¹⁰. In this way, voters are subjected to biased and unverified information that affects their political opinion and free and fair choice.

In continuation there are excerpts from the headlines that suggest that Serbian media coverage of events in Montenegro, especially political ones, often exude sensationalistic and clickable headlines that seek to cause shock and a desire to click on the entire text.

⁹Article available on link: shorturl.at/uCGU2

¹²Article available on link: <https://cutt.ly/NzN2Rk6>

It is also interesting that a large number of information placed by the Serbian media was not published in the Montenegrin media. In relation to the media that were monitored during the 2021 local elections in Niksic, Borba.me, in4s and Vijesti are the Montenegrin media that shared the most content from the Serbian media, and vice versa.

The influence of Serbia and the Serbian media was especially distinct within the television programme “TV Happy”, broadcast by Happy TV LLC, through programme content called “Good Morning Serbia”. This is a broadcaster that has been continuously broadcasting content that incites hatred, intolerance and discrimination against members of the Montenegrin nationality for the last year, and thus, directly violates Article 7 paragraph 1 of the European Convention on Transfrontier Television, which stipulates that the program contents, in terms of their presentation and content, must respect the dignity of the human being and the fundamental rights of others, and that they must not in particular, inappropriately point out violence or incite racial intolerance. Montenegro, through the Council of the Agency for Electronic Media, for violating this article of the Law in February 2020, issued a decision for a period of three months to limit the rebroadcast of the programme content of the said broadcaster by obscuring them. However, this practice of Happy TV continued after the expiration of the solution, and in the election silence, on 13 and 14 March, they hosted the Ambassador of Serbia to Montenegro Vladimir Bozovic, as well as Vladislav Dajkovic, an activist of the coalition “For the Future of Niksic”. Both of them used their visit to invite the citizens of Niksic to vote for the aforementioned coalition, and thus directly violated the electoral silence.

XII Technology for conducting election activities

Bearing in mind that technology plays a major role in our daily lives, as well as an increasing role of technology in the election process, CeMI decided to review the current state of technology for conducting election activities, as well as the legislation that regulates the area relevant for the use of modern technical devices in elections.

Technology develops quicker than laws meant to regulate it. Therefore, minimising the problems that stem from the introduction of the process of modernisation of the electoral process requires a set of activities and measures, which, besides acquiring and testing the necessary technological equipment, involves changes and amendments to the existing legal documents that would ensure the safe use of new hardware and software solutions relevant for conducting of electoral activities.

The use of modern technology for conducting election activities in Montenegro is still in its infancy, which contributes to the security of the entire election process in terms of risks that accompany modern technical solutions. In Montenegro, for example, there is no electronic voting, and therefore no electronic vote counting. Therefore, the public trust in the procedure of vote counting is not an issue in Montenegro. The lack of trust in the electoral process revolves mostly around activities conducted during the pre-election period and around the irregularity of the voter register.

Montenegro will continue to upgrade its IT capacities, which constitutes upgrades to how the election administration bodies operate, and how the entire electoral process is conducted, from the IT perspective. However, technological modernisation carries certain risks that require special attention, as technology can have a crucial impact on the conduct of fair elections.

Among the hardware and software solutions used to conduct election activities in a broader sense, we can list: devices for electronic voter identification, AFIS civilian system for deduplication of voter fingerprints, software for verifying signatures of support for the electoral lists, online service biraci.me service and online service potpisi.dik.co.me. In a strict sense, this includes only devices for electronic voter identification and software for verifying signatures of support for the electoral lists.

Electronic voter identification devices have been used in Montenegro since 2016. The use of these devices has modernized the voting process, but it has not significantly contributed to increasing the level of citizens' trust in the electoral process. Electronic voter identification devices are described in the Law on Election of Councillors and MPs as a compact hardware and software unit composed of: 1) electronic reader of machine readable zone (MRZ) on ID card and passport; 2) computer into whose memory the extract from the concluded electoral register for a precisely designated polling station shall be uploaded, including the last photo of voter from the registers of ID cards or passports and 3) printer to print the confirmation of successful voter identification.¹³

These devices contain information about the polling station where they were activated, the date, time and excerpt from the voter register for that polling station and for the elections that are being held. Each device contains only the turnout

¹³Article 68 of the Law on Election of Councillors and MPs

statistics for the polling station where the device is located. By swiping the ID card or passport through the reader on the device, the data on the voter appears, if the voter is registered at that polling station.

Electronic voter identification devices are owned and controlled by the Ministry of the Interior, as the body in charge of maintaining the voter register. They are not connected to the Internet, nor is there a possibility to download the data stored in them. Also, the devices are not interconnected, and the data stored in these devices is deleted within 30 days from the date of publication of the final election results.¹⁴

On the one hand, the decentralisation of electronic identification devices and complete separation from other devices contributes to the security of voters' personal data, but on the other hand, this opens the possibility of multiple voting, in case one voter is registered at several polling stations. In addition, these devices completely depend on the external power supply, i.e. they do not have an internal power source, so in the event of a power outage at the polling station, the electronic voter identification device cannot function. This shortcoming can be eliminated only by purchasing new devices with an internal power supply system, i.e. modification of existing ones is not possible.

