



# ANNUAL REPORT

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## ABOUT THE MONITORING CENTER

**CEMI is a non-governmental organization established in March 2000, whose main goal is to provide infrastructural and expert support to constant monitoring of the transition processes in Montenegro.**

Vision of The Monitoring Center is: Montenegro - successfully integrated into European Union.

Mission of CEMI is to contribute to the implementation of standards that represent conditions for Montenegro to join the international community of developed countries, through continuous monitoring of social processes in Montenegro, pointing out anomalies and offering alternative solutions.

### Main objectives:

- observation of Election processes;
- reform of legislation in Montenegro;
- monitoring the respect of political rights and freedoms of all people in Montenegro;
- monitoring of respect and implementation of Montenegrin Laws and Constitution;
- monitoring of transitional processes;
- protection of human rights and freedoms, as well as promotion of civil society values and ideas.

### Members of the Governing Board:

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### Executive director:

Zlatko Vujović

### Program director:

Olivera Komar

### Donors:

NPA - Norwegian People's Aid  
Olof Palme International Center  
FOSI (Foundation Open Society Institute, Representative Office Montenegro)  
Freedom House  
German Embassy  
USAID/ORT (US Agency for International Development)  
SHC (Swedish Helsinki Committee)  
Parliament of Montenegro  
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Delegation of European Commission,  
Royal Netherland Embassy,  
Embassy of Switzerland,  
Embassy of Finland,  
Constitutional and Legal Policy Institute, COLPI,  
OSCE - ODIHR Warsaw,  
Government of Montenegro,  
USAID - OTI Montenegro



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Programs of CEMI are: Elections, Rule of law, Good governance, Civil society, European Integrations.

### Specific projects within these programs are:

#### ELECTIONS:

- Monitoring all Elections since 2000
- Round table on the status and the role of NGOs in the society
- Training for trainers of the political parties

#### RULE OF LAW:

- Law on financing the political parties
- Law on political parties
- Model of the Law on central voter's register
- Model of the Law on Election of representatives of the national and local Parliament
- Model of the Law on State's Electoral Commission

#### GOOD GOVERNANCE:

- Introducing the institution of Ombudsman to the Montenegrin population
- Case study
- Monitoring of the work of Ombudsman
- Watchdog of the Law on financing the political parties and the Law on political parties
- Transparency (monitoring of financing of political parties and the Law on conflict of interests)

#### CIVIL SOCIETY:

- PR & Resource Center for NGOs
- Get to know the system in order to change it
- Monitoring of the work of census takers in 2003
- Institute for civil society and democracy
- Strategy as a mean - trust as a goal

#### EUROPEAN INTEGRATIONS:

- Get to know the European Union
- Declaration on joining EU
- Communicational strategy
- Research of public opinion on European integration processes in Montenegro

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Dear friends,

It is my pleasure to continue the already established communication with you. In our first printed annual narrative and financial report, we have tried to present CEMI in its true colors, as a modern and young organization, devoted to the implementation of standards that represent important conditions for Montenegro to become an integral part of European Union, through various programs. This year, we present the continuance of our work, striving for the same goals and making another step towards achievement of European standards. This is just an outline of what we did and how we did it during the previous year - 2004.

Values that CEMI cherishes are the rule of law, freedom of choice, good governance and free elections. When we first started our work and founded CEMI almost 5 years ago, it seemed very hard to fully implement these values in our society, but today they are much more feasible, and we will do our best to stay on track and keep these values as guiding ideas for the whole work of CEMI. Rule of law and free elections are the most important achievements of modern civilization and goals that every state tries to accomplish. Baring this in mind, we believe that we have done a lot for their establishment in Montenegro. Of course, we could not have done it without the help of our members, donors and partners, as well as the public in general.

4 So far, thousands of citizens gave their best through CEMI's projects and civil initiatives to contribute to approaching standards of democracy and respect of human and civil rights in Montenegro.

We hope that activities, presented in this report, would motivate you to help us in improving and developing Montenegro as a civil society, either by your advice or your personal engagement.

*President of the Governing Board*  
Đuro Stojanović

## R U L E O F L A W

### THE MONITORING CENTER CELEBRATED ITS 4TH ANNIVERSARY

At the occasion of its fourth Anniversary and adoption of two Laws by the National Parliament (Law on financing the political parties, and Law on political parties), The Monitoring Center - CEMI held a celebration event in the Montenegrin National Theatre on the 26th of May, 2004.



\* From the celebration

Regular program lasted for about an hour, after which we had organized a cocktail with national specialties and drinks, followed by a small orchestra. The guests of the celebration were friends of CEMI, our partners in the past work (and future activities, possibly), media representatives, volunteers, etc.

Speakers of the celebration were:

- Zlatko Vujovic, Executive Director of the Monitoring Center-CEMI
- Ranko Krivokapic, President of Montenegrin Parliament
- Howard Handler, Officer-in-Charge, USAID Podgorica
- Hoyt Brian Yee, U.S. Consul in Montenegro
- Sanja Elezovic, Director of Foundation Open Society Institute

\* From the celebration



**Zlatko Vujovic, Executive Director of  
the Monitoring Center CEMI**

"...When we conducted a pilot project of civil election's monitoring in the year 2000, we have entered that with a strong will to change the existing system, we could not even anticipate that we could succeed in a way. Credits for this success do not belong only to people that worked on projects, because all this would not be possible to accomplish without the creation of an atmosphere in which NGOs are not

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pointed at as actors run by some alien from abroad, but where NGOs are recognized as a very useful partner..."

### Ranko Krivokapic, President of Montenegrin Parliament

"...Today CEMI is setting up new standards in transparency of financing in the civil sector. They have set up standards for the others in order to save the authority of this sector's critical consciousness. Montenegrin's NGO sector has the biggest influence in social life. Thanks to CEMI, we have gained the habit of fair and controlled elections. These four years were a great school of democracy..."

### Howard Handler, Officer-in-Charge, USAID, Podgorica:

"...This is a success, not only because two important peaces of political reform legislation have been past, but also that your organization proposed these Laws to the Parliament directly on behalf of 6000 citizens. Your success is an excellent example of the role NGOs play in creating democratic and representative society..."

### Hoyt Brian Yee, U.S. Consul in Montenegro

"...I have a short message to all young people, especially to young people from CEMI and its partner organizations. I want to tell you that now you must continue. I want to urge you to continue to be involved in democratic processes and to participate in shaping the future of this country..."

### Sanja Elezovic, Director of Foundation Open Society Institute

"...CEMI is one of our long-lasting partners, especially in the legislation part, which is one of the reasons of this night's gathering. We have enjoyed following CEMI's campaign: "For the clean cheeks' politics!", which was organized by CEMI, with the help of USAID ORT. We are now involving ourselves in this project, in the part of implementation of the Laws, in order to support their activities of monitoring them, which would help better understanding of Laws and give us directions in case there are some misunderstandings in them..."

