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MONTENEGRO

FINAL REPORT

CIVIC MONITORING OF
PARLIAMENTARY ELECTIONS

An illustration featuring two hands holding a white calendar page with the year '2023' in blue. The page is part of a stack of similar pages, some of which are slightly offset. The background is composed of various geometric shapes in shades of orange, peach, and grey, creating a dynamic, layered effect. Small white triangles are scattered throughout the composition.

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PARLIAMENTARY ELECTIONS

CIVIC MONITORING OF PARLIAMENTARY ELECTIONS Montenegro 2023

FINAL REPORT



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SUMMARY

- Parliamentary elections were conducted in compliance with general democratic standards and principles. Election day passed in a peaceful atmosphere, and the nature and extent of irregularities did not threaten the regularity of the overall election process. The type of irregularities corresponds to the majority of previous election cycles and mostly refers to the violation of the secrecy of voting and the misuse of technologies with the aim to publicly present the voters' expressed will.
- 542,468 registered citizens had the right to vote at the parliamentary elections, while 305,324 voters exercised that right. The 56.4% turnout of registered voters is the lowest since the introduction of a multi-party system in Montenegro.
- No major issues were noted in the organization of the elections, while the fundamental rights of candidates and voters to freely present their programs, i.e. to exercise their right to vote, were mostly respected.
- The elections were held in line with the rules of the unreformed set of electoral laws, which contain numerous legal loopholes, ambiguities and collisions of legal norms, opening up space for their abuse and reducing the efficiency of the work of competent authorities. The previous recommendations given by CeMI were not taken into consideration, and most of the observed irregularities in the application of the current legal framework occurred during this election cycle as well.
- For the most part, the authorities in charge of running the elections efficiently conducted the election preparations and met most of the statutory deadlines. Although the overall election process can generally be considered as transparent, the Centre for Monitoring and Research (CeMI), as well as other, both domestic and international observation missions, did not have adequate and equal access to all institutions and authorities in charge of conducting the election process, and their insight into the process and documents that accompanied the election process was limited. We find that observation missions should be granted access to all institutions, as well as documents and activities related to elections, from preparatory election activities to the conclusion of the election process, with the aim of ensuring total transparency and contributing to the full awareness of citizens about all the details of the election process.
- From the day when the early parliamentary elections were called until the announcement of the final election results on 14 July 2023, the State Election Commission held 63 sessions. The Commission regularly published all its decisions, as well as agendas and minutes from its sessions on its official website. State Election Commission's members selected in the competition, and its Expert Service, which demonstrated a high level of professionalism and openness to cooperation with non-governmental organizations, should be particularly praised.
- The State Election Commission determined and released preliminary election results in line with the statutory deadline, while release of the final election results breached the statutory

deadline (until 26 June 2023) due to the prolongation of legal procedures on submitted complaints and appeals by participants in the election process. The Constitutional Court upheld one appeal of the Social Democratic Party (SDP) against the decision of the State Election Commission and ordered the Cetinje municipal election commission to repeat the parliamentary elections at the "Lovčenski partizanski odred II" polling station. The repeated elections at this polling station in Cetinje were held on 8 July 2023.

- The final election results were published by the State Election Commission on 14 July 2023. Bearing in mind the experience from this election process, during the upcoming comprehensive electoral reform, it is necessary to pay special attention to the harmonization of the deadlines from the Law on Election of Councillors and MPs which refer to the determination of election results, with the deadlines from the Law on Administrative Procedure which refer to the submission of acts. Furthermore, it is necessary to work out the deadlines for the proceedings before the Constitutional Court in more detail, as well as the procedure for delivering the decisions of the municipal election commission and the State Election Commission to the complainants, to ensure that they are not the cause of prolonged election disputes.
- The election campaign for the extraordinary parliamentary elections in 2023 started during the campaign for the second round of the presidential elections in Montenegro. The campaign was marked by three clearly distinct phases: the first phase of a possible postponement of the election that ended with the expiration of the deadline for submission of electoral lists on 16 May, the second phase of moderate campaigning until the last days of May, and the third phase of aggressive campaigning during the last two weeks of the campaign.
- EUR 3,159,104.15 were allocated for financing the political entities' election campaign. According to the Law, 20% these funds are distributed in equal amounts to political entities, within eight days from the expiry of deadline for submission of the electoral lists, while the funds in the amount of 80% are distributed after the election to political entities that won seats, in proportion to the number of seats awarded. Since 15 lists were confirmed for these elections, each of them received EUR 42,121.39, while the remaining 80% was distributed in line with the election results. The Law does not provide for protection mechanisms, which would make the payment of funds conditional upon reaching a certain number of votes (e.g. at least by winning as many votes as signatures collected by each list), in order to avoid possible abuses and prevent lists with dubious motives for entering the election race from participating in the elections.
- Considering that the Agency for Prevention of Corruption (APC) has limited powers in the domain of control of the funds spent, we believe that the legal framework which regulates financing parties and election campaigns, as well as the misuse of state resources, and thus the prescribed control powers of the APC, must be improved, because it does not provide a basis for the implementation of substantive control.
- An extremely high rate of employment of persons in the public sector was noted during the election cycle. In the course of the campaign period, the APC noted 8,193 employment contracts in state bodies and local self-governments, excluding public companies, since the law still does not provide for the provision of information about the employment which takes place during the election campaign in companies whose founder and/or majority or partial owner is the state or local self-government unit.

- Expenditures intended for social benefits raised during the election campaign to EUR 26 million, while in the other four months of this year (January, February, March and April) they ranged between EUR 16 and 20 million. In addition, 1,013 decisions were issued for allocating and paying funds from the current budgetary reserve in the total amount of EUR 5,365,423.55. The Ministry of Finance and municipalities paid a total of 786 one-time financial assistances from the current budgetary reserve, in the total amount of EUR 882,021.18, while the municipalities separately paid a total of EUR 74,558.80 for 236 social benefit cases.
- The election campaign began before the confirmation of the electoral lists, and almost all techniques were used to promote the programs of political entities. Those were dominantly video spots and advertising through social networks, which did not stop even during the period of pre-election silence.
- Although traditional media generally respected election silence, most electoral lists violated the rules of election silence by using social media and online marketing. Also, a large number of citizens reported to CeMI that they were bothered by individual election participants via mobile calls and text messages, both during the period of election silence and the election day. This is mostly due to the inconsistency of the relevant laws, i.e. the Law on Election of Councillors and MPs (election campaign lasts until 24 hours before the day of the election) and the Law on the Financing of Political Entities and Election Campaigns (election propaganda lasts until the day of the election). Regarding the traditional, as well as online media, the rules of media advertising of political parties were respected during the pre-election silence, with no political content which displayed the symbols and slogans of political parties. However, the same rules were not respected by political parties on social networks.
- The media environment is competitive, with a large number of registered media, and the national public broadcaster RTCG complied with the legal prerequisites and offered a balanced coverage of the campaign. However, the outdated approach which includes presenting 15 lists and coalitions, with a short and limited timeslot, without the possibility of substantial exchange of arguments, does not provide citizens with all the necessary information to make an informed decision. Private media organized presentations and debates within a limited framework, with those lists that they themselves judged necessary to present for the sake of attractiveness of the program, or due to the favouring of certain political subjects. Although it complies with the current legal regulations, this approach does not provide equal space to all actors of the electoral process and puts certain subjects in a privileged position.
- A total of 3,961 media reports were published in the observed period from 25 May to 9 June 2023. The largest share of reporting on the parliamentary elections in 2023 was held by web portals with a cumulative figure of 2,830 media reports or about 71% of the total media material posted, i.e. recorded. They are followed by televisions with 780 media reports (20%), which, in addition to TV reports, news and announcements, also include programs that are broadcast in the prime-time slot (from 18:00 to 00:00 h).
- The campaign was competitive, but lacked content and contained emphasized elements of the negative campaign in the finale, which could have influenced the decision, or voter turnout. Serious accusations by the party lists leaders, without the competent institutions stating their position in relation to the character of the accusations, along with the abuse of the institutions and the position of power, present a bad example and should be limited in

order to prevent their influence on the elections, and especially the voters' decision.

- Due to a number of factors, such as the poorer election result of certain electoral entities and the order of women on the electoral lists, according to the final allocation of seats, there will be significantly less women participating in the Montenegrin Parliament than immediately before the elections, i.e. 17 women MPs will participate in the new convocation of the Parliament (20.98%), which is significantly less compared to the two previous convocations of the Parliament. The representativeness of women in the Montenegrin Parliament thus fall below the world average, which is 24.6% according to the latest data. The percentage of minority parties' representation in the Parliament after these elections will be 12.34%, which is a significant increase compared to 4.93% in 2020.
- The electoral system does not ensure a level playing field for members of Roma, who are not granted equal status with members of the minority community which is represented in a similar percentage in the total population. The system of differential legal threshold, which puts minorities in a privileged position, contains illogical elements, which can produce effect that is in disagreement with the concept of positive discrimination of minority peoples.
- Based on projections from the representative sample, which consisted of 400 polling stations in Montenegro, at 20:45 h CEMI released the first estimation of the results on 50.50% of the processed sample. Citizens then had the opportunity to follow the completion of the sample in real time, on CeMI's website and live on three national TV stations RTCG, Vijesti and TV E.
- In addition, CeMI conducted parallel counting of votes and published projections of preliminary results based on 100% processed polling stations in Montenegro and 100% overall processed electorate during the election night, on its website, the application "Fer izbori", and its social networks. The average deviation of the estimated percentage of votes won by political parties on the total population of voters was 0.03%. In other words, CeMI's estimates were almost identical to the data established by the State Election Commission for preliminary election results. CeMI's final projection of the allocation of seats corresponds to the one established by the State Election Commission; in other words, the estimated figures did not deviate from the data announced by the State Election Commission.

INTRODUCTION AND ACKNOWLEDGMENTS



The Centre for Monitoring and Research (CeMI) is a non-governmental organization founded in March 2000, which has continuously implemented civil monitoring of the elections since 2000. CeMI has monitored all national elections since 2001, with the exception of the presidential elections held in 2013. At the same time, CeMI is a founder of the European Network of Election Monitoring Organizations ENEMO (www.enemo.eu), which it chaired in the period 2017-2022. The president of CeMI is a member of the Board of Directors of the Global Network of Domestic Election Monitors (2018-2023) (www.gndem.org). Through ENEMO and OSCE ODIHR, CeMI members and experts were part of a number of international observation missions as experts, long-term and short-term observers, and CeMI's expert was the head of international observation missions (Moldova, Ukraine, Serbia, Armenia and Kosovo) 8 times.

For these elections, CeMI's observation mission accredited a total of 1,218 observers to monitor the election process. The mission consisted of members of the core team composed of: (1) Head of Mission, (2) Election Expert, (3) Legal Expert, (4) Election Administration Expert, (5) Coordinator of the Network of Observers and (6) PR coordinator. CeMI also engaged a network of local coordinators. CeMI supervised the election process, from the submission of electoral lists until the publication of the final results. This final report is based on the findings of the network of CeMI's observers and experts.

Within the framework of the parliamentary election monitoring project, CeMI developed a web and mobile application "Fer izbori" (www.ferizbori.me) intended for citizens and observers to report detected irregularities, violations of their voting rights, as well as to follow live projections of election results, and obtain information about their voting rights.

CeMI would like to thank the British Embassy Podgorica, which financially supported the project of Civic Monitoring of the Parliamentary Elections held on 11 June 2023 and enabled the implementation of this mission.

CeMI would also like to express its gratitude to all representatives of the election administration, state authorities, political parties, international observation missions and domestic non-governmental organizations with whom cooperation was established on the implementation of this mission.

The findings presented in this report represent the views of the authors and CeMI, and not necessarily the views of the donors.



POLITICAL CONTEXT

The extraordinary parliamentary elections held on 11 June 2023, took place during an ongoing political and constitutional crisis that marked the period after the vote of no confidence in the 43rd Government under the leadership of Dritan Abazović (19 August 2022). The elections were organized immediately after two rounds of presidential elections, which ended with the victory of the presidential candidate Jakov Milatović, who took office as the President of Montenegro on 20 May 2023. After the defeat in the presidential elections, former president Milo Đukanović resigned from the post of the DPS president.

After the regular parliamentary elections in August 2020, which resulted in a change of government held until then by the Democratic Party of Socialists (DPS), the new ruling majority failed to ensure the stability of the political and institutional system in the country. The period between the two election cycles was marked by votes of no confidence in the governments of Prime Ministers Zdravko Krivokapić and Dritan Abazović, as well as continuous tensions between political actors, which negatively affected the overall atmosphere on the political scene and stagnation in the EU integration process of Montenegro. On the other hand, in the period between the two election cycles, the opposition political parties tried to maintain competitiveness on the political scene by introducing intra-party reforms of a limited scope.

The political crisis was deepened by the crisis in the functioning of the constitutional-legal system due to the Parliament's inability to elect the missing judges of the Constitutional Court. Decision-making in the Constitutional Court, an institution of high importance for the implementation of election processes, was blocked from September 2022 to February 2023. In September 2022, after a vote of no confidence in the Government of Prime Minister Abazović, President Đukanović did not appoint a Prime Minister-designate and requested that the Parliament shorten its mandate and enable early elections. In response, the Parliament adopted amendments to the Law on President, which enabled the Parliament to appoint a representative supported by the majority of MPs, if the President refused to do so. The amendments were adopted despite the opinion of the Venice Commission recommending otherwise. The adoption of this Law brought about additional complication of the political situation in the run-up to the presidential and extraordinary parliamentary elections.

In the period when the Constitutional Court faced crisis in the functioning, local elections were held in most municipalities in Montenegro in October 2022. The institutional dysfunctionality of the Constitutional Court had a negative impact on the process of confirming election results in local elections. Nevertheless, at the end of February 2023, after exhausting negotiations with the mediation of representatives of the EU member states, the Parliament managed to secure a qualified majority for the election of three judges of the Constitutional Court. Although the fourth candidate did not get the necessary majority, the election of three judges of the Constitutional Court, ensured a regular functioning and decision-making of this institution.