Another modern solution used in the Montenegrin system is the software for processing the election data, which the SEC received from the OSCE Mission to Montenegro in 2019. The total value of the software, two servers and accompanying hardware was 170,000 euros.¹⁵

The software donated by the OSCE to the SEC contains, among other things, a module for processing data on voter turnout and polling station results. The main function of this module is reflected in the creation of reports. Two people are responsible for the accuracy of the data – one person at the polling station and another in the Municipal Election Commission who checks the data obtained from the polling boards. The way that this part of the software works is as follows: the competent person at the polling station enters the data into the software, which cannot be changed after confirmation. After entering the data, an electronic record is created which is sent electronically for verification to the MEC. In case an error occurred during data entry, the responsible person in the MEC will delete that record and create a new one with corrections. The software also contains a functionality for exporting preliminary results to the SEC website.

The software operates through a VPN and has firewall protection. For the purpose of safety of the data, the VPN service is provided by the British company for data protection and information systems, Sophos.¹⁶

Although the SEC uses the services of a reputable company with extensive experience, it is not possible to assess the security of the software solution available to the SEC, that is, the possibility of an external attack that could potentially alter the voting results, or the possibility of disabling the system through a ransomware attack, DDoS attack etc., because the software has not yet been used in the elections, and security has not been checked by simulated attacks, the so-called *breach and attack simulation (BAS)*.

¹⁴Ibid, paragraph 5

¹⁵<https://www.osce.org/me/mission-to-montenegro/411812>

¹⁶<https://www.sophos.com/en-us.aspx>

According to our interlocutor from the SEC, the software has been tested and it works. However, the barrier to its application is the Law on Election of Councillors and MPs. According to the Law, the only electronic device whose use is allowed at the polling station is a device for electronic identification of voters, and members of the polling station committee are obliged to be present at the polling station all the time, which means that existing the polling station to send the results to the MEC would constitute a violation of the law.

In order to fully enable the use of this software module, it is necessary to amend the Law on Election of Councillors and MPs to provide for the possibility of an additional electronic device (computer or mobile phone) that would be used exclusively for this purpose and designate the person responsible for operating that device. In addition, it is necessary to provide a sufficient number of devices for each polling station, training for the use of the device as well and to ensure proper safety during its use.

Another important software module available to the State Election Commission is the module for verifying signatures for the support of electoral lists. This module, however, is not adequately designed. Namely, the manner of verifying the signatures is not in line with the needs of the State Election Commission, bearing in mind the legal obligation of the SEC to check whether the list of signatures within 48 hours of receiving the electoral list, and considering the possibility for submitters of electoral lists to submit signatures of support at any time until the deadline for submission of electoral lists and without prior notice. Considering that the software requires users to enter the name, surname and the ID number of the person who signed the list of support for the electoral list, as well as due to the lack of capacities of the State Election Commission to process a large amount of data in a short period of time, during the Parliamentary elections in 2020 the State Election Commission decided to use an application developed by the IT Office of the Parliament of Montenegro. Their software solution for verification of signatures requires only the entry of a unique ID number, which contributes to faster data processing. In addition, due to the lack of capacity for timely data processing, The State Election Commission has decided to entrust the data processing to persons employed in the Office of the Parliament of Montenegro, which the Agency for Personal Data Protection has assessed as illegal.¹⁷

It is important to point out that the State Election Commission has the source code of the software donated to them by the OSCE, so there is a possibility of subsequent modification of the signature verification module to suit their needs. In that sense, the biggest barriers are the financial resources and capacities of the State Election Commission.

The State Election Commission does not currently have admirable technology with a satisfactory level of security for the daily work of other employees. The aforementioned software is used exclusively for elections and does not contain a module for office operations and archiving. The servers donated to the SEC together with the election data processing software are connected only to said software. The maintenance of the SEC website is currently entrusted to an external company.

Aside from the fact that the SEC does not possess relevant software for office operations and archiving, there is currently no system of control and inventory of authorized devices and software that its employees use, nor an automated data

backup system. SEC system administrator can access all computers on the network, but each employee takes care of the data protection on their device. All computers used by employees are password protected, but it is unknown how “strong” the passwords used by employees are, because the State Election Commission does not hold trainings for employees on digital hygiene and cyber security, so the level of digital literacy of the employees in the State Election Commission, which would ensure the level of awareness necessary for recognizing the importance of quality protection of computer systems is questionable.

In the coming period, the State Election Commission plans to establish an active directory on the third server at its disposal, along with software for office operations that all employees will be connected to, and active control of hardware and software, as well as automated update of software and data backup will be implemented. It is also planned that the SEC website and e-mail server be migrated to this server, which will not be connected to the servers used for the election data processing.

The SEC has also established cooperation with the Ministry of Public Administration, Digital Society and Media, through which it should obtain licenses for the SQL database and Windows server. However, most of the planned system upgrades depend on the financial resources allocated to the SEC for these purposes.

When it comes to Municipal Election Commissions, it is important to emphasize that most of them do not have separate office spaces. Instead, their offices are located in other buildings. For example, the MEC Niksic is located in the building of the Municipality of Niksic and does not have its own IT infrastructure. The MEC is under SEC control during the parliamentary and presidential elections, which means that they must use software solutions that the SEC instructs them to use. The SEC also trains MEC members in the use of election data processing software. According to our interlocutor from the SEC, training in the use of software takes less than an hour, where most of the time is spent introducing the user to the way the VPN works. However, when it comes to local elections, the SEC cannot control which software is used by the MEC. The MECs are responsible for conducting all election activities in local elections, including the selection of software. This is another in a series of problems that could be solved with a legal provision stipulating that parliamentary and local elections be held on the same day in all municipalities.