### CEMI'S LAW INITIATIVE

We would like to remind you that CEMI offered the National Parliament of Montenegro 2 Law proposals: The proposal of the Law on financing the political parties and the Proposal of the Law on political parties, in 2003, and they were adopted in March 2004. These 2 Law proposals (today positive Laws) present part of the set of anti-corruption Laws, with which CEMI gave its contribution to the total struggle with the corruption. Even though these Laws are adopted and started being implemented, all international and national researches and experiences show that in all world countries, most of the frauds and money wash happen directly within political parties. Therefore, CEMI has decided to continue with monitoring of the implementation of these Laws, as well as with the monitoring of the financing of political parties.



\* CEMI's representatives in Parliament - adoption of CEMI's Laws

### CEMI is preparing another 2 Models of Laws

CEMI's working group is in the phase of writing and preparing 2 new models of Laws: Model of the Law on election of representatives of the national and local Parliament and the Model of the Law on State's Electoral Commission, which are not a part of anti-corruption Laws, but they are in the set of Electoral Laws, which definitely represent the framework of electoral system on Montenegro. Considering the fact that we have numerous number of Elections every short while, as well as the essential effect of Elections in democratic societies in general, CEMI believes that changes and adoption of these Laws are of the crucial importance for the future of Montenegro as a democratic society. Also, as the recent Elections have shown, we believe that the current Election Laws are very bad and old, as well as that they need a lot of changes to be made.

#### Goals of these projects are:

1. Doing a comparative analyses about the Election legislative and functioning of the State's Electoral Commission in other European countries;
2. Involving the public, NGOs, international organizations and media in the process of creating drafts through their participation in public debates;
3. Involving the political parties in public debates;
4. Drafting both Laws;
5. Printing a draft of both Laws.

These project are helped by Norwegian People's Aid.





## GOOD GOVERNANCE

### MONITORING OF THE FINANCING OF THE POLITICAL PARTIES IN MONTENEGRO

The Monitoring Center - CEMI, in cooperation with the Foundation Open Society Institute-Montenegro and with the financial and expert support of the Open Society Justice Initiative - Budapest is implementing a project named: **"Monitoring of the financing of the political parties in Montenegro"**

Before this project has started, also with the support of FOSI ROM, CEMI has implemented a project, which was consisted of the analyses of the situation in Montenegro, related to the financing of the political parties and potential cases of corruption. Analyses were finished in May 2004 and gave a realistic overview of the situation in this area after the Law on financing the political parties was adopted and before its implementation started.

It is worth mentioning again that CEMI proposed this Law, with the support of FOSI, USAID, USAID/ORT and NPA.

In order to get a full picture in this sphere it is not enough to monitor only the implementation of the Law on financing the political parties, but it is also necessary to compare the data which you get through mechanisms that are available through 2 other Laws: Law on conflict of interest and the Law on public procurement.

#### *Aim of the project*

The aim of this project is the decrease of corruption within political parties through increase of the level of transparency in their financing.

#### *Objectives*

1. Raising awareness of the public about the ways political parties receive and spend their financial resources.
2. Comparing data from the official reports of the political parties with the real data which we would get through our monitoring.
3. Analyses of implementation of the positive Laws and provisions and lobbying for their changes



\* Press conference - presentation of the project

## GOOD GOVERNANCE

In the first year of implementation of this program, special attention will be dedicated to creation of data base of public documents, through which it will be possible to compare the data with the official reports of political parties related to their financing and find potential abuses.

There is no public data base in Montenegro related to data concerning contracts made according to provisions regulated with the Law on public procurement, which regulate the property and income of Governmental representatives and political parties, including their membership in other governing boards. This project and the data base as one of its key products is the main factor that would change the inaccessibility of this information to broader circle of people and public in general.

Through creating this base, with a strong search engine that would be easily accessible to public on CEMI's web site, journalists and all interested people would be able to make researches on their own, based on valid data.

This way, level of transparency will be highly increased and this would lead to creation of conditions for a more active role of all citizens to join the process of identification of potential corruption in Montenegro.

This data base should include continuous and fresh data from several areas:

1. Income and spending of financial resources of political parties in their regular and exceptional financing of pre-election campaigns;
2. Data about contracts made by the Government, local authorities and public companies with other persons/private companies;
3. Data about incomes, property and memberships in governing boards of all delegates and representatives of local and state authorities;
4. Analyses of media monitoring of media reporting about issues from this project;
5. Creating a base of newspaper articles on the internet presentation, available for searching.

CEMI has planned to work on this data base until the half of next year, when it will be disclosed to public.

### Monitoring of the financing of political parties in Montenegro

Within this project, CEMI has made adequate preparations for the monitoring of the financing of political parties, which was adopted by the National Parliament in March whose implementation started on 1st of October.

CEMI has created a case study for this monitoring, which shows the current situation analyses of Montenegrin electoral system, current control of the financing of political parties, situation in the sphere of corruption and anti-corruption initiatives, conflict of interest, as well as other questions related to these topics.

## GOOD GOVERNANCE

Foundation Open Society Institute-Montenegro has prepared a manual that contains the methodology for monitoring the financing of political parties, which CEMI will use in the next phase as a base for monitoring of the financing of political parties in Montenegro.

The aim of this monitoring is creation of a data base that would contain information related to spending of financial resources by political parties, as well as continuous comparing of data given by the parties in their reports, which they are obliged to by the new Law, with the real data, which CEMI would get during the process of monitoring. This data base will be regularly updated and available to all interested persons on CEMI's web site, at a specific link.

### Monitoring of conflict of interest

Within this same project, CEMI has made a research about the level of availability of information related to the work of public officials and members of state institutions and institutions of local municipalities. This research will help the creation of data base, as one part of data base is related to the conflict of interest of public officials. By using the web presentations of main state institutions, as well as information CEMI has received from state and local institutions on demand, CEMI has managed to create the list of public officials in Montenegro that will be added to the data base. This way, the public will be able to gain direct access to all public information, what makes other types of researches and comparisons much easier to do and disclose.

CEMI's working team in this project has visited a Slovakian NGO: "Alliancia Fair-Play", which is working on monitoring of anti-corruption activities related to financing of political parties and conflict of interest of public officials in Slovakia. The aim of the visit was exchange of experience and establishing cooperation with this organization, which has offered CEMI their expert and technical support in the realization of this project in Montenegro.

CEMI has also made a working version of comparative analyses related to conflict of interest, whose goal is finding new legal solutions in order to improve the existing Montenegrin Law on conflict of interest.

CEMI has also planned to establish the cooperation with the State Commission for prevention of conflict of interest in the next period.

### Monitoring of public procurement

One part of the research that CEMI has made within the project: "Monitoring of the financing of political parties" is related to giving its marks to the level of availability of data related to the disclosure of public procurement of state institutions, which use public resources and disclose tenders, all tenders disclosed by these institutions (with detailed data about the contracted tender and its documentation), all companies that participated in tenders, as well as those that signed an agreement on tenders (with detailed information about these companies).

Information, which CEMI has come up with through web presentations of the Central register of Economic court and national Commission for public procurement, as well as demands sent to these institutions for reviewing documentation of disclosed tenders will be a part of this data base.