The agreement on the election of the Constitutional Court judges did not contribute to overcoming the political crisis and stabilizing political conditions in the country. Negotiations on the formation of a new Government continued during the pre-election period of the presidential elections, but were not successful. As a result of these circumstances, immediately before

the first round of presidential elections, the President of Montenegro Đukanović dissolved the Parliament on 16 March and scheduled extraordinary parliamentary elections for 11 June 2023. Some representatives of the ruling majority considered President Đukanović's decision unconstitutional, claiming it was driven solely by political motives. Nevertheless, although it caused numerous controversies in the public, this decision remained in force. The period shortly before the parliamentary elections was marked by the end of the Democratic Front (DF) coalition and the emergence of a new political entity – Pokret Evropa sad, which participated in the parliamentary elections for the first time.

IV

LEGAL FRAMEWORK AND ELECTORAL SYSTEM

A. LEGAL FRAMEWORK

The elections were held in line with the rules of the unreformed set of electoral laws, which contain numerous legal loopholes, ambiguities and collisions of legal norms, opening up space for their misuse and reducing the efficiency of competent authorities' work. The previous recommendations of CeMI were not taken into consideration, and most of the observed irregularities in the application of the current legal framework occurred during this election cycle.

The Constitution and the Law on Election of Councillors and MPs represent the basic legal regulations governing the exercise of voting rights and the procedure for organizing elections at all levels in Montenegro. The Law on Election of Councillors and MPs regulates the manner and procedure of election of councillors to the municipal assembly, the municipality, the Capital City and the Royal Capital, as well as MPs to the Parliament of Montenegro; organization, composition and jurisdiction of the election enforcement bodies; determination of voting results and allocation of seats; protection of voting rights and other issues of importance for the organization and conduction of elections. In addition to the Constitution and (1) the Law on Election of Councillors and MPs, the set of laws in the field of electoral legislation also includes: (2) the Law on the Financing of Political Entities and Election Campaigns (which regulates the method of acquiring and providing financial resources for regular work and election campaign of political entities, prohibitions and restrictions on the disposal of state property, funds and public powers during the campaign and control, supervision and audit of financing and financial operations of political subjects in order to achieve the legality and transparency of their operations); (3) the Law on Electoral Roll, (4) the Law on Political Parties and (5) the Law on Registers of Temporary and Permanent Residence.

In addition to the above-mentioned regulations, the laws in the field of broadcasting are also important - the Law on Electronic Media and the Law on Public Broadcasting Services of Montenegro. Decisions of the bodies responsible for the conduction of elections, above all the State Election Commission, can also be listed as a legal source that governs the organization of parliamentary elections. From the aspect of criminal liability, the Criminal Code of Montenegro contains a special chapter that regulates criminal acts against electoral rights. Detection and prosecution of criminal offenses against electoral rights falls under the jurisdiction of the Basic Public Prosecutor's Offices.

B. ELECTORAL SYSTEM

Since the introduction of multi-party system, Montenegro has been using a party-list proportional representation. Closed and blocked party (candidate) lists without the possibility of preferential voting are in use. Montenegro represents one electoral unit whose magnitude (81) is equal to the size of the Montenegrin Parliament, which consists of 81 MPs. Registered parties, coalitions or groups of citizens are entitled to register candidate lists. The electoral list must have at least 54 ($\frac{2}{3}$ of the number of MPs), and a maximum of 81 MPs (a number equal to the number of MPs), with the exception of groups of citizens or political parties representing a minority people

or a minority national community, which are obliged to nominate a minimum of 1/3 (27) of the total number of MPs in the Montenegrin Parliament (81).

Pursuant to Article 39a of the Law on Election of Councillors and MPs, each electoral list must contain 30% of candidates of the less represented gender, by ensuring at least one person from the less represented gender among every four candidates on the list. The d'Hondt formula is used for allocating seats to qualified candidate lists with the application of a differentiated legal threshold. Only those lists that exceed the stipulated electoral threshold are eligible to enter seats allocation process using this method.

In order to participate in the allocation of seats, electoral lists must receive a minimum of 3% of valid votes, which is the legal electoral threshold in Montenegro. With regard to minority parties, the legal electoral threshold exists as a condition for winning a seat as in the case of the Croatian minority, i.e. for including the result of the minority list in the collective list of that minority people or minority community, i.e. for winning the first seat if a collective or individual minority list cannot win more seats by applying the D'Hondt method. In spite of the recommendation of the Venice Commission and various OSCE/ODIHR missions, independent candidates, individuals, are still not allowed to participate in the elections; an individual can only be a candidate within the candidate (party) list.

No. of MPs	Electoral system	Number of electoral units	Threshold	Type of electoral list	Preferential voting	Election formula
81	List Proportional System	1	3% 0,7% 0,3%	Closed blocked	NO	D'Hondt

The legal electoral threshold is defined differently for minority lists. The right of positive discrimination defined in Article 94 paragraph 2 item 1 is used by electoral lists of members of the specific - same minority nation, i.e. same minority national community, with the participation of up to 15% of the total population in the electoral unit, according to data from the last population census. At the local level, i.e. for the election of councillors from the minority list, in the event that none of them meets the legal electoral threshold requirement of 3%, they acquire the right to participate in the allocation of seats individually, with the number of valid votes obtained, i.e. they will not be subject to the legal threshold, but will be directly qualified for the seat allocation process by applying the D'Hondt formula.



ELECTION ADMINISTRATION

Election administration bodies in Montenegro belong to the independent model of election administration with a combined type of membership, which means that the implementation of election processes is the responsibility of bodies that are institutionally independent and autonomous from the executive power, but the members of the election administration are chosen from among representatives of political parties and from among independent experts. The composition and competence of election administration bodies are regulated by the Law on Election of Councillors and MPs. The structure of the election administration has three layers and consists of: the State Election Commission, municipal election commissions in 25 municipalities in Montenegro and polling boards. Electoral administration bodies at all three levels make decisions by a majority of the total number of members, including authorized representatives of political subjects, who have equal voting rights.

A. STATE ELECTION COMMISSION

The most important body of the election commission is the State Election Commission (SEC). The SEC is a permanent body consisting of: the president and ten permanent members and one authorized representative of the submitter of the electoral list, i.e. of the presidential candidate. The President of the SEC is appointed by the Parliament, on 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 of the SEC are appointed on the proposal of the parliamentary majority, and another four members of the permanent composition, one of whom performs the function of secretary, are appointed on the proposal of the parliamentary opposition.

One representative of a political party, i.e. the applicant of the electoral list for the authentic representation of members of a minority nation or minority national community, who received the largest number of votes in the previous elections, is also appointed as a member of the permanent composition of the SEC, and his deputy must be a member of another minority people or minority national communities. One member of the permanent composition of the SEC is appointed by the Parliament, on the proposal of the Parliament's working body responsible for selection and appointment after a previously held public competition, from among representatives of civil society, the non-governmental sector or universities, who are experts in matters of electoral legislation. This means that the combined type of membership in Montenegro implies that only two of the 11 permanent members of the SEC are elected among independent experts, while the remaining nine members are elected by political parties. This majority composition of the SEC is also reflected in its decisions.

From the day the early parliamentary elections were called until the day the final results were announced, the SEC held 63 sessions. The SEC regularly published all decisions, the agenda and minutes from the sessions on its official website. The SEC did not announce the results of the parliamentary elections within the legally prescribed period (26 June 2023) due to the prolongation of the legal procedures based on the complaints filed by the participants in the election process. The final election results were announced by the SEC on 14 July 2023.

The SEC adopted the Decision on Amendments to the Rules of Procedure of the State Election Commission, which stipulates in Article 18 that the Commission's work is made public, among other things, by live broadcasting of its sessions on its YouTube channel. However, due to the reconstruction of the SEC's premises, the sessions were not recorded, thus affecting the full transparency of its work, except in those situations when the sessions were attended by the media.

Following the request made by CeMI and other domestic and international observation missions, to ensure accredited observers access to the signatures of support for electoral lists, which received a negative response from the Agency for the Protection of Personal Data and Free Access to Information, the SEC organized a meeting with representatives the Agency for the Protection of Personal Data and organizations that requested access to this data. As during the presidential elections, the Agency for the Protection of Personal Data and the SEC did not show consideration for the rights of observers in the election process and stuck to the opinion that observers should not be allowed access to this data, despite the fact that the role of non-party observers in the election process is contained in several international instruments, such as the Copenhagen Document (1990)⁹ and the Guidelines on the Internationally Recognized Status of International Observers published by the Venice Commission in 2009, which state that election observers should be given the widest possible opportunity to participate in the election observation process.

It is particularly alarming that the Agency for the Protection of Personal Data did not foresee the serious implications of its interpretation of the provisions of the Law on Personal Data Protection, which does not recognize the right of accredited observers to inspect signatures of citizens' support for electoral lists. This interpretation creates an absurd and counterproductive situation in practice. Namely, the provisions of the Law, which were originally designed to protect citizens, are put at the service of political entities that abuse citizen's personal data. Additionally, this interpretation creates an obstacle for conscientious actors, such as accredited observers, and limits their ability to identify and report abuses and thus contribute to conducting the elections in a fair and transparent manner. The opinion of the Agency for the Protection of Personal Data, in this context, directly opposed the basic goal and spirit of the Law on Personal Data Protection. Instead of protecting citizens and their data, this interpretation of the Law undermines the protection of personal data and opens the door to abuses that we had the opportunity to witness in all previous election cycles.

It is also important to emphasize that the opinions of the Agency for the Protection of Personal Data are not binding. Certainly, the SEC as a responsible institution should carefully consider the views and opinions of other institutions, including the Agency for the Protection of Personal Data. However, in this particular case, the SEC did not recognize that the opinion of the Agency for the Protection of Personal Data was illogical and essentially meaningless, and that it did not contribute to the constructive resolution of the issue related to the misuse of support signatures. In addition, it was important that the SEC protects the integrity of the election process, taking into account that the Agency for the Protection of Personal Data, as a regulatory body for the protection of personal data, has no mandate to intervene in the elections.

B. MUNICIPAL ELECTION COMMISSIONS

The municipal election commission (MEC) consists of the president and four permanent members and one authorized representative of the submitter of the electoral list. The MEC is composed entirely of representatives of political parties. The candidate of the political party that won the largest number of council seats in the previous elections is appointed as the president of the MEC. Two members of the MEC are appointed on the proposal of the parliamentary opposition, one of whom performs the duties of secretary, while two are elected on the proposal of the ruling majority.

MECs operated in 25 municipalities in Montenegro.

Certain MECs did not regularly update their websites, such as the case of Kotor, which did not continuously update its website with relevant data during the election process. Only a small number of MECs updated their websites shortly after the closing of the polling stations with data from the minutes of the work of the polling boards. Those are the following: MEC Berane, MEC Bijelo Polje, MEC Herceg Novi, MEC Kolašin, MEC Pljevlja and MEC Tuzi. However, all MECs responded in a short time to CeMI's request for delivery of certain data available to MECs.

C. POLLING BOARDS

Pursuant to the Law on Election of Councillors and MPs, a polling board (PB) is appointed for each polling station, no later than 10 days before the day set for holding the election. 1,154 PBs were established for the parliamentary elections on 11 June 2023, which are shown in the table below.

Table 1: Number of PBs by municipalities

MUNICIPALITY / INDIVIDUAL POLLING STATIONS	NUMBER OF PBS
Andrijevisa	23
Bar	67
Berane	57
Bijelo Polje	96
Budva	28
Cetinje	39
Danilovgrad	32
Gusinje	10
Herceg Novi	47
Kolašin	34

Kotor	37
Mojkovac	20
Nikšić	134
Petnjica	18
Plav	22
Pljevlja	63
Plužine	24
Podgorica	207
Rožaje	44
Zeta	26
Tivat	21
Tuzi	30
Ulcinj	38
Šavnik	23
Žabljak	20
Separated polling stations - UIKS	3

The permanent composition of the PB consists of a president and four members. The duties of the members of PBs are determined by draw before the beginning of voting. In the permanent composition of the PB, two members are appointed on the proposal of the political party, i.e. the coalition that holds the majority in the relevant municipal assembly, and one representative each of the two opposition political parties in the relevant assembly, which won the largest number of seats in the previous elections, or the highest number of votes in the case of the same number of seats. If there is only one opposition political party in the corresponding municipal assembly, two representatives of that party are appointed to the permanent composition of the PB. In addition to permanent members, every electoral list has the right to have a representative in the extended composition. Each political party represented in the respective assembly has the number of PB presidents proportionate to the representation of councillor seats in that assembly. The MEC determines by draw the polling stations where the political parties that are entitled to do so can nominate a representative for the president of the PB.



REGISTRATION OF ELECTORAL LISTS

A total of 17 electoral lists were submitted to the SEC. The candidate lists were submitted within the deadline defined by law - until 16 May 2023. Out of the total of 17 lists submitted, the SEC confirmed 15. Previously, the SEC returned eight lists for correction due to incorrect documents and/or an insufficient number of valid signatures. After the verification process, the electoral list "I VOTE FOR ME" submitted by the group of citizens "LA CASA DE PAPEL – HOUSE OF PAPER" and the electoral list "CGA – THE TRUTH IS OUR CONDUCT" submitted by the political party Crnogorska građanska akcija were rejected. The submitters of these two electoral lists did not act according to the Conclusion on the Elimination of Deficiencies, i.e. they did not submit a sufficient number of valid support signatures, while the electoral list "LA CASA DE PAPEL – HOUSE OF PAPER" did not properly address other deficiencies in the accompanying documentation.