XIII INTERNATIONAL AND DOMESTIC OBSERVERS

The Law on Election of Councillors and MPs regulates that authorised representatives of national nongovernmental organisations registered to monitor the exercise of political rights and freedoms may observe the course of elections and the work of the election administration bodies. National nongovernmental organisations interested in monitoring the elections shall submit applications to the SEC, which shall issue official authorisations or decision rejecting authorisation within 48 hours of receipt of the application. Election administration bodies shall enable international and national observers to monitor the course of elections and the work of the election administration bodies. APB shall register the presence of observers at a PS in its record. At the proposal of the election administration body, the SEC may revoke authorisation or an identification card from the person to whom it was issued if the person does not adhere to PS rules of order and rules of work of the election administration bodies.

A total of 197 observers were accredited to observe the Local Elections in Niksic on March 14th. Out of the total number of accredited observers, 189 are domestic observers, of which 181 are observers from the Centre for Monitoring and Research (CeMI), and eight are observers from the Center for Democratic Transition (CDT). CeMI conducted a parallel vote tabulation and published projections of the results.

Eight foreign observers have also been accredited. The British Embassy accredited five (5) and the United States Embassy three (3) observers in Montenegro.

Observers of the Centre for Monitoring and Research, informed on their findings primarily through the “Fair Elections” application, but also via phone calls.

The legal framework of Montenegro provides for administrative and judicial protection of electoral rights. In the administrative procedure, it is possible to file a complaint to the competent municipal and election commissions and the State Election Commission. It is also possible to appeal the decisions of the State Election Commission to the Constitutional Court, as the final instance in the system of protection of electoral rights in Montenegro. Complaints and appeals to the Municipal Election Commissions, the State Election Commission and the Constitutional Court are submitted in accordance with the Law on Election of Councilors and MPs.

During the election process in Niksic, the Municipal Election Commission received a complaint from the Civic Movement URA – Municipal Board Niksic, which referred to the regularity of the election process, and which was submitted on March 17, 2021, and amended on March 18, 2021.

Complaint No. 197 of 17.02.2021. refers to the discrepancy of the election material at some polling stations, i.e. discrepancies in the number of used ballots, control coupons and ballot certificates, and the repetition of the elections at polling stations 3, 20, 27, 82, 97, 100, 103, 105, 125, 118, 130, 138, is requested. By supplementing the complaint No. 197/1 of March 18, 2021, the MEC was informed that it was withdrawing the complaint in the part related to the repeat elections at polling stations 3, 27, 97, 100, 103, 105, 125, 118, 130, 138, because a direct inspection of the election material showed that there are no grounds for repeat elections at the mentioned polling stations, while the rest of the part related to the regularity of the election process and the repetition of elections at polling stations 82 and 20 remained.

The Municipal Election Commission Niksic, by decision No. 192/2 of March 18, 2021, rejected the objection as unfounded, on which decision the URA submitted an objection to the State Election Commission on March 20, 2021.

The State Election Commission rejected the complaint as unfounded by decision No. 126/1 on March 21, 2021, after which the complainant filed an appeal with the Constitutional Court of Montenegro. By Decision U-VIII No. 1/21 of March 27, 2021, the Constitutional Court adopted a mistake and revoked the decision of the State Election Commission, No. 126/2 of March 21, 2021, in the part related to polling station 82, and annulled the election procedure at the same, while the appeal was rejected in the part related to polling station 20, as unfounded.

In execution of the decision of the Constitutional Court, the State Election Commission issued Decision No. 126/6 on March 28, 2021. ordering the Niksic Municipal Election Commission to conduct re-elections at polling station 82.

XV CONCLUSIONS AND RECOMMENDATIONS

Priority recommendations

1. *Electoral reform – It is necessary to implement a comprehensive electoral reform that would include the adoption of a new (1) Law on Election of Councillors and MPs, as well as the related laws: (2) the Law on Voter Register and (3) the Law on Financing of Political Parties and Election Campaigns. The reform should also include subsequent amendments to a set of related laws: (4) the Law on Electronic Media, (5) the Law on Registers of Permanent and Temporary Residence and (6) the Law on Prevention of Corruption. Comprehensive reform would regulate all the issues from this and the previous electoral processes. Codification of election laws should also be considered.*
2. *Complete professionalisation and depoliticization of the SEC and partial professionalisation and depoliticization of MECs – It is necessary to bring about complete professionalisation and depoliticization with regard to the SEC composition. This endeavour would comprise 3–5 professionals from the field of law, as well as professionalise and depoliticise the role of the presidents of MECs.*

Other recommendations

A. To the Parliament of Montenegro

1. *The Law on Election of MPS and Councillors should be amended to provide individuals with an opportunity to submit individual candidacy for an MP or a councillor position.*
2. *It is necessary to introduce preferential voting, with more preferential votes (3) available to the voter. This change will increase the influence of voters with regard to selecting specific candidates, and it will strengthen the link between citizens and their elected representatives.*
3. *A precise procedure in the Law on Election of MPs and Councillors should be introduced for how an electoral list can be registered as a minority, and on that basis draws the rights to the minority representation.*
4. *Equal rights of members of Roma should be ensured through amendments of the Law on Election of Councillors and MPs, who do not have equal status with members of minority communities that make up a similar percentage of the total population. The obligation to prepare a certain part of the election material in the Roma language should be established.*
5. *In accordance with the international obligations that Montenegro has accepted, it is necessary to define the scope of election monitoring under the Law on Election of Councillors and MPs in a way that allows domestic and foreign observers of the election process to have free access to election materials. The number of signatures required to certify the electoral list should be reduced, with the introduction of mandatory verification of the authenticity of signatures by notaries. A limit on the price of this service should be introduced so that it is not a limiting factor for the nomination of candidates.*
6. *Reduce the number of signatures required to certify the electoral list with the introduction of mandatory verification of the authenticity of signatures by notaries. Also introduce a*

limit on the price of this service so that it would not be a limiting factor for the nomination of candidates.