### STUDY TOUR IN SLOVAKIA

The delegation from The Monitoring Center has visited Slovakia in the period between 24th and 26th of October 2004 and had a meeting with its partner organization "Alliancia Fair-Play", which is working on the creation and implementation of a data base concerning corruption in Slovakia. The reason of this visit is exchange of experience and familiarizing CEMI's members with different approaches and methodology when working on a data base.

Slovakian Law on free access to information allows all interested persons access to all information related to the work of State/public institutions, public officials, political parties, as well as to financial reports, property lists, access to public tenders of the above mentioned subject. It is worth mentioning that national institutions in Slovakia have very good web sites, through which the citizens can also gain information they need. Data bases on these web sites are updated every day, so the information they contain are very fresh and valid.

"Alliancia Fair-Play has created a very well organized and full data base that contains information, which is comparatively and separately presented in their base. Flexibility of their data base is very noticeable in different possibilities of search engine and columns, depending on your interest.

This data base model will serve as a base of CEMI's data base, concerning available information on Montenegrin public officials. CEMI will have full support of Alliancia Fair-Play in this project especially in the sphere of expertise consultations, technical resources, trainings and trainings for our members.



\* Meeting with the representatives of Alliancia Fair - Play in Bratislava

## WATCHDOG OF THE IMPLEMENTATION OF THE LAW ON POLITICAL PARTIES AND THE LAW ON FINANCING OF POLITICAL PARTIES

The national Parliament of Montenegro has adopted two Laws at the spring assembly: Law on political parties and the Law on financing the political parties, which were proposed by The Monitoring Center - CEMI with the written and full support of 13 000 citizens. Law on political parties prescribes the founding, ending and working of political parties as key carriers of the Montenegrin political life. Law is trying to introduce democratic procedure into their work, higher transparency of their activities, as well as their relationship with their own members, in one word - their institutionalization. The Law on financing of political parties strives to achieve some order, control and transparency in their financing. Both of these Laws were adopted after hard and exhausting work and pressure made by CEMI, the public and international organizations.

Once they were adopted, the Laws faced the problem of their implementation. CEMI expected some resistance in this process from subjects, which did not want the sphere of financing of political parties to be regulated, as it is against their interest. With the support of USAID - ORT, CEMI has organized a watchdog of the implementation of the Law. CEMI's partner on these activities within the project was CEDEM (Center for Human Rights and Democracy).

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Watchdog project acted in 2 directions:

1. Giving help and assistance to relevant subjects in order to secure the right implementation of the Law;
2. Persistent monitoring of the respect of Law's provisions.

CEMI has created and published Comments for both Laws and distributed them to all relevant addresses. These Comments offer detailed interpretation of the provisions, as well as practical guidelines for the correct implementation of Laws. Also, considering the fact that certain provisions of these Laws represent significant changes compared to the functioning of political parties by the old Laws, CEMI made separate consultations with all interested subjects and that way additionally helped its implementation. It is worth mentioning that beneficiaries of these services were political parties and organs of the local Government.

Speaking about the implementation of the Law on financing the political parties (which started on 1st of



\* CEMI's overview of the status and financing of political parties in Montenegro

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October, 2004), the Proposal of the Law on changes of the Law on financing the political parties, initiated by Montenegrin Civic Party was a very unpleasant surprise, as it represented breaking of the key principles prescribed by the Law. The aim of the Law on financing the political parties is, just to remind, to make the process of their financing more transparent, as well as limiting, prohibiting or establishing control over certain money channels. Civic party has asked CEMI to organize a working meeting, on which we would discuss certain changes in the Law, in September. The conclusion of all participant parties was that proposal made by Civic Party is totally unacceptable, but that we should increase for 0.5% the limit for total financial resources, which all parties receive annually from the national budget. CEMI has agreed to that proposal, having in mind that parties that are working at the local level can not maintain in the towns with small local budgets. Complete removal of the higher limit that parties should gain from the budget was totally unacceptable, and that was the common conclusion of all participants, except the Civic Party.

The next meeting was arranged under the initiative of the Socialist People's Party, whose main goal was confirming the conclusions agreed at the previous meeting. Once again, CEMI has agreed to the increase of the higher limit for financing of political parties from the public budget up to 1%. However, Civic Party has continued to insist on its proposals and the result of that was the Proposal of the Law on changes of the Law on financing the political parties, proposed by Civic Party.

CEMI has publicly asked for support of the Parliament to reject the Proposal of the Law on legal framework changes of the Law on financing the political parties. As the result of this initiative, the Proposal of the Law was removed from the Parliament Assembly's agenda.

**Article 1** of the Proposal of the Law on changes of the Law on financing the political parties demands removal of the upper limit for public financing of the expenses made by political parties through their work and functioning. This demand represented a disrespect of the key principles proposed by the Law on financing the political parties, even more as it widely opens the door for different misuses and endangering the level of control of financing of political parties.

Second of all, Civic Party proposed increase of public funding for political parties from 0.3% up to 0.5% of the local/national budget. Even though certain limit already existed in the Law, CEMI thought that it is not the best solution and that the problem of limited resources for financing political campaigns can be solved in a much better way.

The third proposal of the Civic Party was aimed on increase of inequality of the starting position of political parties at Elections. The new Law on financing the political parties has 2 categories related to public funding of political parties: candidate parties (parties that have proposed electoral lists for forthcoming Elections) and political parties that gained seats in the Parliament. They get public funding in relations: 20% in advance to all candidate parties and 80% after the Elections, divided based on the Election results. Civic



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Party asked for 3 categories, where the third category represents parties that are already in the Parliament. That way, third of the funds are given to political parties that are members of the Parliament already, a third would be given to all candidate parties, and the last third would be divided among the parties based on Election results. The question is; why would parties that were members of the Parliament and a chance to make things better for 4 years be privileged to the others?

The Monitoring Center said that propositions within the Proposal of the Law on changes of the Law on financing the political parties are unacceptable and in contradiction to the key principles of the Law on financing the political parties.

CEMI believes that (based on the agreement made at meetings with most of political parties) the Law should allow:

Increase of public funding that are separated for financing the work of political parties up to 1%, what would help the parties working on local level to continue their work with adequate resources, but certain limits would still remain;

Increase of the limit from private sources, which a political party can receive for financing the campaign expenses up to the amount of funds received from the public budget.

### STUDY TOUR TO CZECH REPUBLIC

A delegation of The Monitoring Center has visited Czech Republic, actually CEMI's partner organization "Oziveni" in October 2004. This organization is one of the most experienced organizations in monitoring implementations of various Laws, but they are mostly recognizable in anti-corruption legislative. Considering the fact that CEMI is working on monitoring the implementation of the Law on financing the political parties, funded by USAID ORT, this visit was needed by our team to find out the best methods for doing the monitoring.



The Monitoring Center will use gained knowledge from "Oziveni" and continue the cooperation with them in order to achieve bigger transparency of anti-corruption legislative and a more successful Law implementation, especially the law on financing the political parties.



### MONITORING THE WORK OF THE INSTITUTION OF OMBUDSMAN IN MONTENEGRO

Ombudsman institution, as an independent body, constituted for protection of human rights, especially the rights of citizens from bad governance, is very old and has significant history in many democratic countries, especially the Scandinavian ones. Through the power of personal authority, respect for democratic rules and procedures, as well as the public opinion, the institution of Ombudsman protects basic human rights and functions prescribed in the Constitution and other Laws, as an additional protector of human rights to regular institutions that cover this matter.