The following electoral lists participated in the parliamentary elections:

Table 2: Electoral lists that participated in the parliamentary elections

ELECTORAL LIST	
1.	It is Clear! — Bosniak Party — Mr Ervin Ibrahimović
2.	HGI — On the right side of the world
3.	'JUSTICE FOR ALL' — PhD Vladimir Leposavić
4.	SNP – DEMOS – FOR YOU
5.	PEOPLE'S COALITION – TOGETHER AND FULL STOP! – (Dejan Vukšić – Christian Democratic Movement; Marko Milačić – True Montenegro; Vladislav Dajković – Free Montenegro; Dragica Perović – Democratic Serbian Party; dr Novica Stanić – Movement for Pljevlja)
6.	ALBANIAN ALLIANCE – ALLEANCA SHQIPTARE
7.	https://en.wikipedia.org/wiki/List_of_political_parties_in_Montenegro Turnaround for a Safe Montenegro – Srđan Perić
8.	Movement for changes – MONTENEGRO FIRST – Nebojša Medojević – Reforms to Save the Country
9.	YES, WE CAN! – FOR CIVIC MONTENEGRO!
10.	TOGETHER! For the future that belongs to you – Danijel Živković (DPS, SD, DUA, LP)
11.	EUROPE NOW – MILOJKO SPAJIĆ
12.	SDP – FOR OUR HOME
13.	ALEKSA AND DRITAN – COURAGE Counts!
14.	FOR THE FUTURE OF MONTENEGRO (NEW SERBIAN DEMOCRACY, DEMOCRATIC PEOPLE'S PARTY, WORKER'S PARTY)
15.	Albanian Forum – Nik Gjelošhaj "BESA for European Development" Forumi shqiptar – Nik Gjelošhaj "BESA për Zhvillim Evropian"

The SEC published the summary list of candidates within the statutory deadline. Within the 15 confirmed lists, a total of 1,113 candidates were registered, with only 397 women. Also, a woman was on the top of only one list. The Law stipulates that every fourth candidate on the list must be from the underrepresented gender, and overall, the underrepresented gender must make up at least 30 percent of the total number of candidates on each list. Despite the respected quota of 35% women, most parties did not show the initiative to contribute to a greater degree of representation of women in political life, but were exclusively guided by the legal requirements.

VII REGISTRATION OF VOTERS

According to Article 45 of the Constitution of Montenegro, all citizens who have reached 18 years of age and have resided in Montenegro for at least two years are entitled to vote. All citizens with the right to vote are registered in the electoral roll, which represents an electronic collection of personal data of Montenegrin citizens with voting rights. The electoral roll is a public document that serves only for elections and is maintained by the Ministry of Interior. The data contained in the electoral roll are derived from the registers maintained by the Ministry of Interior, by cross-checking the data from those registers in order to obtain a collection of personal data of Montenegrin citizens who have the right to vote.

The Ministry of Interior of Montenegro (Mol) has also improved its internet service biraci.me for the needs of the presidential elections in order to enable voters to check at which polling station they can exercise their right to vote. For security reasons, access to the service is limited only to users within Montenegro, and it is necessary to enter the ID card or passport number instead of unique citizen's identity number. Also, an additional protection mechanism has been introduced that prevents service overload by blocking more than five requests per second. These measures were implemented in the light of previously experienced issues regarding the operation of the service. In addition to the internet service, Mol has provided a telephone line for all questions related to voting rights and has sent notifications to citizens about the polling station where they are registered.

Nevertheless, Montenegro again entered these elections with an electoral roll that was not updated. The electoral roll was closed on 31 May, and 542,468 citizens had the right to vote. Although this is a slightly higher number of voters (314) compared to the presidential elections held in March and April this year, CeMI noted a continuation of the growing trend in the number of voters. Despite the fact that Mol announced in April 2021 that it had addressed the issue of 2,108 persons suspected of having lost Montenegrin citizenship, as well as that it had begun checking the status of 8,000 citizens who were registered in the electoral rolls of the Republic of Serbia, Bosnia and Herzegovina and the Republic of Kosovo, with the continuous increase in the number of persons registered in the electoral roll, the absence of concrete results of these activities is noticeable. It is important to point out that the phenomenon of double-registered voters from other countries is a problem that the European Commission has recognized and in the last two progress reports pointed out the need to solve this problem.

Also, Mol's failure to fulfil obligations from Article 16 and Article 17 paragraph 1 of the Law on the Electoral Roll - specifically, failure to make the electoral roll available to the public within the stipulated period and failure to publish a numerical tabular presentation of changes in the electoral roll - presents a violation of the procedure that can undermine citizens' trust in the election process. Mol not only failed to fulfil its duties within the prescribed deadlines, but also sent a worrying signal in terms of transparency and accountability. This behaviour of Mol opens up space for speculations and doubts about the motives behind such an omission.

ELECTION CAMPAIGN VIII

The election campaign for the extraordinary parliamentary elections in 2023 started during the campaign for the first round of the presidential elections in Montenegro. The campaign was marked by three distinct phases: the first phase, during which there was speculation about a possible postponement of the election that ended with the expiration of the deadline for submission of electoral lists on 16 May, the second phase of moderate campaigning until the end of May, and the third phase of aggressive campaigning in the last two weeks before the parliamentary elections.

One of the key features of the electoral campaign for the parliamentary elections was reduced visibility in public space, which is reflected in the lower number of posters and the absence of mass gatherings in the open. An atmosphere that would suggest that the elections are of crucial importance for the country's future, which was the case in previous election cycles, was also lacking.

Instead, the election campaign was marked by a strong personalization of politics, where the leaders of political parties and coalitions were put to the forefront as central figures. The main parts of political messages sent by political parties to potential voters were promises that were often unrealistic. Concrete political programs, strategic visions and innovative ideas were largely lacking. Instead, politicians, especially party leaders, focused more on self-promotion.

The economy was the main theme of the campaign, but there were no clear and feasible plans to fulfil the promises in that area. In many cases, there was insufficient explanation of how the economic goals would be achieved and which methods would be applied.

The communication methods used in the campaign were often outdated, including billboards with photos of smiling faces of leaders and repetitive slogans with no real substance. This further contributed to the lack of content and information about the real political programs and visions that the parties offered.

Meanwhile, smaller political parties and citizen groups, which often brought fresh and innovative ideas, faced serious obstacles in achieving visibility and inclusion in political discourse due to lack of financial resources and media space.

The tone of the election campaign which can generally be described as more passive can also be attributed to the significant changes that the Montenegrin political scene has experienced in the past period, i.e. the withdrawal of the leaders of many political parties, the dissolution of old political alliances and the formation of the new ones.

Although the campaign actually started with the call of elections on 17 March, political entities were waiting for the outcome of the presidential elections in order to determine their attitude towards this process. With the final outcome of the second round of presidential elections, the Constitutional Court's lack of decision on a potential postponement, and the date of the inauguration of the new president after the expiration of the deadline for submitting the lists, all legal mechanisms for postponing the election have been exhausted.

Unlike previous elections, the campaign was not marked by identity themes, nor were these elections perceived as historic. The campaign was also devoid of aggressive marketing, large gatherings or general presence of political entities. During most of the campaign, the participants refrained from harsh words and radical attitudes. The campaign messages of most lists were based on economic promises and speeding up the path to the European Union.

The last week of the campaign led to a change in tone. The leader of the Europe Now list, Miloško Spajić, was directly accused by the Prime Minister of Montenegro, Dritan Abazović, and the Minister of Interior of Montenegro, Filip Adžić, of cooperating with Korean citizen Do Kwon, who is accused of international fraud of around 40 billion dollars. Since there was no reaction from the state authorities, the aforementioned accusation was shaped into an affair, clearly used for the purposes of the campaign.

During the campaign, no significant external influence was noticed, both on the Montenegrin and regional media scene. No greater involvement of religious organizations, primarily the Serbian Orthodox Church, which was noticeable in previous election cycles, was perceived. The only foreign political event that was integrated into the election campaign was the solidarity protest with the Serbs in Kosovo, which was organized in Podgorica and Nikšić.

What marked the campaign was a clearly expressed public officials campaign and strong abuse of state resources for electoral purposes by the executive authorities and at the same time, the participants of the election campaign. In the course of the campaign, the Government passed a series of provisions on monetary rewards for civil servants, increase of pensions, as well as salaries in the Army. The donation of the Government of Montenegro to the Serbian Orthodox Church in the amount of EUR 220,000 for the reconstruction of the temple in Nikšić was also noticeable. The role of officials during the campaign intensified in the last two weeks before the elections. Both state and local officials participated in the opening of boulevards and new construction works, and they did not shy away from participating in party gatherings.

ELECTION CAMPAIGN FINANCE AND ABUSE OF STATE RESOURCES



Financing of the election campaign is carried out in line with the Law on the Financing of Political Entities and Election Campaigns (LFPEEC). The law foresees financing from public and private sources. The amount envisaged from public sources is 0.25% of the planned total budgetary funds, less the capital budget and the budget of state funds (current budget), for the year for which the budget is adopted. These budget funds amounted to EUR 3,159,104.15 for the extraordinary parliamentary elections in 2023. Compared to the year 2020, when the allocated budget funds amounted to EUR 2,367,805.91, it is obvious that there is a large increase in budget contributions for the campaign.

According to the Law, the funds amounting to 20% are distributed in equal amounts to political entities, within eight days of the deadline for submitting electoral lists, while the funds in the amount of 80% are distributed after the election to political entities that won seats, in proportion to the number of mandates won. As 15 lists were confirmed for this election, each of them received EUR 42,121.39. Since the law does not provide for sanctions in case the lists that received funds fail to achieve the minimum required number of votes, the public once again expressed their dissatisfaction, accusing individual election participants of entering the election race in order to make a profit.

Table 3: Total funds reported to the APC for financing the electoral campaign in the parliamentary elections

ELECTORAL LIST	FUNDS DONATED BY PHYSICAL PERSONS/ LEGAL ENTITIES	BUDGET FUNDS	LOANS	ITS OWN FUNDS
It is Clear! — Bosniak Party — Mr Ervin Ibrahimović	5.732 €	229.327		6.000 €
HGI — On the right side of the world		73.322 €		
'JUSTICE FOR ALL' — PhD Vladimir Lepasović	1.795 €	42.121 €		
SNP – DEMOS – FOR YOU	1.848 €	104.523 €		11.500 €
PEOPLE'S COALITION – TOGETHER AND FULL STOP! – (Dejan Vukšić – Christian Democratic Movement; Marko Milačić – True Montenegro; Vladislav Dajković – Free Montenegro; Dragica Perović – Democratic Serbian Party; dr Novica Stanić – Movement for Pljevlja)	9.000 €	42.121 €		
ALBANIAN ALLIANCE – ALLE-ANCA SHQIPTARE		73.322 €		

https://en.wikipedia.org/wiki/List_of_political_parties_in_Montenegro Turnaround for a Safe Montenegro – Srđan Perić	5.732 €	42.121 €		
Movement for changes – MONTENEGRO FIRST – Nebojša Medojević – Reforms to Save the Country		42.121 €		25.000 €
YES, WE CAN! – FOR CIVIC MONTENEGRO!	3.800 €	42.121 €		
TOGETHER! For the future that belongs to you – Danijel Živković (DPS, SD, DUA, LP)	3.998 €	697.343 €		
EUROPE NOW – MILOJKO SPAJIĆ	2.000 €	790.946 €	300.000 €	
SDP – FOR OUR HOME		42.121 €	71.831 €	7.000 €
ALEKSA AND DRITAN – COURAGE Counts!	2.700 €	385.332 €		20.000 €
FOR THE FUTURE OF MONTENEGRO (NEW SERBIAN DEMOCRACY, DEMOCRATIC PEOPLE'S PARTY, WORKER'S PARTY)	16.800 €	447.734 €		
Albanian Forum – Nik Gjelošhaj “BESA for European Development” Forumi shqiptar – Nik Gjelošhaj “BESA për Zhvillim Evropian”		104.523 €		

In the period from the day when the extraordinary parliamentary elections were called (17 March) until the day when they were held (11 June), the APC received 8,193 employment contracts in state bodies, state administration bodies, local self-government bodies, local government bodies, public institutions and state funds. Of that figure, 8,105 (98,9%) was concluded from the day when the elections were called until the day they were held. Most contracts (4,824) refer to fixed-term employment, while 2,508 refer to employment under a service contract. In the same period, 366 contracts on indefinite employment were submitted.

Table 4: Employment contracts submitted to the APC, by types of contracts

TYPE OF CONTRACT	NO. OF CONTRACTS
Fixed-term	4.824
Service contract	2.508
Indefinite employment	366
Temporary employment contract	178
Others	324

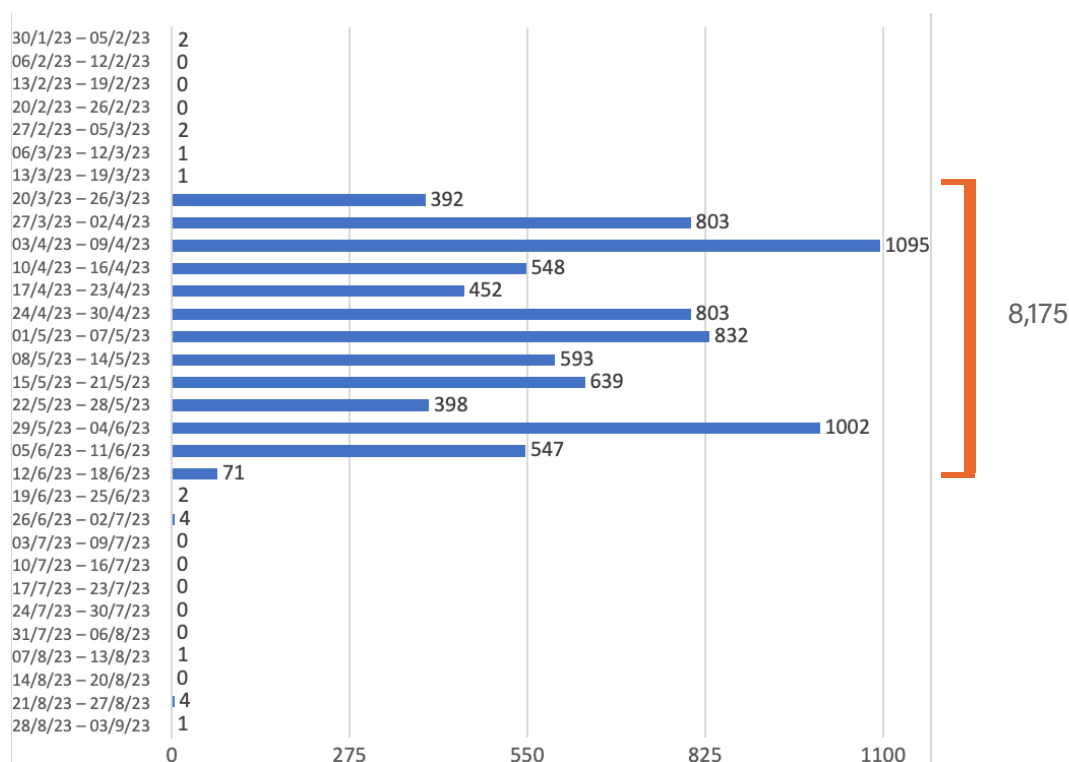
Observed by months, the largest number of contracts were submitted in April and May.