7. The legal limitation that one citizen can support only one electoral list with his signature should be removed.
8. Voting abuses should be prevented by establishing a precise provision on the conditions for a ballot to be valid, instead of the current insufficiently precise provision on situations where the ballot is invalid. These changes should prevent compromising the secrecy of voting by labelling ballots with different geometric shapes or ornaments, combined with different colours.
9. The Law on Election of Councillors and MPs should be amended to enable the professionalisation of the SEC in such a way that the commission would comprised 3–5 professionals in the field of law (preferably with an emphasis on the right to vote). The proposed professionalisation of the SEC would allow it to function more seriously and efficiently and strengthen the capacity and established procedures necessary for the planning and operation of this institution. The latest public opinion poll conducted by CeMI indicates that more experts need to be introduced to the SEC. Specifically, 65.5% of respondents estimate that the SEC should consist of a combination of representatives of political parties and independent experts, with a dominance of experts.
10. It is necessary to professionalise the position of the president of the MEC, who would be appointed to that position on the basis of legally determined criteria, via public competition, by the SEC. Other members would be appointed by political parties according to a similar model.
11. In the future, the representatives of the confirmed electoral lists should not participate in the work of the SEC and have the right to vote; they should only have the right to observe the work and inspect SEC documentation.
12. It is necessary to more precisely, clearly and legally regulate the election of members of MECs and PBs, as this would not depend on political turmoil and the decisions of the MECs or the SEC.
13. It is necessary to amend the Law on Election of Councillors and MPs so that all the aspects of functioning of PBs would be thoroughly regulated by law.
14. The Law on Prevention of Corruption needs to be amended to give the APC stronger competencies and enable it to conduct administrative investigations. Law on Election of Councilors and MPs should be amended to regulate online behavior and use of social media during electoral silence.
15. To put all categories of political entities on an equal footing, it is necessary to redefine the term political entity and adjust the deadlines for reporting costs during the campaign in a way that leaves no room for non-compliance with the Law on Financing of Political Entities and Election Campaigns.
16. State financing of regular work and pre-election campaigns of political parties should be legally conditioned by introducing into the statutes and implementing democratic procedures of selection of candidates for MP and councillors, as well as direct selection of party's leadership by their members.

17. The Law on Election of Councillors and MPs should be updated to address the behaviours and use of social media during the electoral silence day.
18. To ensure full respect for the principle of electoral silence, we believe that the law should stipulate that the responsibility for the observance of the electoral silence on social networks should lie with the political entities who are participating in the elections, rather than with social media.
19. To put all political entities on an equal footing, it is necessary to redefine the terminology of the concept of a political entity and adapt the deadlines for reporting on the costs of ongoing campaigns in such a way that leaves no room for non-compliance with the Law on Financing of Political Entities and Election Campaigns.
20. The Law on Financing of the Political Entities and Election Campaigns should be updated to address the use of social media during campaigning.
21. It is necessary to provide adequate funds to the State Election Commission for modernization of IT infrastructure.
22. Amendments to the Law on Election of Councilors and MPs must enable the presence of an additional electronic device at the polling station, for the purposes of using software for processing election material. At the same time, it is necessary, in cooperation with IT experts, to prescribe in the Rulebook the manner in which the device would be configured, the exact moment of activation of the device at the polling station, the person responsible for use and his/her deputy.

B. To the State Election Commission

23. It is necessary to adopt new procedural rules for the SEC that would regulate all disputable situations in this election cycle, as well as previous cycles (recording sessions, recording and approving the minutes during the session, the manner of putting certain questions to a vote, adoption of a complaint mechanism, the length of breaks, the necessary number of members to put proposals on the agenda and the length of and reasons for pauses in work, among other issues).
24. The media should be provided access to SEC meetings.
25. Particular attention should be paid to verify the authenticity of signatures to avoid abuse.
26. The SEC should introduce a live broadcast of its session through the Internet, especially when there is an epidemiological emergency such as a pandemic.
27. It is also necessary to enable members of the Roma community to have election material in their own language, to enable them to fully exercise their voting rights.
28. Carrying accreditation is not an obligation in either the Rules of the Work of PBs or in the Manual for Training of PBs. To reduce the room for abuse by unauthorised people, it is necessary to introduce this obligation in a by-law.
29. The SEC should indicate to the PBs the importance of working with a full composition so that there are no situations in which the PBs conduct elections as four members and not five as provided by the Law on Election of Councillors and MPs.
30. The practice of PSs regarding the treatment of people who are not recognised by the

electronic identification device should be standardised.

31. It is necessary to work on educating the presidents and members of the PBs on the ban on the use of mobile phones at PSs.
32. The State Election Commission, which is in possession of the source code of the software that OSCE has donated, must work on improving the software module for verifying signatures for the support of electoral lists, so as not to violate the provisions of the Law on Data Protection.
33. The State Election Commission should provide all employees with regular training on cyber security.
34. Before using the software for processing election data, it is necessary to conduct a cyber attack simulation, in order to test the cyber security of the State Election Commission. The possibility to provide support to the SEC by the Service for IT Security and Technical Supervision Systems in the Ministry of the Interior should also be considered.