Montenegro elected its first Ombudsman last year. Carefully prepared legal background is not enough to ensure a successful Ombudsman's work and it is extremely important to ensure it because the level of respect of human rights in Montenegro at this moment is very low.

With the help of Swedish Helsinki Committee, CEMI has implemented a project of monitoring the work of Ombudsman in Montenegro. Goal of this project was setting up good bases for Ombudsman's work in Montenegro through establishment of proper communication between Ombudsman and citizens, based on realistic expectations and monitoring of his work.



There are many problems that first Montenegrin Ombudsman has faced since its establishment, but we have referred to several, most significant ones.

The Monitoring Center has done several activities in order to find out more about the problems of this institution, the public's opinion about it, as well as possible ways of overcoming these problems.

\* Round table - "Monitoring of the work of Ombudsman in Montenegro"

First of all, CEMI has established close relationship with the representatives of Ombudsman's office and signed a cooperation agreement with them. We now have 2 people responsible for communication with us representing Ombudsman's office, as well as 2 legal advisors from our office to help their work and serve the citizens if they call our office (on an informative telephone, especially established for this project) and complain (whether their rights were endangered by some national institution or by the Ombudsman himself).

CEMI has also done a public opinion research through CATI questionnaires, which has just proved our fears that citizens are mostly either uninformed about Ombudsman's existence and work, or are disappointed with the level of commitment and cases solved by this institution. The things are even worse, as the results of the questionnaires show that many people's rights have been endangered and there was no one to help them.

## OUR CONCLUSIONS AND RECOMMENDATIONS

In order to improve the work of Ombudsman and make it more efficient, we believe it is necessary to:

1. Create better cooperation with other state and independent institutions for resolving harm that has been done to a person. Communication between Ombudsman and state institutions should be precise, fast and clear;
2. Improve the cooperation and exchange of knowledge with domestic and international organizations, especially the ones that are very active and experienced in the field of human Rights.
3. Ensure efficient legislation initiatives and include this institution in all projects that concern juridical system and State administration, as this institution can prevent endangering Human Rights.
4. Improve the cooperation with the Parliament, as Ombudsman is legally connected in a different way to this institution (Ombudsman is elected by the Parliament, it is responsible to it, its report goes to the Parliament...)
5. Insist on amendments to the positive legislation in order to help Ombudsman in choosing its members and employees itself. Currently, the Parliament in Montenegro chooses the member of the Ombudsman office (its deputies) and due to political pressures; Ombudsman still hasn't got its deputies, even though he has been working for more than a whole year.
6. Improve cooperation with Institutions of Ombudsman in the region, in order to work on joint projects (issues of refugees, property, citizenship, the struggle against trafficking of women and children, anticorruption...);
7. Improve the efficiency of protection of Rights of imprisoned people, as the issue of a specific priority, considering the fact that this group is under biggest endangering of Human Rights;
8. Pay specific attention to protection of the third generation rights, e.g. ecology, planning and using of public space...;
9. Insist on making the education of members of Ombudsman's office permanent;
10. Improve cooperation with NGO sector and international organizations, or even signing a cooperation agreement with them;

11. Periodically, e.g. once a month, organize a press conference, where the office of Ombudsman present its work, activities, possible problems, as well as certain cases that need to be disclosed in order to make some public pressure on them;
12. Making a software for complaints' records, whose purpose would be a data base of complaints. This software would also include all documents related to Ombudsman's work.

### CEMI's VISITS TO EUROPEAN OMBUDSMEN

In October, the representatives of The Monitoring Center visited institutions of Ombudsmen in North-West European countries: Germany, Norway, Sweden, Denmark and Netherlands.

The main goal of visiting these countries was introducing CEMI's delegation with mechanisms of functioning of these institutions in developed European countries, exchange of experiences and practice as well as establishing cooperation with their representatives. This experience has helped CEMI establish further cooperation with Montenegrin Ombudsman and give him some recommendations in order to make his work in Montenegro better.

CEMI's representatives were able to meet the most important people from Ombudsmen's offices in countries that they have visited. Ombudsmen's representatives were more than open to share their experiences of Ombudsman's work with us. Representatives of CEMI received some very interesting publications and reports on Ombudsmen's work of other countries and they were also suggested how to solve potential problems in Montenegro.

It is significant to mention that CEMI was one of the main subjects in the campaign of promotion of the institution of Ombudsman in Montenegro. In 2004, CEMI has implemented the project of Monitoring of Ombudsman's work, which was helped by Swedish Helsinki Committee. After visiting European Ombudsmen, CEMI will prepare the report on Ombudsman's work in Montenegro with comments and recommendations that we collected during our travel.

The institution of Ombudsman in Montenegro was established in 2003, therefore there are still many problems in his work that should be solved in the future. But, our opinion is that recommendations we were suggested by Ombudsmen representatives will help us develop the institution of Ombudsman in Montenegro and make the protection of human rights and freedoms more developed and respected.



\* Delegation of CEMI visiting Swedish Ombudsman

## GOOD GOVERNANCE

### Germany

German Ombudsman, unlike other European institutions of Ombudsman doesn't work as an independent institution, but as parliamentary petition commission. Members of this petition commission are elected by Parliament, regarding personal characteristics of members and composition of the Parliament. Citizens submit appeals to this commission, which also has sub-commissions that are in charge for specific Human Freedom and Rights.

### Norway

Montenegrin model of Ombudsman institution is very similar to Norwegian model, but Norwegian model is much better organized. Norwegian Ombudsman is parliamentary structured, and its members are elected regarding their personal involvement, occupation and experience. There are different Ombudsmen for different domains, and their common characteristic is organizing unique campaign for human rights protection.

### Sweden

Swedish Ombudsman is the oldest Ombudsman in the world with the longest tradition in domain of Human Rights protection. Swedish Ombudsman is very organized and also parliamentary structured. Ombudsman's representatives are also elected based on their personal knowledge and work experiences. According to tradition and experience that were mentioned before, Swedish Ombudsman represents the institution that should definitely be visited.



\* Delegation of CEMI visiting Norwegian Ombudsman

### Denmark

Danish Ombudsman is one of the oldest Ombudsman institutions in the world, with very developed infrastructure and employees with a long working experience. Current Danish Ombudsman is well known by his tough conflict with the minister of finances in Denmark. The final result of this conflict was caption and imprisoning of the minister of finances.

### Netherlands

Although there are similarities between Ombudsman in Netherlands and institution of Ombudsman in Sweden and Norway, we must say that Ombudsman institution in this country is the most structured. There is a special designed building where Ombudsman is placed. In front of this building there are very dominant sculptures of a human ear which symbolizes one of the basic functions of Ombudsman's work - listening to every other human being.

## CIVIL SOCIETY

### PROJECT "GET TO KNOW THE SYSTEM IN ORDER TO CHANGE IT"

Within the program for civil society, CEMI started realizing the project "Get to know the system in order to change it", which is donated by International Center of "Olof Palme" from Sweden, back in 2003. Project "Get to know the system in order to change it" was aiming to start up the process of civil education and expanding the knowledge of high school students about the legal and political system of Montenegro and mechanisms of their functioning.