Table 5: Number of employment contracts submitted to the APC, by month of submission

MONTH	NUMBER AND PERCENTAGE OF CONTRACTS	
January	2	0,02%
February	1	0,01%
March	1.175	14,34%
Aprile	2.921	35,65%
May	2.839	34,65%
June	1.250	15,26%
July	0	0%
August	5	0,06%
TOTAL	8.193	100%

In the chart below, we can see how this data looks on a weekly basis.

Chart 1: Number of employment contracts submitted to the APC during the campaign period for the parliamentary elections, on a weekly basis



The employment activities began to intensify two weeks before the second round of the presidential elections, which were held on 2 April 2023, and continued until the week after the parliamentary elections took place. During this period, 99.7% of the total number of employment contracts were submitted to the APC. This reinforces the suspicion that the practice of politically motivated employment during the election campaign has continued.

During the election campaign, 1,013 decisions were issued to allocate and pay funds from the current budgetary reserve in the total amount of EUR 5,365,423.55. Out of that, the Ministry of Finance paid the amount of EUR 4,953,735.24 from the budget reserve on the basis of 539 Decisions, while the municipalities paid the amount of EUR 411,688.31 on the basis of 474 Decisions. In this regard, a total of 786 one-time financial assistances in the total amount of EUR 882,021.18 were paid from the current budget reserve by the Ministry of Finance and municipalities. Additionally, during the campaign period, the municipalities separately paid EUR 74,558.80 for 236 cases of social welfare. The payment was intended for allowances for newborns, aid for social housing and repair of damage to buildings due to fire or natural disaster, for medical treatment, and others.

A. TRADITIONAL MEDIA

The national broadcaster in Montenegro is Radio-Television of Montenegro (RTCG), which has a public service mandate and broadcasts TV and radio programs on the territory of Montenegro. RTCG has a special role during election cycles, as it is obliged, in accordance with the law, to ensure impartial and independent reporting on political candidates, to offer free time and to organize election debates. During the election campaign, various media channels transmitted information about electoral lists and their programs. Some media faced criticism for being biased towards certain political candidates. Overall, it is possible that some points of view were restrictive, but some media tried to ensure independent and objective coverage of the election campaign.

Reporting on the process of the parliamentary elections in Montenegro - 2023 in the context of the pre-election campaign of the election participants, the observed media published a cumulative figure of 3961 media reports or media announcements in the period 25 May – 9 June 2023. Web portals had the largest share of reporting on the parliamentary elections in 2023 with a cumulative figure of 2,830 media reports or about 71% of the total media material posted, i.e. recorded. They are followed by televisions with 780 media reports (20%) which, in addition to TV reports, TV news, announcements, also include shows that are broadcast in the prime time slot (from 18:00 h to 00:00 h). Although the print media published significantly less media material about the parliamentary elections compared to the other two types of media, their influence is also reflected in the fact that web portals in a non-negligible volume publish media reports that were produced by the three observed dailies.

Chart 2: Number of media reports devoted to the 2023 parliamentary elections, by type of media

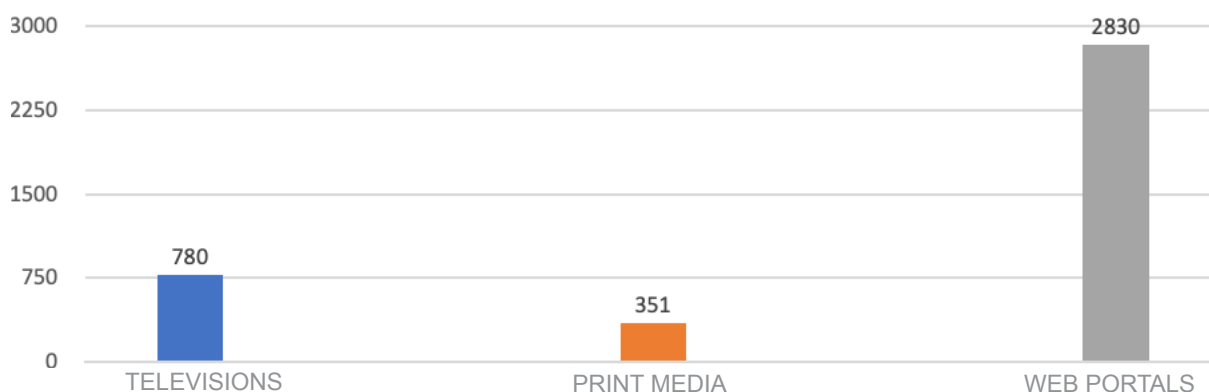
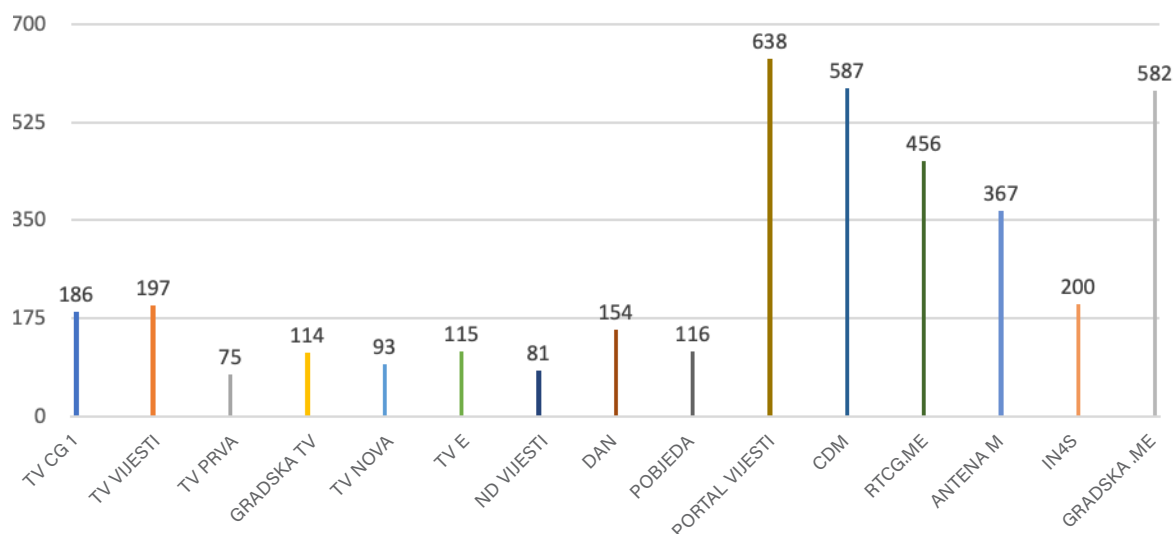


Chart 3: Number of media reports dedicated to the 2023 parliamentary elections, by individual media



OVERVIEW OF THE ELECTORAL LISTS PRESENCE IN THE MEDIA

Chart 4: Number of media reports – ELECTORAL LISTS

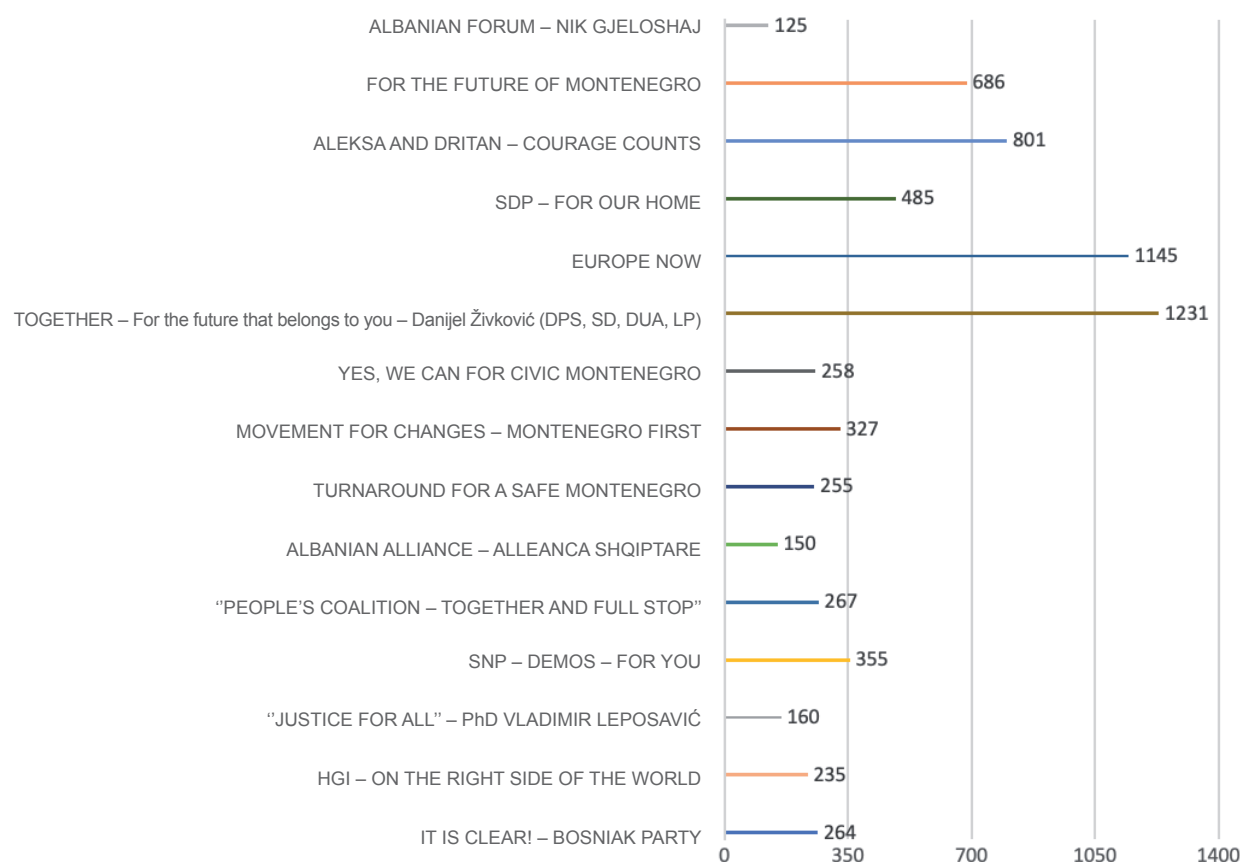


Chart 5: Number of media reports on TV - ELECTORAL LISTS – TVCG, TV VIJESTI and TV PRVA