C. To Municipal Election Commissions

35. The MECs should protect the integrity of the electoral process so that the determination and declaration of the electoral lists will be made pursuant to the Law on Election of Councillors and MPs and according to pre-established procedures. The MECs should exclude from the electoral process all electoral lists that do not meet the formal legal conditions for participation in the elections.
36. Conditions at PSs for people with disabilities should be improved – to solve the problem of obstacles or designate other PSs – to avoid voting outside the PS.
37. Conditions at PSs for people with disabilities should be improved – to solve the problem of obstacles or designate other PSs – to avoid voting outside the PS.
38. Work is required to update the existing MEC websites with regard to proactive action and publishing information important for conducting elections.
39. The practice of PSs regarding the treatment of people who are not recognised by the electronic identification device should be standardised.
40. It is necessary to ensure the consistent application of the legal obligation to respect the provisions concerning the representation of women on electoral lists, and to prevent the acceptance of electoral lists that do not respect the number and position of women on the list as prescribed by law.

D. To the Constitutional Court

41. The practice of the Constitutional Court of Montenegro in deciding on the appeals in the electoral process should be harmonised to avoid legal uncertainty.

E. To State Prosecutor Offices and Courts

42. Possible violations of the right to vote should be prosecuted more efficiently than in previous election processes.

F. To the Ministry of Interior Affairs

- 43.** Automated control and deduplication of fingerprints through the AFIS system should continue, and control of identical photo identities in the voter register should be introduced. With this endeavour, the abuse of voter register would be prevented in the case of people who have been issued multiple identification cards with different identities.
- 44.** There should be new mechanisms for better updating the voter register so that there are fewer examples of registered voters who should not be in the voter register. Alternatively, consider other models (at least temporarily until the voter register is updated), such as an active voter register, or the introduction of compulsory voting, modelled in other countries.
- 45.** The cooperation between the Ministry of Interior Affairs and the SEC in the election process should be at a much higher level.

G. To the Agency for Prevention of Corruption

- 46.** Despite significant progress, it is necessary to improve the proactivity of the APC with regard to training people who are subject to the law.
- 47.** A more proactive role of the APC is necessary in terms of monitoring observance of the Law on Financing of Political Parties and Election Campaigns, through warnings and more objective and efficient filing of misdemeanour charges against those political entities that violate the law, to ensure transparency in this part of their work and to inform citizens about how their campaigns are financed.
- 48.** The APC must create a database of potentially risky individuals and legal entities to reduce the risk of unauthorised influence and indirect action of these people outside the period in which the election campaign takes place.
- 49.** The APC should continuously and comprehensively monitor social benefits and employment in Montenegro, in the election year, on a quarterly basis, for a more complete picture of possible abuses.
- 50.** It is necessary to work on further improvement of the APC's PR strategy, and thus contribute to the transparency and proactivity of the APC activities as well as inform the interested public to a greater degree. The use of creative audio-visual solutions (infographics, storytelling videos and animations) during and outside the period of election campaign, and in connection with key findings, would contribute to a positive impact on the APC's public reputation.
- 51.** The APC should adopt new tactics to monitor abuses of state resources adapted to the online environment and work on capacity building for the collection of evidence of abuse of state resources using new technologies.
- 52.** The APC should consider introducing an obligation for political parties to submit invoices for paid content on Facebook as well as a listing of its Ads Manager, which shows an overview of all advertisements and the amount of money spent on boosting or sponsoring Facebook posts for political campaign purposes.
- 53.** The APC should investigate potential participation of the SOC in financing the political

campaign of the coalition 'For the Future of Montenegro', keeping in mind that the leaders of this coalition have informed the public that the SOC participated in the management of their campaign. Political entities as well as their leader should respect the electoral silence on social media too.

H. To political subjects

- 54. We urge all political entities to reduce the overall level of politicisation of the electoral process and of the bodies for conducting elections to increase the overall level of professionalism of the electoral bodies and restore public confidence in the elections and the election results.
- 55. Political entities should bear in mind the general public interest, should respect the norms of electoral legislation and should not abuse legal loopholes and legal uncertainties for the personal interests of individuals or parties.
- 56. We believe that political entities should refrain from negative personal campaigns, as well as the use of minors for the purpose of political marketing.
- 57. Political entities and their leaders should also respect the electoral silence on social networks.

I. About the media

- 58. The legal framework for the media needs to be improved in a way that ensures equal treatment of electoral subjects.
- 59. RTCG, as a public broadcaster, should provide balanced coverage of political entities during the election campaign.
- 60. Private media should ensure balanced reporting about the participants in the electoral process.
- 61. Media should be educated about disinformation campaigns, in particular during elections, and should establish an intersectoral cooperation with CSOs for combating online disinformation.
- 62. Media should conduct online awareness raising campaigns about digital rights and ways to protect human rights.