The main goal of this project is to provide enhancement of education on legal framework, legal mechanisms and political system to youngsters in order to make them capable of better understanding the processes and realizing civil influences, by participating in the process of governing. For two years of the realization of this project, around 2 500 students have went through our workshops. The main output of this project is that high - school students understood mechanisms and advantages of civil society and different ways of active participation in the process of enhancing civil consciousness in Montenegro.

#### First phase - Serials of workshops

In the first phase of the project, CEMI has created a team of educators that visited high schools in almost all Montenegrin municipalities and organized workshops with their students. There were about 25-30 students present per one workshop who were interested in participating in these workshops, which consisted of two parts: theory and practice. CEMI has prepared the material about the legal institutions and their work for students. Our team was suggested to use maximum 2 school hours (90 minutes) for the presentation and lecture, so we decided to create special workshops that imitate the real process of institutional functioning and show basic functions and working mechanisms of different bodies. (Government, Parliament, Constitutional Court, President, local institutions - Municipal Parliament and President of Municipality)



\* Daily workshops in Ivanova korita

#### Second phase of the project - Summer school in Ivanova Korita

In the second phase of the project, CEMI selected 44 students from all Montenegrin municipalities who have already passed through workshops to participate in a summer seminar for peer educators in Ivanova Korita. Students were asked to write an essay on the subject "Get to know the system in order to change it" and forty four most successful students were invited to participate at the summer school.



## CIVIL SOCIETY

There were about 60 participants at the summer school in Ivanova korita, 44 students from all Montenegrin municipalities (2 students from each municipality), 4 CEMI's volunteers who passed the seminar for peer educators in 2003, 3 University professors and trainers from CEMI and Youth Culture Center "Juventas". Seminar lasted for 3 days; CEMI has organized very interesting lectures, research work, courses for writing project proposals and project presentations for participants.



\* Daily workshops in Ivanova korita

Within the project, students have visited important Montenegrin cultural and historical monuments in Cetinje: Mausoleum on Lovcen, museum on Cetinje, Njegos's house in Njegusi, palace of Montenegrin King Nikola.

### Visits to local institutions - third phase

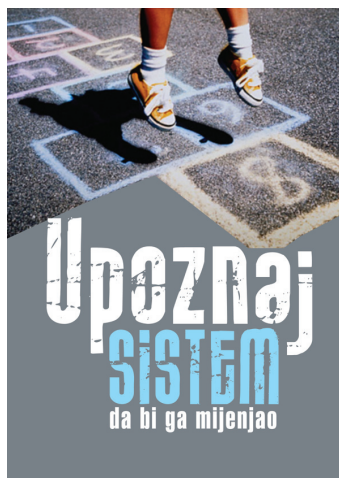
We have also organized local visit to the municipality of Nikšić for students who participated at the seminar in Ivanova Korita. Main goal of this phase of the project was enabling students/peer educators to clarify all possible questions they have about the work of local institutions and to demystify their picture of them. We have, also planned to organize similar visits in Podgorica and Bar, but we still did not get an appointment, even though they were very interested in the whole concept.

### Fourth phase - Peer education

In the fourth phase of the project, CEMI has organized workshops with peer educators that went through the seminar in Ivanova Korita in all municipalities of Montenegro. This education was conducted by peer educators and there were about 400 students that were reached in this phase of the project.

"Get to know the system in order to change it" was aiming to:

- promote active civil education in schools;
- create young citizens, which understand their rights and processes;
- create a network of young people in all municipalities in Montenegro, ready to continue the spreading of their knowledge.



\* CEMI's manual for peers: "Know the system in order to change it"

## EUROPEAN INTEGRATIONS

### GET TO KNOW EUROPEAN UNION

Project "Getting to know European Union" has an aim to expand and enhance the knowledge of high school students about EU (mechanisms of functioning in EU, how EU is governed, what each institution in EU works, how it is organized, how decision-making system works, what benefits of becoming a member of EU are and what the position of Montenegro in this process is). Through organizing interactive workshops and through creating the net of peer educators, students enhance their knowledge about EU and the process of accessing Montenegro to EU.



\* Training of trainers for peer education

During their education, high school students have no courses that will introduce them to EU. Knowing that young people start to form their opinion and values in this period of life, lack of knowledge can have negative implication on their attitude towards EU. Informing the youth and mobilizing them for wide spreading idea of EU integration will have positive impact in the future on the opinion of general public about Montenegrin integration in EU.

Our experience in youth education has shown that peer education, combined with specially designed workshops and active participation of students is more efficient than "ex-cathedra" lectures in schools. Therefore, we are focused on peer education - students learning from other students: history of EU, its institutions, process of enlargement, what the benefits of becoming members of EU are and position of Montenegro in this process.



\* Training of trainers for peer education

In the first phase of the project, team of CEMI's educators visited high schools in all Montenegrin municipalities and organized workshops with 25-30 students who participated per each school. Best participants were selected and participated in the national seminar for peer educators in the second phase of the project. At the national seminar, participants were trained by University professors, EU representatives in Serbia and Montenegro and CEMI's trainers. They also got deeper knowledge on EU and peer education methods.

After attending the training on the national seminar, peer educators also had a chance to see closely what they have been taught, by visiting Greek Consulate and Offices of German Embassy in Podgorica. Educators that had successfully passed the training at the seminar held workshops for their peers in their schools. There were about 700 students from all Montenegrin municipalities who passed through the project. Peer educators that represent a part of CEMI's net of volunteers will continue their work in CEMI within other projects.

This project was supported by the Office of German Embassy from Podgorica.



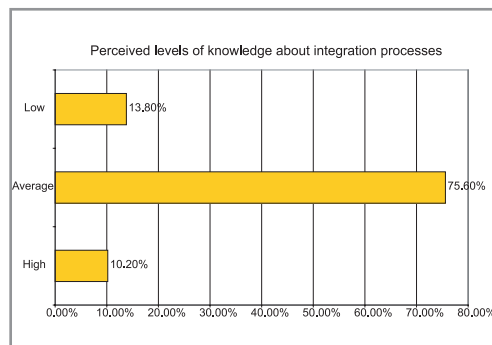
## EUROPEAN INTEGRATIONS

### A ROUND TABLE - CEMI'S RESEARCH OF THE PUBLIC OPINION ABOUT THE EUROPEAN INTEGRATIONS

The Monitoring Center has held a round table at PR Center on 8th of March, whose topic was "Public attitudes and understanding of European integration processes in Montenegro", where CEMI has presented the research of public opinions and attitudes about the EU and European integration processes.