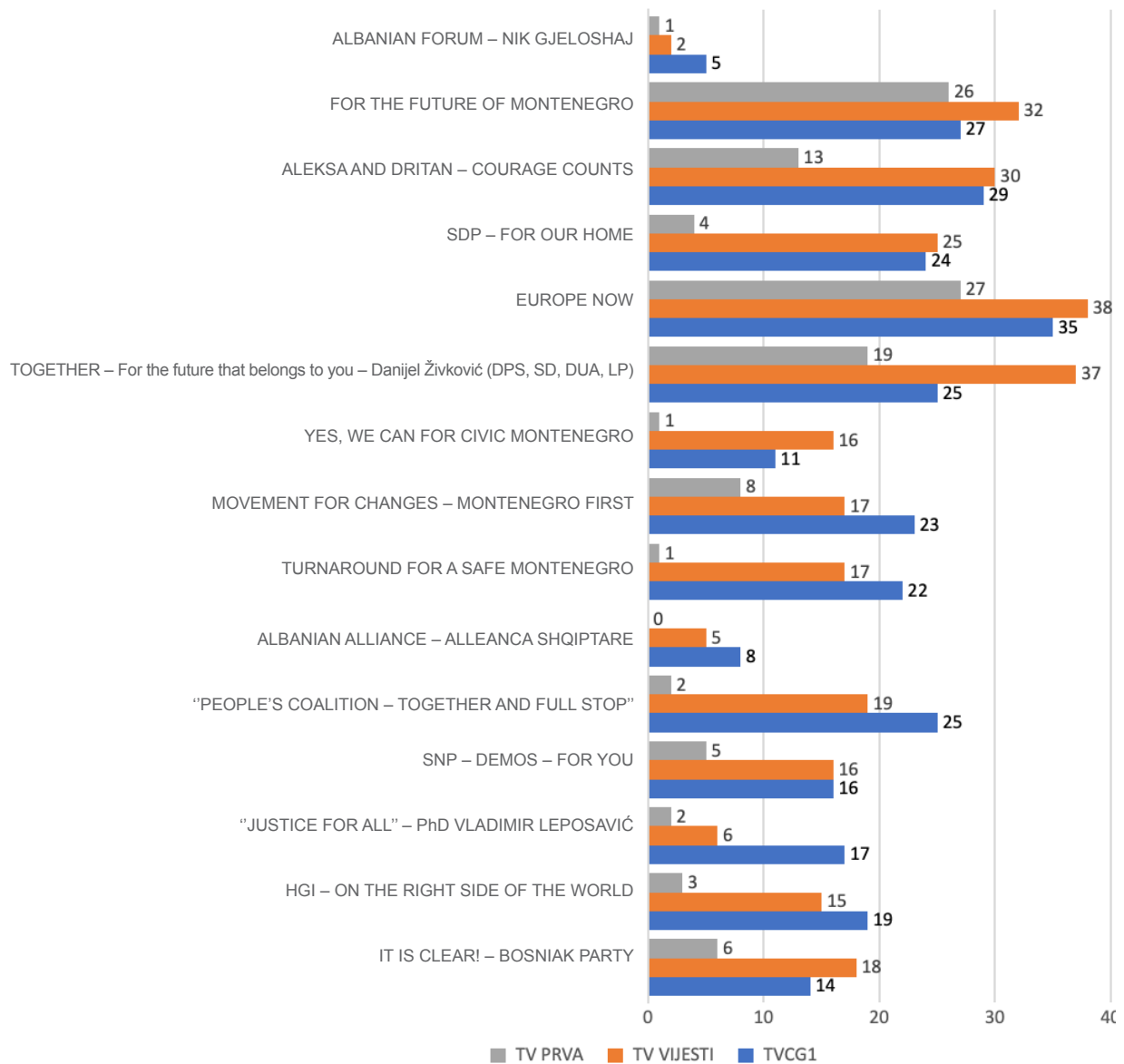


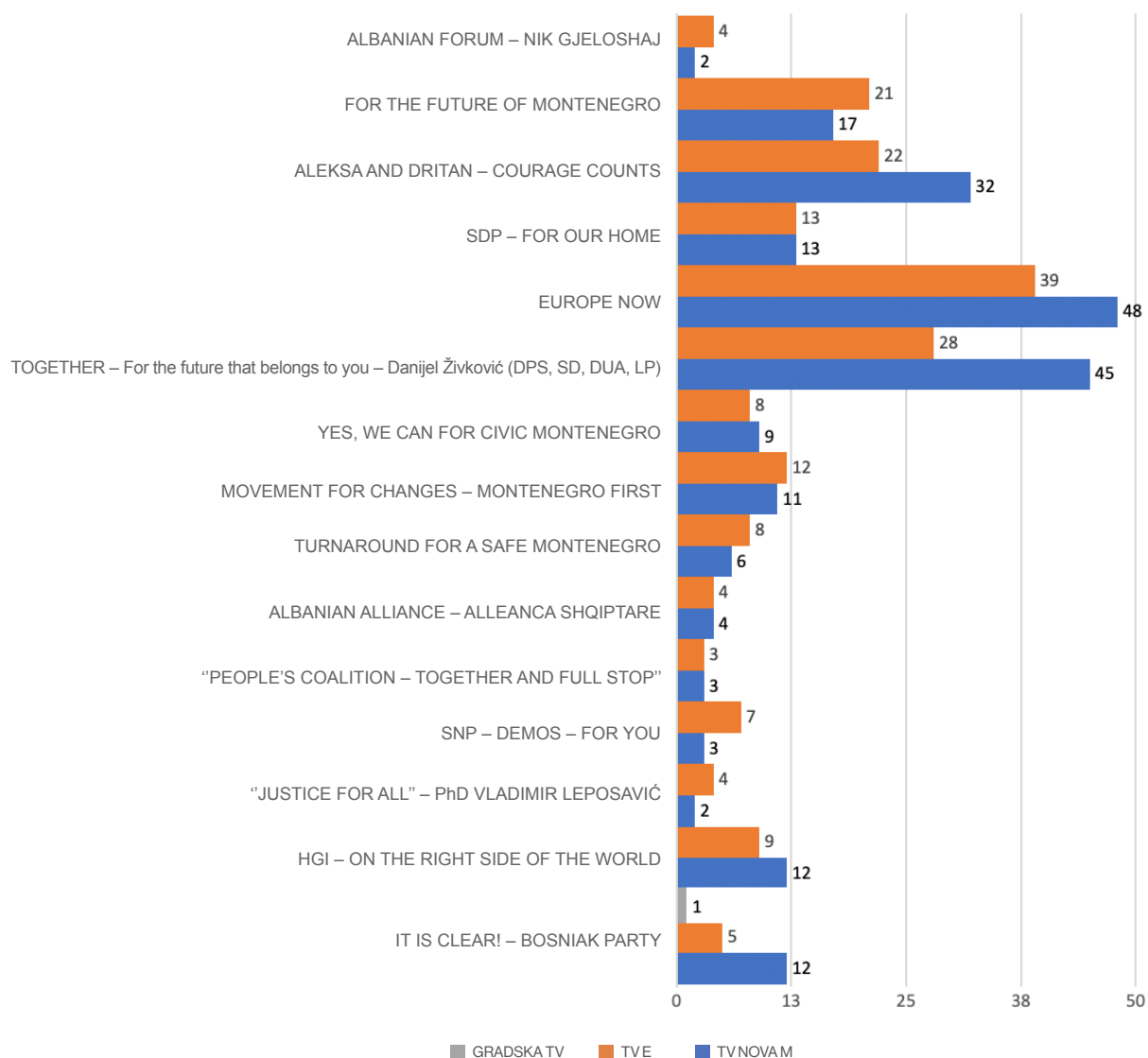
Chart 6: Number of media reports on TV – ELECTORAL LISTS – TV NOVA M, TV E AND GRADSKA TV

Chart 7: Number of media reports in print media – ELECTORAL LISTS – ND VIJESTI, DAN and POBJEDA

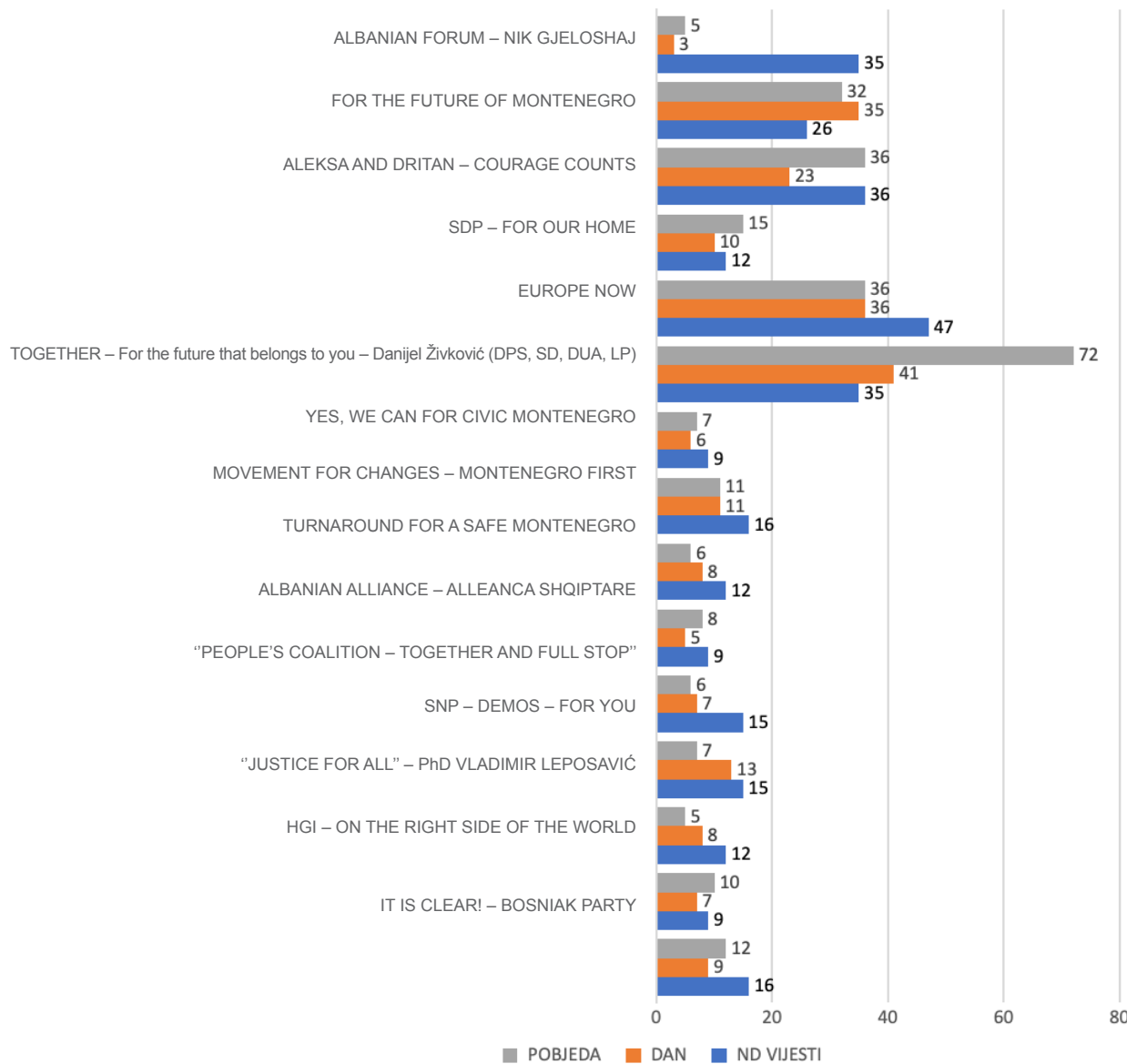


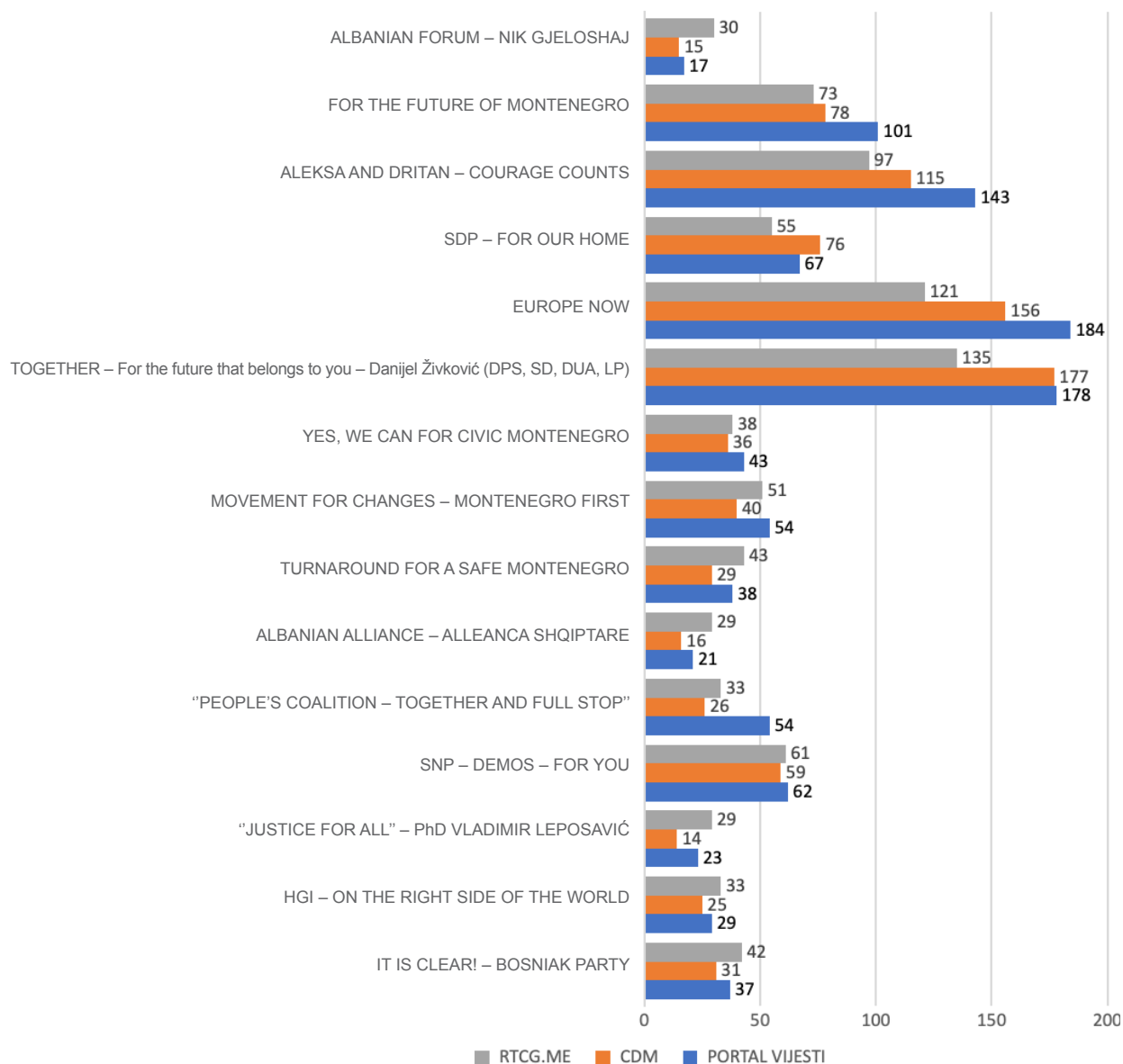
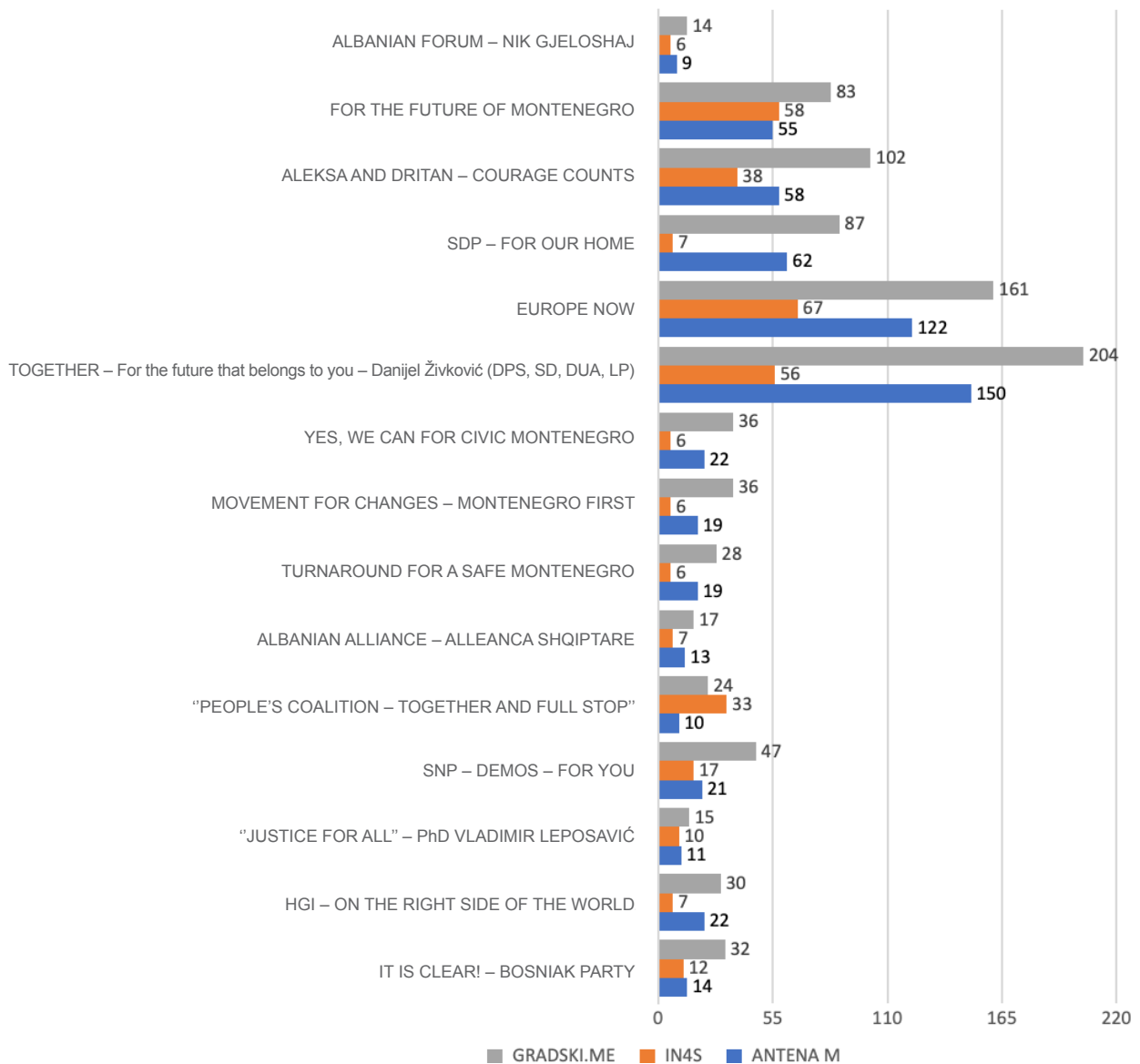
Chart 8: Number of media reports on portals – ELECTORAL LISTS – PORTAL VIJESTI, CDM, RTCG.ME