Monitoring Mission Core Team Centre for Monitoring and Research – CeMI



Zlatko Vujovic – Head of the Mission

Teodora Gilic – Project Coordinator

Vladimir Simonovic – Legal Expert

Dubravka Tomic – Finance Officer

Dusan Tomic – PVT Coordinator

ANNEX

**Processed data collected from
CeMI's observers**

Opening of polling stations

The president of the polling board is:	Number of answers	%
Male	66	72,53
Female	25	27,47
TOTAL	91	100

Were there any physical barriers that prevented people with disabilities from accessing the polling station (high doorstep, stairs...)?	Number of answers	%
Yes	28	30,77
No	61	67,03
I don't know	2	2,2
TOTAL	91	100

Were all election materials available in languages of national minorities?	Number of answers	%
Yes	34	38,20
No	24	26,97
I don't know	31	34,83
TOTAL	89	100

Were the election materials available in Braille?	Number of answers	%
Yes	50	54,95
No	23	25,27
I don't know	18	19,78
TOTAL	91	100

Did the polling board check if all the conditions for voting were provided before opening?	Number of answers	%
Yes	67	74,44
No	0	0
I don't know	23	0,25
TOTAL	90	100

Were the responsibilities of the members of the polling board defined by the drawing of lots?	Number of answers	%
Yes	53	59,55
No	6	6,74
I don't know	30	33,71
TOTAL	89	100

Was the number of voters announced and entered into the protocol of the polling board?	Number of answers	%
Yes	77	82,02
No	2	0
I don't know	12	17,98
TOTAL	91	100

Were all the ballots stamped by the polling board?	Number of answers	%
Yes	82	38,2
No	1	26,97
I don't know	31	34,83
TOTAL	89	100

Was the device for electronic identification of voters set up so that most members of polling boards were able to see it?	Number of answers	%
Yes	85	93,41
No	4	4,4
I don't know	2	2,2
TOTAL	91	100

Were there any technical problems when the device for electronic identification of voters was activated?	Number of answers	%
Yes	3	3,33
No	75	83,33
I don't know	12	13,33
TOTAL	90	100

Was the polling box transparent?	Number of answers	%
Yes	89	98,89
No	1	1,11
TOTAL	90	100

Were the packages containing voting materials sealed?	Number of answers	%
Yes	73	82,02
No	0	0
I don't know	16	17,98
TOTAL	89	100

The ballot box	Number of answers	%
Was properly sealed, the signed control ballot was in the box	83	100
Was NOT properly sealed	0	0
Control ballot was NOT signed	0	0
The ballot box was NOT properly sealed and and control ballot was NOT signed	0	0
TOTAL	83	100

Did the first voter put the ballot in the ballot box?	Number of answers	%
Yes	74	83,02
No	0	0
I don't know	15	16,85
TOTAL	89	100

Were all election material present at the polling station:		Number of answers	%	Total
Electronic device for identification of voters	Yes	88	100	100
	No	0	0	
Two eTokens (electronic keys) for the activation of the device for electronic identification of voters	Yes	89	100	100
	No	0	0	
Number of needed ballots provided	Yes	90	100	100
	No	0	0	
Number of needed templates for voting provided	Yes	89	100	100
	No	0	0	
Joint electoral lists	Yes	89	100	100
	No	0	0	
Two printed extracts from the electoral register (one for voting one by letter	Yes	88	100	100
	No	0	0	
Ballot boxes at the polling station	Yes	90	100	100
	No	0	0	
Portable ballot box for voting by letter at the polling station	Yes	89	100	100
	No	0	0	
Special and official envelopes for voting provided	Yes	88	100	100
	No	0	0	
Form for the protocol of the polling board at the polling station	Yes	87	100	100
	No	0	0	

Is the polling station arranged in accordance with the recommendations for epidemiological protection of voters?	Number of answers	%
Yes	84	93,33
No	6	6,67
I don't know	0	0
TOTAL	90	100

Is the polling station marked in such a way that the direction of movement of each voter and minimum distance of two meters is provided in front of the entrance to the polling station?	Number of answers	%
Yes	75	83,33
No	14	15,56
I don't know	1	1,11
TOTAL	90	100

Is the polling station marked in such a way that the direction of movement of each voter and minimum distance of two meters is provided in front of the table where the voter is identified?	Number of answers	%
Yes	71	78,89
No	18	20
I don't know	1	1,11
TOTAL	90	100

Are containers with the hand sanitizer placed at the entrance and the exit of the polling station?	Number of answers	%
Yes	88	96,7
No	2	2,2
I don't know	1	1,1
TOTAL	91	100

Do all polling board members wear masks all the time?	Number of answers	%
Yes	80	96,7
No	11	2,2
I don't know	0	1,1
TOTAL	91	100

Did the members of the polling board perform disinfection of the polling station?	Number of answers	%
Yes	68	74,73
No	1	1,1
I don't know	22	24,18
TOTAL	91	100

Evaluation of the polling station	Number of answers	%
Great	46	50,55
Very good	27	29,67
Good	13	14,29
Bad	3	3,3
Very bad	2	2,2
TOTAL	91	100
Average	4,23	

The voting process

Were the authorised representatives of lists/parties present?	Number of answers	%
Yes, all	67	67,68
Yes, but not all	32	32,32
No	0	0
TOTAL	99	100

Polling stations below 10m2 per person (free assessment of observers)	Number of answers	%
Number of polling stations	0	0
Percentage of observed polling stations	99	0

Number of polling station with 20 people present at one time (free assessment of observers)	Number of answers	%
Number of polling station	2	2
Percentage of observed polling stations	98	2,04

Do all polling board members wear masks all the time?	Number of answers	%
Yes	87	87,88
No	12	12,12
I dont know	0	0
TOTAL	99	100

Did the members of the polling board perform disinfection of the polling station?	Number of answers	%
Yes	82	82,83
No	2	2,02
I dont know	15	15,15
TOTAL	99	100

Were there any domestic non-partisan observers?	Number of answers	%
Yes	65	65,66
No	34	34,34
I don't know	0	0
TOTAL	99	100