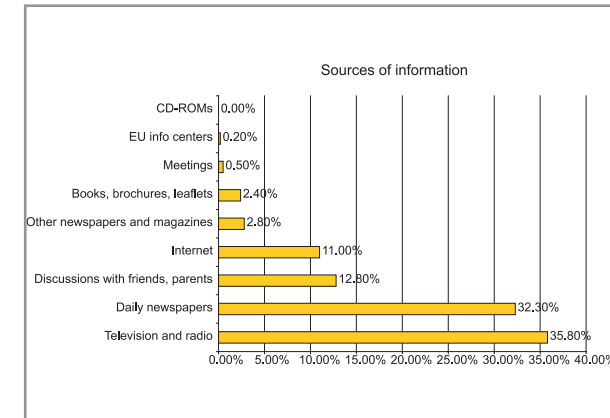
Zlatko Vujovic, executive director of CEMI has opened the round table, whereas introductory remarks were held by Djuro Stojanovic, president of the Governing board, Bernhard Zobel, counsellor of the German Embassy's office in Podgorica and Dragan Djurovic, from the Ministry for international economical relations and European integrations. The participants of the round table were also representatives of EU offices, political parties and NGOs.

Public opinion research: "Public attitudes and understanding of European integration processes in Montenegro " represents the first research that CEMI conducted in domain of European integrations, supported by German Embassy Offices from Belgrade and Podgorica. The aim of this research is collecting data about attitudes of citizens related to their personal standard, their confidence to institutions, their opinion about EU integrations, their role in their lives, their knowledge and its enhancement. Questionnaire was based on Euro barometer model of questionnaire from May 2004. (Euro barometer 61 and CC Barometer 2004. 1), that was produced by General directorate for press and communications. Survey included 1012 adult citizens from 9 Montenegrin municipalities (Podgorica, Nikšić, Bar, Bijelo Polje, Pljevlja, Berane, Ulcinj, Herceg Novi and Cetinje), who were interviewed through a Computer Assisted Telephone Interviewing - CATI research. Public opinion survey was conducted in the period of February 16th to March 3rd in 2005. CEMI will continue with this and/or similar researches in future, on quarterly bases.



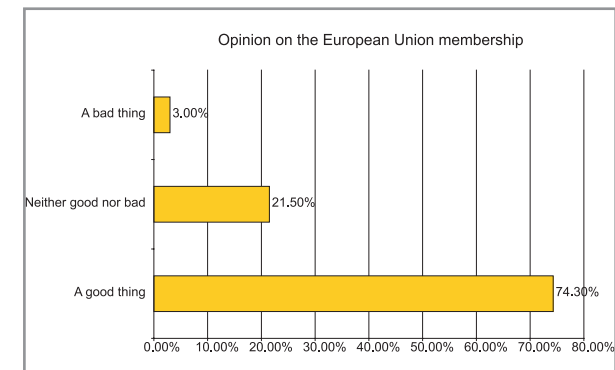
High	Average	Low
10.20%	75.60%	13.80%

Tabela: [Perceived levels of knowledge about integration processes](#)



Television and radio	35.80%
Daily newspapers	32.30%
Discussions with friends, parents	12.80%
Internet	11.00%
Other newspapers and magazines	2.80%
Books, brochures, leaflets	2.40%
Meetings	0.50%
EU info centers	0.20%
CD-ROMs	0.00%

Tabela: [Sources of information](#)



A good thing	Neither good nor bad	A bad thing
74.30%	21.50%	3.00%

Tabela: [Opinion on the European Union membership](#)

## EUROPEAN INTEGRATIONS

### DECLARATION ON JOINING EUROPEAN UNION

**D**eclaration on joining EU represents an affirmation of the attitude of Montenegrin undeniable way towards EU, accepting its values and principles. The Monitoring Center is a member of a group of NGOs that presented the Draft of this Declaration. Members of this group are: European Movement in Montenegro, The Monitoring Center, Center for Democracy and Human Rights, Center for Development of NGOs, Group for Changes and Center for Civic Education.

We find it necessary for the Parliament of Montenegro to point out, unambiguously, a dedication of all national institutions towards the integration of Montenegro into European Union. The strategic goal of the Declaration is defined as fulfilling all conditions related to economical and political standards in the shortest period of time. This Declaration also invites the Parliament to take all necessary steps and processes needed for faster adjustment of Montenegrin Laws with European standards. This document also demands creation of a strategy on joining EU by the Government. Government should as well inform the Parliament about the planned and fulfilled activities and steps, once every three months.



With this Declaration, we invite all citizens, groups, associations, political parties, NGOs, religious and national communities, media, local and national institutions, as well as all other social subjects in Montenegro to take part and give their contribution to joint efforts; on quickening and reaching the process and activities on joining EU, establishing and spreading European ideals, values, standards and principles in Montenegro.

### COMMUNICATION STRATEGY FOR INFORMING THE PUBLIC IN MONTENEGRO ABOUT THE PROCESS OF JOINING EU

**C**ommunication Strategy for informing the public in Montenegro about the process of joining EU is a strategic document, which defines the goals and the way of informing the public about the processes of European integrations in Montenegro, prepared by the Montenegrin Government's Ministry for economic relations with the abroad and European integrations.

The Monitoring Center, based on the previously signed agreement with this Ministry, actively participated in the creation of this Communicational Strategy. This document represents the answer for the need of intensive adjustment and disclosing all aspects of the joining processes.

The process of communication is based upon truthful and on-time information about European integrations, with clear accenting of all obligations, successes, benefits, as well as real problems existing on this way. The Strategy defines goals and target groups, ways of implementation, partners, financing, monitoring and evaluation, as well as the framework for realization of the Strategy itself through action plans.

The Monitoring Center, as an active partner of the Ministry, will monitor the implementation of the Strategy's Action plan and give full contribution to quickening the integration of Montenegro into European Union.

## ELECTIONS

### LOCAL ELECTIONS 2004

**T**he Monitoring Center - CEMI has monitored the whole Electoral process at early local parliamentary and presidential Elections in 4 towns in 2004: Tivat, Herceg Novi, Žabljak and Kotor.

The Monitoring Center is the only organization that had its observers in every pooling station, in each of the Election rounds, what makes all together 245 CEMI's accredited observers for Elections altogether that monitored the entire Electoral procedure as well as its results directly.

The most specific findings are that there were smaller irregularities and technical problems in every town, but none of these were big and important enough to affect the results of voting, or urge the repeated Elections in any pooling station. The biggest problems were noticed in voting by letters, as well as smaller unpunctuality during the opening of the pooling stations, mostly because the election materials arrived late from the Local Election Commission.

Due to the fact that 2 new Laws were adopted by the National Parliament in 2003: Local Municipal Law and Law on Local Municipality Presidential Elections, and that this was the first time that citizens directly elect the President of their own town, together with the local Parliament, we have decided to have Info desks in every town during the Election day in order to increase the transparency of the electoral procedure. In these Info desks, all citizens, media, as well as any interested persons were able to follow directly the whole electoral process, possible irregularities, voters' turnout, as well as the Election results the whole day.

CEMI has been informing the public about the citizens' turnout and irregularities of the Elections during the whole E-day through media, web site, phones and the first projection of the results was disclosed less than an hour after the closing of the pooling stations.