Chart 9: Number of media reports on portals – ELECTORAL LISTS – ANTENA M, IN4S AND GRADSKI.ME



B. ONLINE MEDIA AND SOCIAL NETWORKS

In the past, traditional media were dominant in political campaigns in Montenegro, with TV and radio being the key channels for transmitting information about political parties and candidates. However, the digital media and social networks have become increasingly important for political campaigns in Montenegro, and this especially applies to the younger audience. According to data from the DataReportal website, in January 2023, there were 562,700 Internet users (almost 90% of the population) and 472,000 social network users (75.4%) in Montenegro. Online media have become increasingly popular in Montenegro, with several prominent news websites, such as Vijesti, CdM and Portal Analitika. Social media platforms such as Facebook, Twitter and Instagram were widely used to spread news and discussions during this election process.

Sponsored posts on social networks were primarily used by the lists Evropa Sad, Hrabro se broji, Za budućnost Crne Gore, but also other lists, except for the Bosniak Party and the SNP.

WEB PORTALS

Banners have been spotted on the portals of the lists Preokret za sigurnu Crnu Goru – Srđan Perić (Volim Danilovgrad, Antena M, Standard, Seljak), ZAJEDNO! Za budućnost koja ti pripada – Danijel Živković (Pobjeda, Analitika, Antena M, CDM, Standard, Aktuelno) EVROPA SAD – Milojko Spajić, (Vijesti, CDM, Standard) SDP – ZA NAŠU KUĆU (Vijesti, Pobjeda, Bokanews, CDM, Analitika, Antena M) ALEKSA I DRITAN – HRABRO se broji! (Vijesti, CDM, PV portal, Volim Danilovgrad, Feral, Bokanews, PV Informer, Volim Podgoricu, Adria); Za budućnost Crne Gore (Borba, Adria), Narodna koalicija Složno i tačka (Vijesti).

SOCIAL NETWORKS

Based on the monitoring of the social network Facebook, a total of 247,300 interactions were realized in the observed period. CeMI noticed the existence of certain pages/accounts for which it is not possible to determine with certainty who is behind them, i.e. whether certain pages were created under a false name by political or other actors or not. However, the monitoring established the existence of a connection between the official pages of some political parties, coalitions and politicians, and certain Facebook pages.

According to the given data, during the election process, the page of Aleksa Bečić – Democrats - Democratic Montenegro achieved the highest number of interactions, while Justice FOR ALL - PhD Vladimir Laposavić achieved the lowest number of interactions. The page of the coalition For the future of Montenegro falls into second place. When it comes to political parties, out of the total number of 237.2 thousand, the Democrats had the most followers (85.1 thousands), while the greatest growth in the number of followers in the observed period was achieved by Turnaround (increase by 7.07%). For the purposes of the election campaign, electoral lists mostly advertised in the form of photos and videos. They used sharing links to a lesser extent, while they were not so active in terms of sharing statuses. The most photos in the observed period were published by the Democrats (coalition Courage counts), while the representatives of the Democrats, as well as the page of The Europe Now Movement, which takes second place, most often addressed users of social networks through video recordings. Justice FOR ALL coalition did not publish a single video clip, while the Narodna koalicija - složno i tačka published only one. Using Facebook Live has not been a particularly popular way to reach social media users. Aleksa Bečić - Democrats - Democratic Montenegro page leads the way in its use with 4.7

thousand interactions of this type, followed by the Pokret za promjene with 1.1 thousand. It was mostly used by the page Aleksa Bečić - Democrats - Democratic Montenegro with 4.7 thousand of such interactions, followed by Movement for Changes with 1.1 thousand interactions.

When it comes to sharing YouTube videos, the most active was the leader of the list Nebojša Medojević, as well as the page of the coalition Albanian Alliance ("Aleanca shqiptare").

During the observed period, political parties had a total of 5.35 million content views. When it comes to paid content on social networks, in the period from 17 May to 6 June 2023, political lists had a total of 694 paid content on the Facebook social network.

In the observed period, "For the future of Montenegro" (New Serbian Democracy, Democratic People's Party of Montenegro, Worker's Party) had the largest number of paid contents (220), followed by Civic Movement URA (97), Aleksa Bečić - Democrats - Democratic Montenegro (91), Social Democratic Party SDP (56), "We Can - for Civic Montenegro" (50), Marko Milačić - True Montenegro (48), Movement for changes (33), Croatian Civic Initiative (25), The Europe Now Movement (25), Albanian Alliance (20), SNP-Demos - For you (15), DPS (8) i najmanje "Turnaround for a Safe Montenegro" – Srđan Perić, "Justice for all – PhD Vladimir Leposavić" and Albanian forum - Nik Gjelošhaj "BESA for European Development" 2 contents each.

With regard to the audience (target group), by analysing the details of paid content, the most content that political lists/parties paid for was shown equally to both men and women, aged 18 to 65. There is also a certain number of paid content which targets exclusively younger population, aged 25-34 years and 35-44 years.

When it comes to territorial coverage, the largest number of paid content is shown to residents of the capital Podgorica, followed by Nikšić, Pljevlja, Budva, and the least to residents of Šavnik and other smaller municipalities.



ELECTION DAY

Election day monitoring was conducted through five groups of activities:

1. **Comprehensive monitoring of election procedures at polling stations**, including the opening, voting, closing of polling stations and counting of votes, with continuous communication among observers, operators and the legal centre, in order to efficiently collect data on turnout and potential irregularities during election day.
2. **Partially Parallel Vote Tabulation (PPVT)** based on a representative sample of results from polling stations, on the basis of which CeMI quickly and precisely communicated the initial forecasts of results and allocation of seats.
3. **Parallel vote tabulation (PVT)**, which includes results from almost all polling stations, collected by short-term observers at polling stations, as well as mobile teams that monitored the work of the MECs during the day in the process of tabulating results at the municipal level.
4. **Detailed monitoring of the work of municipal election commissions and the State Election Commission**, with a focus on transparency and compliance with election legislation.
5. **Relations with the media and the public**: CeMI regularly informed the public about the turnout and possible irregularities through a series of press conferences, while the results estimates of the parliamentary elections were presented at additional conferences after the closing of the polling stations. All conferences were broadcast live, and a wide range of media houses, television stations and journalists reported on the key findings. The findings and information were also available simultaneously on CeMI's social networks and website, as well as on the mobile application, enabling wide access and insight into the flow of the election process and voting.

A. IMPLEMENTATION OF ELECTION PROCEDURE

Android and IOS applications, a web portal and two open lines for direct communication with the Legal Team of CeMI were available to citizens throughout the election day. Through the "Fer izbori" service, CeMI's legal team received 95 reports of irregularities. Out of the total number of reports submitted through the "Fer izbori" service, citizens submitted 63 or 65.31%, while CeMI's observers submitted 33, or 34.73%.

CeMI's Legal Team has publicly announced the most striking cases of reported irregularities, received through the web portal, application "Fer izbori" and social networks. This procedure contributed to the transparency of the election process, and the public was aware of common irregularities and rights violations, also enabling citizens to be better informed to recognize and report future violations.

Also, it is important to emphasize that not all reports received from citizens represented irregularities under the current legal regulations. All irregularities registered by CeMI's observers during the election day can be grouped into the following categories:

Table 6: types and number of irregularities

TYPES OF IRREGULARITIES	NO. OF REPORTED IRREGULARITIES
Violation of the equality of submitters of electoral lists	25
Violation of the secrecy of voting	8
Use of mobile phones at polling stations	7
Improper use of electronic voter identification devices	4
Irregularities related to voter identification, due to the lack of update of the electoral roll	2
Highlighting the symbols of political parties	3
Irregularities in the work of polling board	2
Impossibility of exercising the right to vote due to the lack of update of the electoral roll	2
Other irregularities	17
TOTAL	71

Based on the detailed insights of CeMI observers, who were divided at the polling stations and who collected data using standardized questionnaires, which focus on the organization of the election day and the voting procedure, the following comprehensive assessments can be formulated:

- Observers rated the process of opening polling stations as excellent or very good in 90.8% of cases, while it was rated as poor or very poor in 3% of cases. The average grade is 4.58.
- Observers rated the voting procedure as excellent or very good in 92% of cases, while it was rated as poor or very poor in 2.2% of cases. The average grade is 4.62.
- Observers rated the procedure of closing polling stations and counting votes as excellent or very good in 92.8% of cases, while it was rated as poor or very poor in 3.1% of cases. The average grade is 4.6.

According to data collected on the field, at least 12% of places did not have materials in Braille, while 23.4% of polling stations were evaluated by observers as inaccessible to people with disabilities. [description of irregularities and polling stations where they occurred]

According to data from the majority of covered polling stations, among the members of the PB, men made up 75.5% of the total number of members of the PBs, while women made up only 24.5% of the total composition of the PBs.

The observers met with good reception, professional communication and cooperation with the members of the PBs, with only a few sporadic cases where CeMI's observers were not given access to the polling station or insight into election materials.

B. CEMI'S ASSESSMENT OF TURNOUT

At the first press conference, held at **9:15 h**, the estimated turnout by 9:00 h was presented, which amounted to 5.8%. In the central region, 6.3% of registered voters voted by 9:00 h, 5.6% voted in the southern region, while 5.1% exercised their right to vote in the northern region. Compared to the first round of presidential elections held in March 2023, a lower percentage of turnout by 9:00 h was noticeable, when the turnout was 6.6%, while in the parliamentary elections of 2020, the turnout by 9:00 h was 14.7%.

At the second press conference held at **11:15 h**, it was announced that the turnout by 11 a.m. was 16.3%. In the central region, 17.2% of voters voted by 11 am, in the southern region this figure was 14.8%, and in the north 15.9%. In the first round of the presidential elections in March 2023, the turnout by 11:00 h was 20.1%, which is 3.8% less than the turnout in the 2023 parliamentary elections. In the 2020 elections, the turnout was 35.4%, which is 19.1% more than the turnout in the 2023 parliamentary elections.

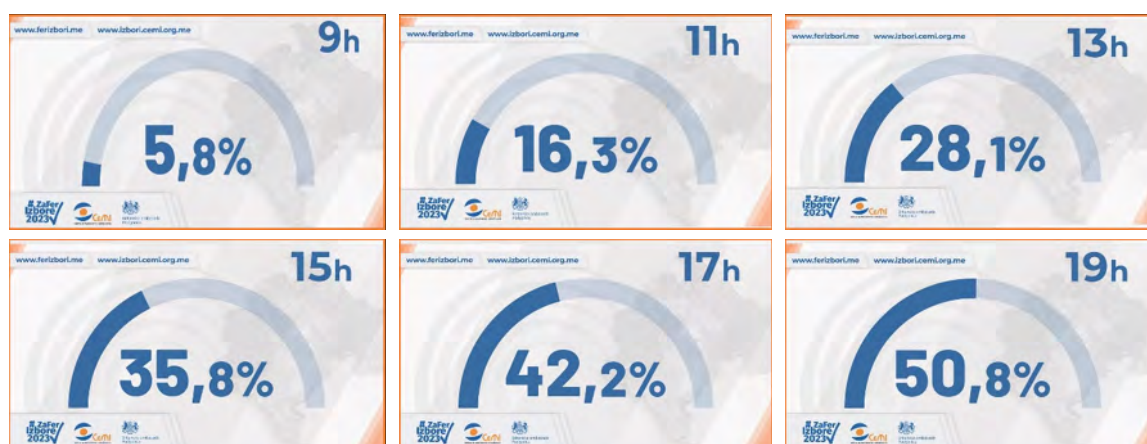
At the third press conference, which was held at **13:15 h**, CeMI presented an estimate of the turnout until 13:00 h. At the national level, the turnout by 13:00 h was 28.1%, which is 7.4% less compared to the first round of the presidential elections in 2023, when the turnout by 13 h was 35.5%, or even 26% less compared to the elections held in 2020, when the turnout was 54.1%. Divided by regions, the turnout data is as follows: central region – 29.4%, southern region – 24.6% and northern region – 29%.