Did all polling station members and all observers have a good overview of the voting procedure?	Number of answers	%
Yes	96	96,97
No	3	3,03
TOTAL	99	100

Were you or anyone else prevented in any way from observing the voting procedure?	Number of answers	%
Yes	5	5,05
No	94	94,95
TOTAL	99	100

Did any of the observers or candidates inform you about voting problems?	Number of answers	%
Yes	7	7,07
No	92	92,93
TOTAL	99	100

Did you notice the presence of any uniformed or unauthorised persons at the polling station?	Number of answers	%
Yes	1	1,01
No	98	98,99
TOTAL	99	100

If the answer to question 16 is YES, were those persons interrupted with the electoral process?	Number of answers	%
Yes	0	0
No	19	100
TOTAL	19	100

Did you notice any campaign activities near the polling station (party symbols are prohibited with a 100m radius)?	Number of answers	%
Yes	1	1,01
No	98	98,99
TOTAL	99	100

Did voters experience difficulties with physical access to the polling station in any way?	Number of answers	%
Yes	5	5,05
No	94	94,95
TOTAL	99	100

Was there a crowd in front of the polling station?	Number of answers	%
Yes	24	24,24
No	75	75,76
TOTAL	99	100

Were there tensions or disturbances of the public order in front of the polling station?	Number of answers	%
Yes	8	8,08
No	91	91,92
TOTAL	99	100

Were there any exit polls in front of the polling station?	Number of answers	%
Yes	0	0
No	99	100
TOTAL	99	100

Were there any other problems near the polling station?	Number of answers	%
Yes	5	5,05
No	94	94,95
TOTAL	99	100

Was there a crowd in the polling station?	Number of answers	%
Yes	12	12,12
No	87	87,88
TOTAL	99	100

Did you notice campaign-related materials at the polling station?	Number of answers	%
Yes	1	1,01
No	98	98,99
TOTAL	99	100

Did you notice anyone trying to influence voters about who to vote for at the polling station?	Number of answers	%
Yes	1	1,01
No	98	98,99
TOTAL	99	100

Did you notice tensions or disturbances of the public order?	Number of answers	%
Yes	6	6,06
No	93	93,94
TOTAL	99	100

Did you notice the presence of any armed persons at the polling station?	Number of answers	%
Yes	0	0
No	99	100
TOTAL	99	100

Did you notice any other problems at the polling station?	Number of answers	%
Yes	4	4,04
No	95	95,96
TOTAL	99	100

Were there problems while using the device for electronic identification of voters?	Number of answers	%
Yes	5	5,05
No	94	94,95
TOTAL	99	100

Were there voters who did not vote because their name was not in the excerpt from the electoral register for this polling station?	Number of answers	%
Yes	23	23,23
No	76	76,77
TOTAL	99	100

Was there any group voting (several family members at the same time, for example)?	Number of answers	%
Yes	31	31,31
No	68	68,69
TOTAL	99	100

Did someone vote or try to vote more than once?	Number of answers	%
Yes	0	0
No	99	100
TOTAL	99	100

Were there situations in which someone voted on behalf of someone else?	Number of answers	%
Yes	5	5,05
No	94	94,95
TOTAL	99	100

Did any polling board members or observers use a mobile phone at the polling station?	Number of answers	%
Yes	32	32,32
No	67	67,68
TOTAL	99	100

Was someone keeping a record of the names of voters who voted?	Number of answers	%
Yes	27	27,27
No	72	72,73
TOTAL	99	100

Were there any cases where a voter said out loud who they had voted for or showed who they had voted in any other way?	Number of answers	%
Yes	7	7,07
No	92	92,93
TOTAL	99	100

If the answer is YES, was that ballot annulled?	Number of answers	%
Yes	4	23,53
No	13	76,47
TOTAL	17	100

Did the polling board follow the procedure of electroinc identification of voters?	Number of answers	%
Yes	97	97,98
No	2	2,02
TOTAL	99	100

Did voters get a stamped ballot?	Number of answers	%
Yes	99	100
No	0	0
TOTAL	99	100

Did voters personally sign next to their name in the excerpt from the electoral register?	Number of answers	%
Yes	99	100
No	0	0
TOTAL	99	100

Were all polling board members or their deputies present all the time?	Number of answers	%
Yes	93	93,94
No	6	6,06
TOTAL	99	100

Was there good cooperation between you and the polling board during the monitoring?	Number of answers	%
Yes	99	100
No	0	0
TOTAL	99	100

Has there been a power outage at the polling station?	Number of answers	%
Da	3	3,03
Ne	96	96,97
UKUPNO	99	100

Has the visual identification of voters been switched to in the event of a power outage?	Number of answers	%
Yes	2	8,7
No	21	91,3
TOTAL	23	100

In case of a power outage and visual identification of voters, was this fact documented?	Number of answers	%
Yes	2	10
No	18	90
TOTAL	20	100

Did you notice any other procedural mistakes?	Number of answers	%
Yes	3	3,03
No	96	96,97
TOTAL	99	100

Evaluation of the polling station	Number of answers	%
Great	52	52,53
Very good	28	28,28
Good	17	17,17
Bad	0	0
Very bad	2	2,02
TOTAL	99	100
Average	4,29	

Closure of polling stations and vote counting

Were the voters waiting in front of the polling station at 8pm?	Number of answers	%
Yes	3	3,8
No	76	96,2
Total	79	100

If yes, are they allowed to vote?	Number of answers	%
Yes	3	20
No	12	80
Total	15	100