**We hereby thank the Norwegian People's Aid for helping us with financial resources again for these Elections.**



\* From one of the Elections -  
from a press conference

# ELECTIONS

## RESULTS OF THE LOCAL ELECTIONS 2004

### Tivat

Results of the early local Elections for members of the local Parliament:

1. Liberalni Savez Crne Gore -	2 mandates,	7.81%	(458 votes)
2. Demokratska srpska stranka -	2 mandates,	7.00 %	(410 votes)
3. Hrvatska građanska inicijativa -	6 mandates,	17.83%	(1045 votes)
4. Grupa građana mr Radoš Gospić -	0 mandates,	1.42%	(83 votes)
5. Koalicija DPS-SDP-DPZSCG -	11 mandates,	33.48%	(1962 votes)
6. Narodna socijalistička stranka -	0 mandates,	0.55%	(32 votes)
7. Koalicija SNP-SNS -	8 mandates,	22.98%	(1347 votes)
8. Srpska radikalna stranka -	1 mandate,	3.12%	(183 votes)
9. Narodna stranka -	2 mandates,	5.82%	(341 votes)

Results of the 2<sup>nd</sup> round of Elections for the President of the local municipality of Tivat:

1. Ljubomir V. Samardžić -	45.87%	(2 676 votes)
2. Miodrag D. Kankaraš -	54.13%	(3 158 votes)

### Herceg Novi

Results of the early local Elections for members of the local Parliament:

1. NSS Crne Gore "Za Herceg Novi sa srcem i razumom" -	0 mandates,	1.2%,	172 v.
2. SNP-SNS-SRS "Zajedno za Herceg Novi, naš grad" -	15 mandates,	38.9%,	5519 v.
3. "Novi ljudi za naš Novi" Liberalni savez Crne Gore -	1 mandate,	4.3%,	612 v.
4. "Narodna stranka - dr Vasilije Ilić" -	3 mandates,	8.1%,	1145 v.
5. Laburistička partija Crne Gore -	0 mandates,	1.4%,	198 v.
6. Građanska partija - "Herceg Novi građanima" -	1 mandate,	4.2%,	602 v.
7. "Prepoznatljiv Herceg Novi - Savo Zarubica" -	1 mandate,	4.5%,	642 v.
8. Demokratska stranka Crne Gore Herceg Novi -	1 mandate,	3.7%,	519 v.
9. Demokratska srpska stranka - dr Božidar Bojović i dr Nada Sretenčić -	2 mandates,	4.9%,	701 v.
10. "DPS-SDP za Herceg Novi" -	11 mandates,	28.8%,	4093 v.

Results of the 2<sup>nd</sup> round of Elections for the President of the local municipality of Herceg Novi:

1. Stanko Zloković -	46.46%	(7 292 votes)
2. Dejan Mandić -	53.54%	(8 402 votes)

### Žabljak

Results of the early local Elections for members of the local Parliament:

1. Koalicija SNP-NSS-SRS "Bolji smo" -10 mandata,	28.4%,	791 votes
2. SDP Crne Gore - Žabljak -	1 mandate,	5.06%, 141 v.
3. Srpska narodna stranka Dragomir Vukićević -	1 mandate,	5.06%, 141 v.
4. Narodna stranka Božidar Radojević -	2 mandates,	8,29%, 231 v.
5. DPS Crne Gore - Za budućnost Žabljaka -	14 mandates,	41,58% 1158 v.
6. Liberalni savez Crne Gore - Žabljak -	0 mandates,	1,08%, 30 v.
7. Demokratska srpska stranka prof. dr Božidar Bojović -	3 mandates,	10.52% 239 v.

Early Elections for the president of the local municipality were also held in Žabljak, which is the only municipality that had only one round for these Elections this year, as there were only 2 nominated presidential candidates:

1. Uroš Stijepović -	47.15 %	(1 350 votes)
2. Isailo Šljivančanin -	52.85 %	(1 513 votes)

### Kotor

Results of the early local Elections for members of the local Parliament:

1. Građanska partija za Kotor -	0 mandates,	2.73%,	282 votes
2. Narodna stranka -	2 mandates,	5,72%,	590 votes
3. Srpska radikalna stranka dr V. Šešelj -	0 mandates,	1.75%,	180 votes
4. Demokratska srpska stranka -	1 mandates,	4.32%,	446 votes
5. Liberalni savez Crne Gore -	0 mandates,	2.14%,	221 votes
6. Hrvatska građanska inicijativa -	2 mandates,	6.23%,	643 votes
7. Koalicija DPS-SDP -	14 mandates,	35.98%,	3711 votes
8. Socijalistička narodna partija -	9 mandates,	25.32%,	2611 votes
9. Srpska narodna stranka -	2 mandates,	6.00%,	619 votes
10. Liberalna partija Crne Gore -	3 mandates,	9,79%,	1010 votes

Results of the 2<sup>nd</sup> round of Elections for the President of the local municipality of Kotor:

3. Marija Maja Čatović -	47.87%	4792 votes
4. Dr Branko B. Ivanović -	52.13%	5218 votes

## CEMI WITHIN THE ENEMO MISSION IN UKRAINE

**ENEMO (European Network of Election Monitoring Organizations)** is an association of civil NGOs from 16 Balkan, USSR and SEE countries. These NGOs are the leading organizations in their countries within Election monitoring area. All together, they have monitored over 110 national and international Elections and trained over 100 000 observers.

The aim of ENEMO association in Ukraine was to support international social interests and democracy in this country, as well as to improve Election conditions and political surroundings. Besides this aim, ENEMO was supposed to give precise and independent/objective report on the Elections. The mission has evaluated the Election process in accordance to international standards for democratic Elections and tried out Ukrainian Election Law and Constitution. ENEMO has recognized that it will be the people of Ukraine that would judge the credibility of Election process.



\* A detail from voting in Ukraine

During the process of Election monitoring in Ukraine, ENEMO network has closely cooperated with National Democratic Institute (NDI) and Freedom House. These two very big international NGOs, which promote development of democratic institutions all over the world (and are very experienced in the field of Election monitoring) gave their financial, technical and administrative support for ENEMO mission in Ukraine.

ENEMO mission in Ukraine has officially started on 15<sup>th</sup> of October 2004. 50 people (very experienced observers) have been engaged as long term observers (LTO), and their mission was to observe and analyze the pre-election phase in Ukraine, starting from 19<sup>th</sup> of October 2004. They were split in every bigger Ukrainian county and monitored the first round of Elections (on the 31<sup>st</sup> of October) at almost 300 pooling stations all across this country. Within this group, there were 3 people from *The Monitoring Center - CEMI*.

For the second round of Elections on 21<sup>st</sup> of November ENEMO had 1000 short term observers (STO) in the field, which were coordinated by 50 LTOs, what makes ENEMO the largest international monitoring mission in Ukraine, larger than OSCE mission (650 observers). Observers have monitored the electoral process on more than 5000 pooling stations giving an immeasurable contribution to development of democratization in Ukraine. Among other observers, there were **20 observers from Montenegro - CEMI and CDT**. CEMI's observers monitored Elections in Thermopile, whereas CDT monitored in Luck.

The second round of Elections was repeated on 26<sup>th</sup> of December 2004. This time observers from CEMI and CDT both monitored electoral procedure in Luck, in the North-West of Ukraine. Even though all observers were more than experienced in Election monitoring, they all went through basic training about Ukrainian electoral system, as well as the basic train

ing on the political structure of this country, and the only smaller problem they had is lack of Ukrainian language knowledge.