At the fourth press conference, which was held at **15:15 h**, the estimated turnout by 15:00 h was presented, which amounted to 35.8%. The turnout in the central region was 37.7%, in the southern region 30.8%, while in the northern region 37.7% of voters exercised their right to vote.

At the fifth press conference at **17:15 h**, it was announced that the turnout by 17:00 h was 42.2%. In the central region, 44% of voters exercised their right to vote by 17:00 h, 36.1% in the southern region, while in the northern region, the turnout was 44.5%. Compared to the first round of the presidential elections held in 2023, the turnout by 17:00 h is 10.2% lower than at the time, when it was 52.4%. In the 2020 elections, the turnout by 17:00 h was 68.4%, which is 26.2% more than in the 2023 parliamentary elections.

At the sixth conference held at **19:15 h**, the turnout result until 19:00 h was presented - 50.8%. In the central region, 53.4% of registered voters exercised their right to vote by 19:00 h, 44.7% in the southern region, while the turnout in the northern region was 51.8%. In the first round of the presidential elections held in 2023, the turnout by 19:00 h was 60.5%, which is 9.7% more than in the 2023 parliamentary elections. In the 2020 elections, the turnout by 19:00 h was 74.9%, which is 24.1% more than in the 2023 parliamentary elections.

CEMI'S ESTIMATION OF VOTER TURNOUT



C. CEMI'S ASSESSMENTS OF ELECTION RESULTS

CeMI kept on holding press conferences on election night as well, after the polling stations closed. Starting at 20:45 h, CeMI held two press conferences, where projections of results were presented in accordance with the dynamics of sample filling.

At the press conference held at 20:45 h, CeMI presented projections of parliamentary election results based on 55.5% of the processed sample. At the final conference, CeMI presented projections of results based on 90.5% of the realized sample. Starting at 20:45 h, citizens could have followed the data live through 3 national TV stations, CeMI's website and the application "Fer Izbori".

Table 7: CeMI's estimates of parliamentary election results and seats projections based on PVT

	%	SEATS
Percentage of the processed polling stations	100%	81
Overall turnout	56,2%	
ELECTORAL LIST		
It is Clear! — Bosniak Party — Mr Ervin Ibrahimović	7,1%	6
HGI — On the right side of the world	0,7%	1
'JUSTICE FOR ALL' — PhD Vladimir Leposavić	2,8%	0
SNP – DEMOS – FOR YOU	3,1%	2
PEOPLE'S COALITON – TOGETHER AND FULL STOP! – (Dejan Vukšić – Christian Democratic Movement; Marko Mi- lačić – True Montenegro; Vladislav Dajković – Free Montene- gro; Dragica Perović – Democratic Serbian Party; dr Novica Stanić – Movement for Pljevlja)	1,2%	0

ALBANIAN ALLIANCE – ALLEANCA SHQIPTARE	1,5%	1
https://en.wikipedia.org/wiki/List_of_political_parties_in_Montenegro Turnaround for a Safe Montenegro – Srđan Perić	1,6%	0
Movement for changes – MONTENEGRO FIRST – Nebojša Medojević – Reforms to Save the Country	0,7%	0
YES, WE CAN! – FOR CIVIC MONTENEGRO!	0,5%	0
TOGETHER! For the future that belongs to you – Danijel Živković (DPS, SD, DUA, LP)	23,2%	21
EUROPE NOW – MILOJKO SPAJIĆ	25,6%	24
SDP – FOR OUR HOME	2,9%	0
ALEKSA AND DRITAN – COURAGE Counts!	12,5%	11
FOR THE FUTURE OF MONTENEGRO (NEW SERBIAN DEMOCRACY, DEMOCRATIC PEOPLE'S PARTY, WORKER'S PARTY)	14,7%	13
Albanian Forum – Nik Gjelošhaj “BESA for European Development” Forumi shqiptar – Nik Gjelošhaj “BESA për Zhvillim Evropian”	1,9%	2

Based on projections from a representative sample consisting of 400 polling stations in Montenegro, CEMI released the first assessment of the results at 20:45 h. After that, citizens had the opportunity to follow the completion of the sample and the consequent estimation of the results.

In addition, during the election night, CeMI conducted a parallel counting of votes and published projections of preliminary results based on 100% processed polling stations in Montenegro, and communicated them to the citizens through announcements on the website, the application “Fer izbori”, and its social networks.

The average absolute error of estimation of the share of votes won was 0.03% in relation to the preliminary results published by the SEC later. CeMI's projection of the distribution of mandates was identical to the one established by the SEC, i.e. there was no deviation compared to the data announced by the SEC.

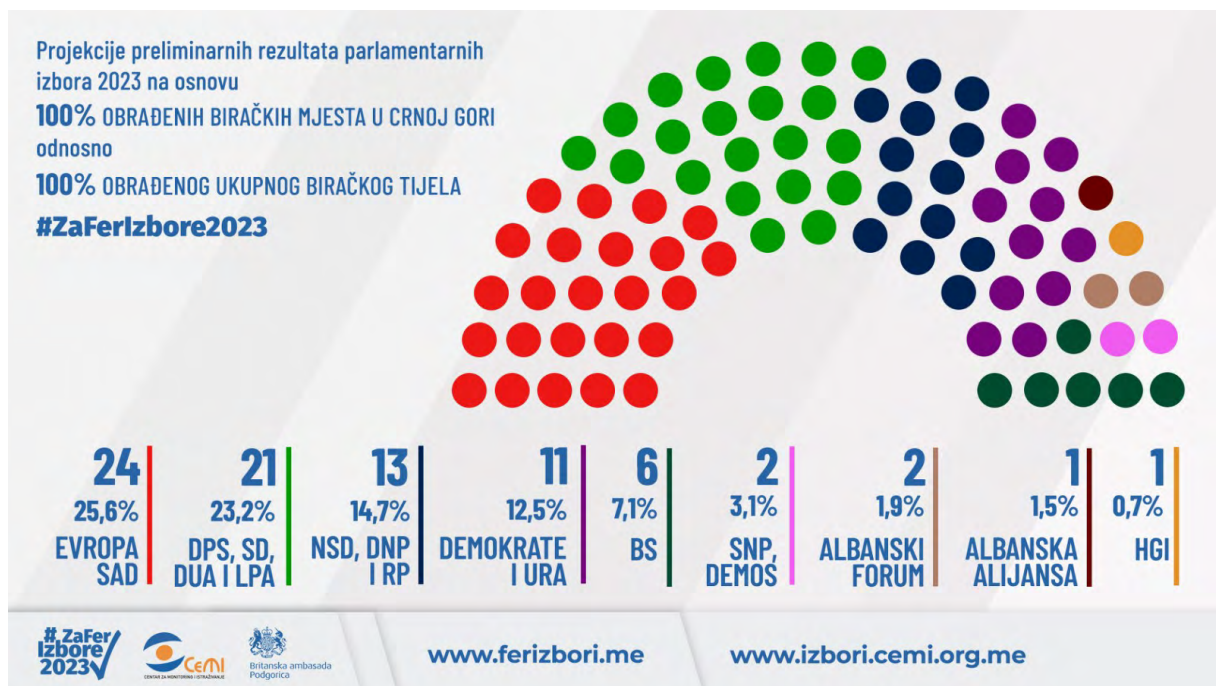
In the previous parliamentary elections (2020), the average deviation was 0.08%.

Table 8: Comparison of CeMI's projections of parliamentary election results with official preliminary results

Electoral list	CeMI %	CeMI seats	SEC %	SEC seats	Difference %	Difference seats
Percentage of processed polling stations	100%					0
It is Clear! — Bosniak Party — Mr Ervin Ibrahimović	7,1%	6	7,09%	6	-0,01%	0
HGI — On the right side of the world	0,7%	1	0,74%	1	-0,04%	0
'JUSTICE FOR ALL' — PhD Vladimir Leposavić	2,8%	0	2,77%	0	0,03%	0
SNP – DEMOS – FOR YOU	3,1%	2	3,13%	2	-0,03%	0
PEOPLE'S COALITION – TOGETHER AND FULL STOP! – (Dejan Vukšić – Christian Democratic Movement; Marko Milačić – True Montenegro; Vladislav Dajković – Free Montenegro; Dragica Perović – Democratic Serbian Party; dr Novica Stanić – Movement for Pljevlja)	1,2%	0	1,2%	0	0	0
ALBANIAN ALLIANCE – ALLEANCA SHQIPTARE	1,5%	1	1,5%	1	0	0
https://en.wikipedia.org/wiki/List_of_political_parties_in_Montenegro Turnaround for a Safe Montenegro – Srđan Perić	1,2%	0	1,6%	0	-0,04%	0
Movement for changes – MONTENEGRO FIRST – Nebojša Medojević – Reforms to Save the Country	0,7%	0	0,66%	0	0,04%	0
YES, WE CAN! – FOR CIVIC MONTENEGRO!	0,5%	0	0,44%	0	0,06%	0

TOGETHER! For the future that belongs to you – Danijel Živković (DPS, SD, DUA, LP)	23,2%	21	23,26%	21	-0,06%	0
EUROPE NOW – MILOJKO SPAJIĆ	25,6%	24	25,55%	24	0,005%	0
SDP – FOR OUR HOME	2,9%	0	2,9%	0	0	0
ALEKSA AND DRITAN – COURAGE Counts!	12,5%	11	12,5%	11	0	0
FOR THE FUTURE OF MONTENEGRO (NEW SERBIAN DEMOCRACY, DEMOCRATIC PEOPLE'S PARTY, WORKER'S PARTY)	14,7%	13	14,76%	13	-0,06%	0
Albanian Forum – Nik Gjelošhaj "BESA for European Development" Forumi shqiptar – Nik Gjelošhaj "BESA për Zhvillim Evropian"	1,9%	2	1,88%	2	-0,02%	0
Average deviation					0,03%	0

Chart 10: Projections of the preliminary results of the parliamentary elections



D. COMMUNICATION WITH THE PUBLIC

CeMI continuously informed the public during election day through a series of press conferences, which were held at 9:15 h, 11:15 h, 13:15 h, 17:15 h and 19:15 h. During these conferences, CeMI presented data on voter turnout, identified irregularities, voting trends and similar data. The analysis of the comparative number of voters who voted during similar periods of time in the presidential elections of 2023 and in the parliamentary elections of 2020 was also part of the presentation.

After these five regular conferences, CeMI organized two more conferences during the election night in order to present to the public the projections of the results in accordance with the processed received sample.

CeMI actively monitored the situation in the entire territory of Montenegro, collecting information from accredited observers, as well as from citizens who communicated with CeMI via the "Fair Elections" application and via a telephone number. A total of 95 reports of irregularities were received, of which the largest number (25) related to the violation of the equality of electoral lists submitters. This was due to the fact that political parties sent messages to citizens to go to the elections and vote for their party.

CeMI's conferences were followed by a large number of domestic and foreign/regional media, and through 3 TVs with a national frequency, i.e. public service RTCG, TV Vijesti and TV E, which were directly connected to the CeMI's database, citizens followed in real time data processing, voting results and projection of seats allocation. In addition, citizens could have followed the projections of the results live through CeMI's website and the "Fer izbori" application, which also provided information on voting rights. On the day of the election, the website "Fer izbori" recorded 574,000 (refresh results) visits, while the application was downloaded 1,226 times from the website and through the Google Play store.

XII PARTICIPATION OF WOMEN

According to the current Law on the Election of Councillors and MPs, the electoral list must ensure that at least 30% of the parliamentary seats belong to the underrepresented sex. The Law also stipulates that among each four candidates on the list there must be at least one member of the underrepresented gender. In addition, in case of the vacant positions on the electoral list, they will be filled by giving advantage to a candidate from the less represented sex, except in the case when a councillor or MP whose term has come to an end belongs to the underrepresented sex, when the successive candidate from the underrepresented sex will be elected instead (Article 104, paragraph 3 of the Law on Election of Councillors and MPs).

In the 27th convocation of the Parliament of Montenegro, immediately before the parliamentary elections, out of 81 MPs, 24 were women, i.e. 29.6%, which is above the world average of 26.5%¹ but below the European average of 32.6%.²

Table 9: Number of female MPs in the 28th convocation of the Parliament, according to results and lists

ELECTORAL LIST	NO. OF FEMALE MPS ACCORDING TO THE NO. OF SEATS WON
It is Clear! — Bosniak Party — Mr Ervin Ibrahimović	1
SNP – DEMOS – FOR YOU	0
TOGETHER! For the future that belongs to you – Danijel Živković (DPS, SD, DUA, LP)	5
EUROPE NOW! – MILOJKO SPAJIĆ	6
ALEKSA AND DRITAN – COURAGE Counts!	2
FOR THE FUTURE OF MONTENEGRO (NEW SERBIAN DEMOCRACY, DEMOCRATIC PEOPLE'S PARTY, WORKER'S PARTY)	3
TOTAL	17

In this year's parliamentary elections, the participation of women on electoral lists was marginally higher than in 2020, in terms of percentage. The total number of female candidates on the lists was 365 out of 1,111, or 35.6%, while in 2020, the participation of women was 269 out of 778

1 World Bank, Proportion of seats held by women in national parliaments (%) [online], <https://genderdata.worldbank.org/indicators/sg-gen-parl-zs/?view=trend>

2 Ibid

candidates, or 34.57%. Only on one election list, which did not achieve parliamentary status (YES, WE CAN FOR CIVIC MONTENEGRO!), percentage of women was higher than 50%. On the largest number of electoral lists (10 out of 15), the percentage of women ranges from the legal minimum of 30% to 35%. Of these, on six election lists the number of women corresponded to the legal minimum, compared to the number of candidates on those lists, namely:

1. JUSTICE FOR ALL! – PhD VLADIMIR LEPOSAVIĆ – 17 out of 54;
2. "PEOPLE'S COALITION – TOGETHER AND FULL STOP" – 25 out of 81;
3. ALBANIAN ALLIANCE – ALLEANCA SHQIPTARE – 21 out of 67;
4. Turnaround for a Safe Montenegro – Srđan Perić – 17 out of 54;
5. ALEKSA AND DRITAN – COURAGE Counts! – 25 out of 81;
6. Albanian forum – Nik Gjelošhaj "BESA for European Development" – 18 out of 60.