Was the polling station closed at 8pm?	Number of answers	%
Yes	78	98,73
No	1	1,27
Total	79	100

Did all registered voters for voting by letter voted?	Number of answers	%
Yes	62	78,48
No	15	18,99
I don't know	2	2,53
Total	79	100

Did the president of the polling board ask the polling board members if they had any complaints and did he/she enter them in the protocol?	Number of answers	%
Yes	75	94,94
No	4	5,06
Total	79	100

Did the polling board at the moment of closing the polling station access the collection of data from the device for electronic identification of voters by choosing the option STATISTICS on the device screen?	Number of answers	%
Yes	71	89,87
No	8	10,13
Total	79	100

Were there problems while turning off the device for electronic identification of voters?	Number of answers	%
Yes	0	0
No	79	100
Total	79	100

Was the device for electronic identification of voters packed in the proper state into the box in which it was delivered to the polling station?	Number of answers	%
Yes	78	98,73
No	1	1,27
Total	79	100

Did the polling board determine the number of unused ballots?	Number of answers	%
Yes	76	96,2
No	3	3,8
Total	79	100

Did the polling board determine the number of control coupons that were detached from the ballots and the number of signed printed confirmations of the electronic identification of voters?	Number of answers	%
Yes	78	98,73
No	1	1,27
Total	79	100

Did the polling board, based on the printed excerpt from the electoral register, determine the total number of voters who voted?	Number of answers	%
Yes	77	97,47
No	2	2,53
Total	79	100

Was the number of voters entered into the protocol before opening the ballot box?	Number of answers	%
Yes	70	88,61
No	9	11,39
Total	79	100

Were the ballots from the portable ballot box for voting by letter immediately put into the regular ballot box after opening it?	Number of answers	%
Yes	73	92,41
No	6	7,59
Total	79	100

Was the seal on the ballot box untouched?	Number of answers	%
Yes	78	98,73
No	1	1,27
Total	79	100

Was the control paper found in each ballot box?	Number of answers	%
Yes	79	100
No	0	0
Total	79	100

Was the control paper found in the polling box identical with the control paper of the polling board?	Number of answers	%
Yes	78	98,73
No	1	1,27
Total	79	100

Was the choice on each ballot pronounced out loud?	Number of answers	%
Yes	73	92,41
No	6	7,59
Total	79	100

Was the decision on valid/invalid ballots legitimate?	Number of answers	%
Yes	76	96,2
No	3	3,8
Total	79	100

Were there ballots that had been signed or marked by the voters?	Number of answers	%
Yes	7	8,86
No	72	91,14
Total	79	100

If the answer to the previous question is Yes, were those ballots declared invalid?	Number of answers	%
Yes	11	55
No	9	45
Total	20	100

Were there ballots that had been marked in any other way by the voters? (triangles, squares, double circle, different colours...)?	Number of answers	%
Yes	26	32,91
No	53	67,09
Total	79	100

If the answer to the previous question is Yes, were those ballots declared invalid?	Number of answers	%
Yes	24	68,57
No	11	31,43
Total	35	100

Was the criterion for the decision on valid/invalid ballots applied consistently?	Number of answers	%
Yes	78	98,73
No	1	1,27
Total	79	100

Were there any significant similarities between the invalid ballots?(triangles, squares, double circle, different colours...)?	Broj odgovora	%
Yes	7	8,86
No	72	91,14
Total	79	100

Were all the polling board members able to check ballots?	Number of answers	%
Yes	79	100
No	0	0
Total	79	100

⁵⁶<https://dik.co.me/izbori/za-izbor-poslanika-u-skupstinu-crne-gore/2020-3-god/prigovori-rjesenja-2020/>

Did the polling board announce the number of invalid ballots and enter that number in protocol?	Number of answers	%
Yes	78	98,73
No	1	1,27
Total	79	100

Were any numbers altered after they were entered into the protocol by the polling board?	Number of answers	%
Yes	1	1,27
No	78	98,73
Total	79	100

Were there any official complaints on the vote - counting process?	Number of answers	%
Yes	0	0
No	79	100
Total	79	100

Did any polling board member refuse to sign off the protocol?	Number of answers	%
Yes	2	2,53
No	77	97,47
Total	79	100

Is the sequence of steps strictly followed?	Number of answers	%
Yes	76	96,2
No	3	3,8
Total	79	100

Did all the polling board members agree with the numbers entered into the protocol?	Number of answers	%
Yes	78	98,73
No	1	1,27
Total	79	100

Was the copy of protocol released?	Number of answers	%
Yes	73	92,41
No	6	7,59
Total	79	100

Did all the people who asked for a copy of the protocol received it?	Number of answers	%
Yes	75	94,94
No	4	5,06
Total	79	100

Did you receive a copy of protocol?	Number of answers	%
Yes	54	68,35
No	25	31,65
Total	79	100

Were there any independent domestic observers on the vote - counting process, except you?	Number of answers	%
Yes	5	6,33
No	74	93,67
Total	79	100

Were there any unauthorized persons on the vote - counting process?	Number of answers	%
Yes	1	1,27
No	78	98,73
Total	79	100

Did all people have clear oversight of the vote - counting process?	Number of answers	%
Yes	77	97,47
No	2	2,53
Total	79	100

Evaluation of the polling station	Number of answers	%
Excellent	38	48,10
Very good	30	37,97
Good	7	8,86
Bad	0	0
Very bad	4	5,06
Total	79	100
Average	4,24	