According to the results of the Ukrainian Central Electoral Commission, based on results of **99.9%** of the electoral body, **Viktor Juschenko** won the Elections with **52.01%** of votes, whereas **Viktor Janukovich** had **44.18%**. **2.34%** of voters voted against both candidates. The same source says that **537 481** citizens voted at home, **12 522** voted through voting ballots for absent people.

## List of NGOs that were part of ENEMO mission in Ukraine:

1. APD Pro Democracy Association, Romania
2. Association for Participatory Democracy, Moldova
3. The Monitoring Center CEMI, Montenegro
4. Center for Democratic Transition CDT, Montenegro
5. Center for Free Elections and Democracy CeSID, Serbia
6. Coalition for Democracy and Civil Society, Kyrgyzstan
7. Council for the protection of Human Rights and Freedoms, Kosovo
8. Election Monitoring Center, Azerbaijan
9. European Institute for Democracy, Poland
10. For the Sake of Civil Society, Azerbaijan
11. GONG, Croatia
12. Its Your Choice, Armenia
13. International Society for Fair Elections and Democracy (ISFED), Georgia
14. Most, Macedonia
15. Obscianske oko, Slovakia
16. Partnership, Belarus
17. Republican network of Independent Monitors, Kazakhstan
18. Viasna, Belarus
19. Voice, Russia.



\* CEMI's observation mission in Ukraine



## FINANCIAL OVERVIEW

### FINANCIAL OVERVIEW OF 2004

Rule of Law	47,959.65 €
Good governance	51,247.57 €
Civil society	39,032.70 €
European integrations	24,000.00 €
Elections	55,627.90 €
Other	21,738.15 €

**Total** **239,605.97 €**

Rule of Law	20.02%
Good governance	21.39%
Civil society	16.29%
European integrations	10.02%
Elections	23.22%
Other	9.07%

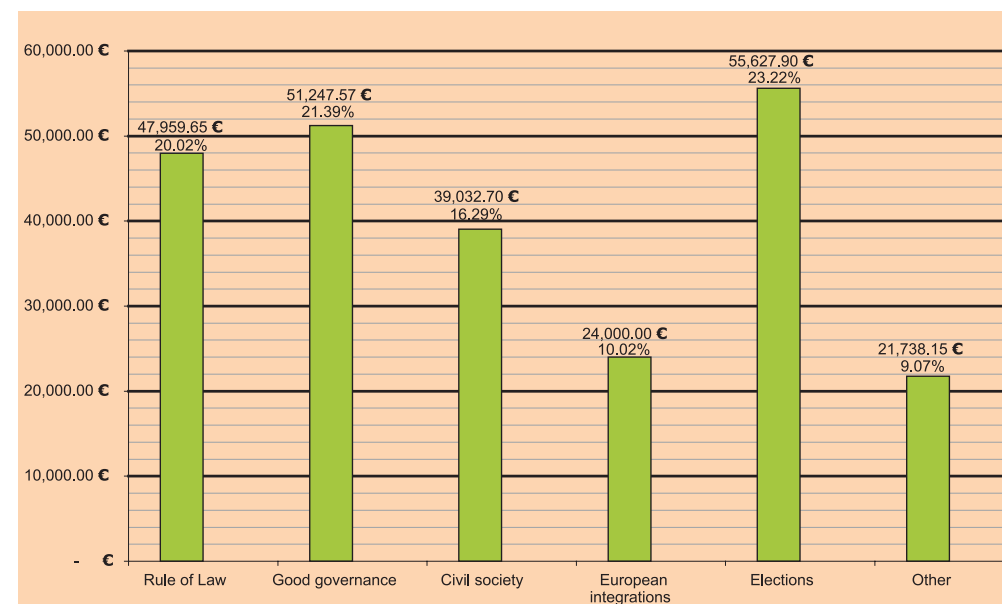
**Total** **100.00%**

NPA - Norwegian People's Aid	66,183.86 €
Olof Palme International Center	39,032.70 €
FOSI (Foundation Open Society Institute, Representative Office Montenegro)	30,000.00 €
Freedom House	29,069.04 €
German Embassy	24,000.00 €
USAID/ORT (US Agency for International Development)	23,070.37 €
SHC (Swedish Helsinki Committee)	12,000.00 €
Parliament of Montenegro	4,550.00 €
Other	11,700.00 €

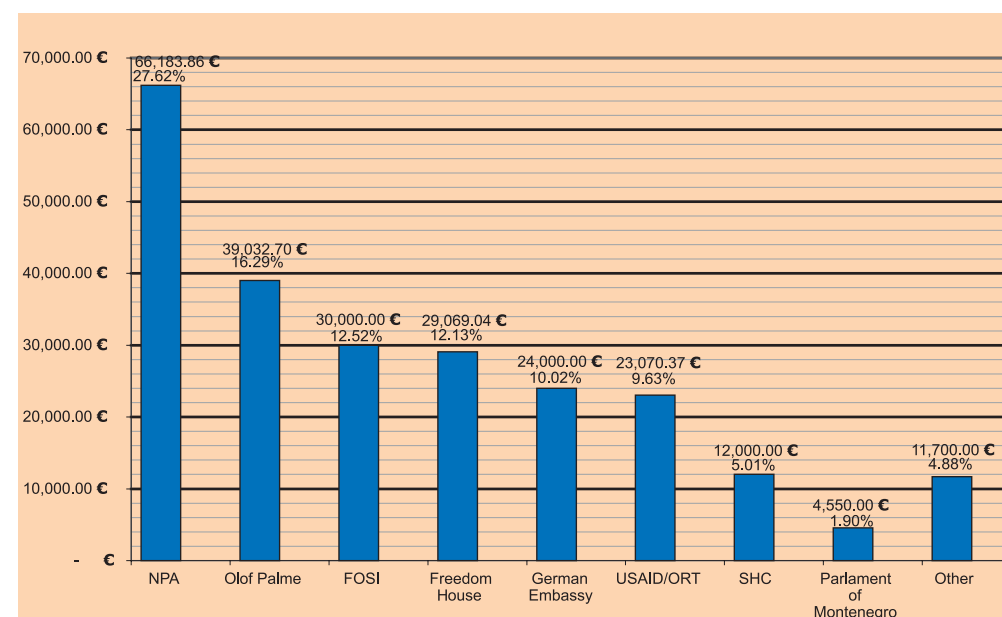
**Total** **239,605.97 €**

NPA - Norwegian People's Aid	27.62%
Olof Palme International Center	16.29%
FOSI (Foundation Open Society Institute, Representative Office Montenegro)	12.52%
Freedom House	12.13%
German Embassy	10.02%
USAID/ORT (US Agency for International Development)	9.63%
SHC (Swedish Helsinki Committee)	5.01%
Parliament of Montenegro	1.90%
Other	4.88%

**Total** **100.00%**



Donations of The Monitoring Center in 2004 (by programs)



Donations of The Monitoring Center in 2004 (by donors)



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