A woman was on the top of only one electoral list (YES, WE CAN FOR CIVIC MONTENEGRO!). It was also on this list only that the second place was held by a woman.

Chart 11: Participation of women among candidates for MPs

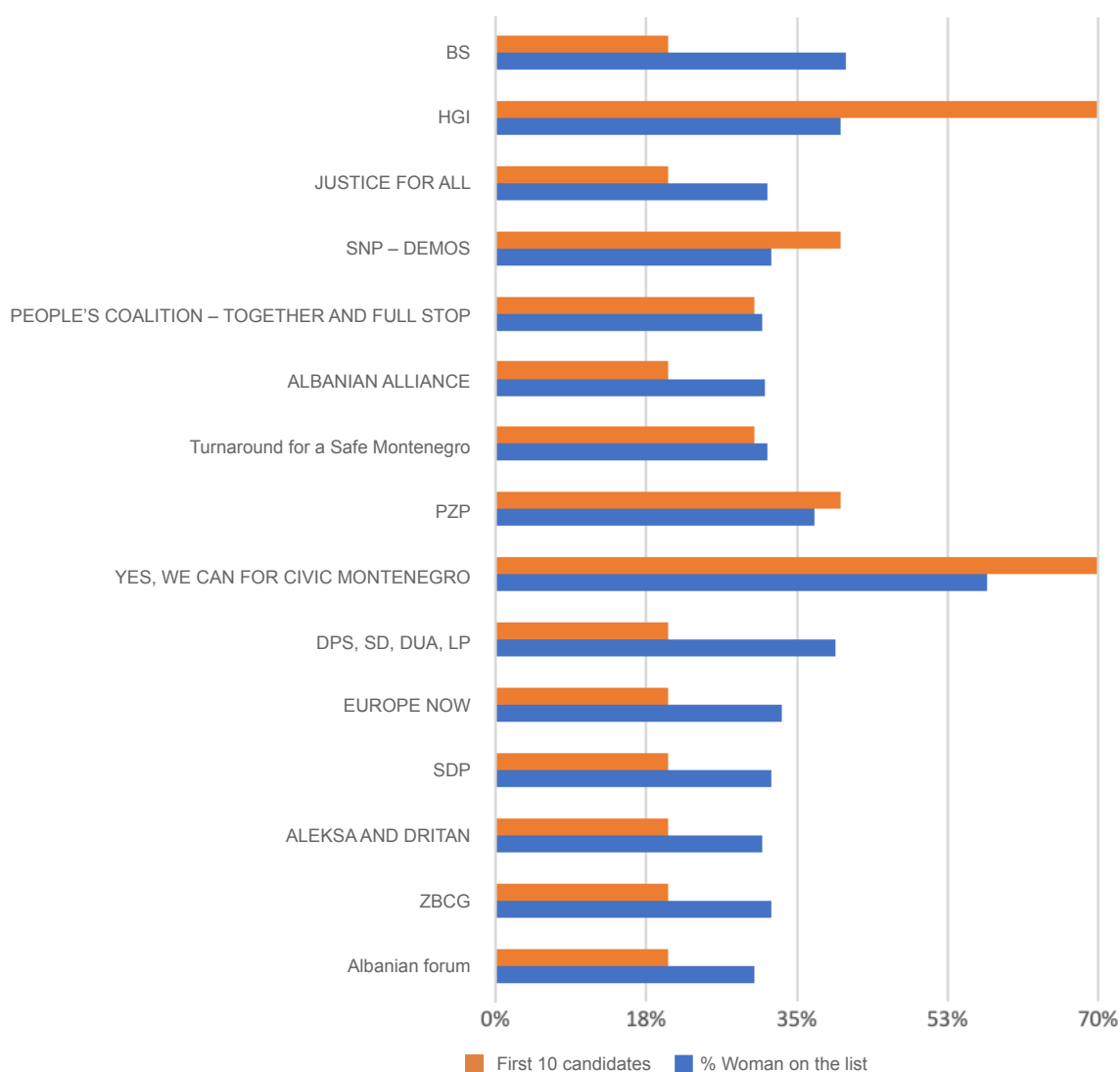
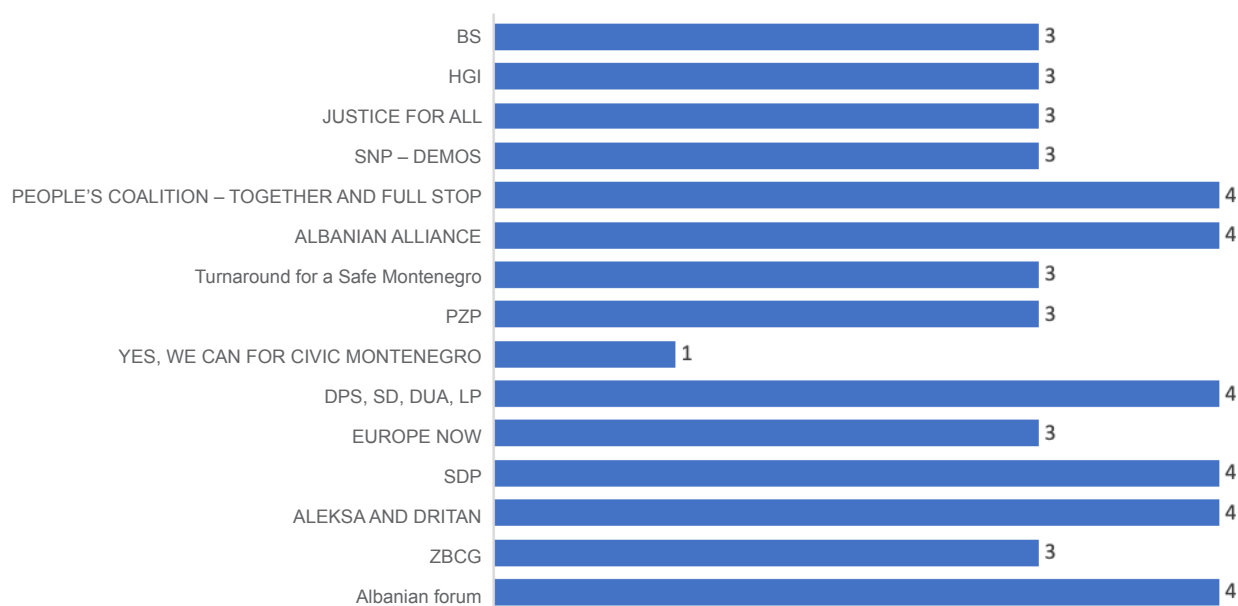


Table 10: Participation of women on electoral lists

List	No. of candidates	Number and % of women		Among first 10 positions	Between 11 and 20 positions	Between 21 and 30 positions	Between 31 and 40 positions	Between 41 and 50 positions	Between 51 and 60 positions	Between 61-70 positions	Between 71-80 positions	81 position
BS	81	33	40,7%	20%	40%	30%	40%	60%	50%	50%	40%	N/A
HGI	70	28	40%	70%	20%	30%	30%	50%	40%	40%	N/A	N/A
JUSTICE FOR ALL	54	17	31,5%	20%	30%	30%	40%	30%	40%	30%	N/A	N/A
SNP – DEMOS	81	26	32,1%	40%	30%	30%	40%	30%	40%	30%	20%	N/A
PEOPLE'S COALITION – TOGETHER AND FULL STOP	81	25	30,9%	30%	30%	30%	20%	20%	40%	40%	40%	N/A
ALBANIAN ALLIANCE	67	21	31,3%	20%	40%	30%	30%	30%	40%	25%	N/A	N/A
Turnaround for a Safe Montenegro	54	17	31,5%	30%	20%	30%	30%	40%	50%	N/A	N/A	N/A
PZP	81	30	37%	40%	20%	40%	40%	40%	60%	40%	20%	N/A
YES, WE CAN FOR CIVIC MONTENEGRO	77	44	57,1%	70%	30%	60%	60%	60%	50%	60%	71,4%	N/A
DPS, SD, DUA, LP	81	32	39,5%	20%	30%	30%	30%	50%	40%	60%	50%	N/A
EUROPE NOW	81	27	33,3%	20%	30%	20%	40%	20%	50%	30%	60%	N/A
SDP	81	26	32,1%	20%	40%	20%	40%	40%	40%	20%	40%	N/A
ALEKSA AND DRITAN	81	25	30,9%	20%	30%	20%	30%	30%	30%	50%	50%	N/A
ZBCG	81	26	32,1%	20%	30%	20%	30%	30%	30%	50%	50%	N/A
Albanian forum	60	18	30%	20%	30%	30%	20%	30	50%	N/A	N/A	N/A

Chart 12: Position of the first female candidate on the individual list



The following table shows how many women who are candidates for MP occupy each of the four positions on the electoral lists.

Table 11: Women on the electoral list by position, in clusters of 4 seats each (by order, the entire list)

List	No. of women	First out of 4		Second out of 4		Third out of 4		Fourth out of 4	
BS	33	8	24,2%	7	21,2%	13	39,4%	5	15,2%
HGI	28	8	28,6%	7	25%	3	10,7%	10	35,7%
JUSTICE FOR ALL	17	3	17,6%	5	29,4%	3	17,6%	6	35,3%
SNP - DEMOS	26	4	15,4%	8	30,8%	8	30,8%	6	23,1%
PEOPLE'S COALITION – TOGETHER AND FULL STOP	25	8	32%	5	20%	7	28%	5	20%
ALBANIAN ALLIANCE	21	2	9,5%	1	4,8%	5	23,8%	13	61,9%
Turnaround for a Safe Montenegro	17	4	23,5%	5	29,4%	7	41,2%	1	5,9%
PZP	30	6	20%	10	33,3%	8	26,7%	6	20%
YES, WE CAN FOR CIVIC MONTENEGRO	44	10	22,7%	13	29,5%	13	29,5%	8	18,2%
DPS, SD, DUA, LP	32	3	9,4%	6	18,8%	8	25%	15	46,9%
EUROPE NOW	27	4	14,8%	4	14,8%	11	40,7%	8	29,6%
SDP	26	7	26,9%	6	23,1%	0	0%	13	50%
ALEKSA AND DRITAN	25	6	24%	5	20%	4	16%	10	40%
ZBCG	26	5	19,2%	7	26,9%	3	11,5%	11	42,3%
Albanian forum	18	4	22,2%	1	5,6%	2	11,1%	11	61,1%
TOTAL	395	82	20,8%	90	22,8%	95	24,1%	83	21%

In seven of the 15 electoral lists, women were most often assigned to every fourth place on the electoral list, in order to comply with the law. Taking all election lists into account, women were on average most often assigned to every third place on the list (24.1%), followed by every second place (22.8%), then every fourth place (21%) and first place on the list (20.8%).

According to the final results of the elections, the participation of women in the Montenegrin Parliament is less than in its previous convocation, despite the higher percentage of women participating on electoral lists. In addition, it is very important to point out that, as in 2020, the negotiations on the formation of the new Government took place without the participation of women.

Taking into account the changes in the allocation of seats after some MPs resigned from that position, we can see that the number of women in the Montenegrin parliament is 22 (27.1%), namely:

Table 12: Number of MPs in the 28th convocation of the Parliament, after the resignation of MPs who took other positions

ELECTORAL LIST	NO. OF FEMALE MPS BY NUMBER OF SEATS WON
It is Clear! — Bosniak Party — Mr Ervin Ibrahimović	1
SNP – DEMOS – ZA TEBE.	2
TOGETHER! For the future that belongs to you – Danijel Živković (DPS, SD, DUA, LP)	5
EUROPE NOW! – MILOJKO SPAJIĆ	7
ALEKSA AND DRITAN – COURAGE Counts!	3
FOR THE FUTURE OF MONTENEGRO (NEW SERBIAN DEMOCRACY, DEMOCRATIC PEOPLE'S PARTY, WORKER'S PARTY)	4
TOTAL	22

PARTICIPATION OF MINORITIES XIII

Four confirmed election lists exercised their right to register as minority lists, including two lists representing the Albanian community, one minority list representing the Croatian national community, while the Bosniak Party also registered as a minority list, although it ultimately met the conditions that are valid for majority lists.

It is important to note that the system of differential legal threshold, which put minorities into a privileged position, contains uncertainties and illogical elements in terms of the defined norm, which can produce an effect that is in disagreement with the concept of positive discrimination of minority peoples.

After preliminary assessments, all four minority electoral lists successfully acquired parliamentary status. Two Albanian lists, using the system of positive discrimination, won three seats together, which is one mandate more compared to the previous elections. The Bosniak party won six seats, which is three seats more compared to the previous elections.

The Croatian minority list, which failed to gain parliamentary status in the 2020 elections, managed to win one seat in these elections.

Unfortunately, the population of Roma and Egyptians did not have an authentic electoral list that would represent their interests even in these elections, although it makes a significant percentage of the total population in Montenegro. Also, in the pre-election campaign the use of slogans, billboards or video materials in the Roma language was not noticed, which indicates the need for greater inclusion of this minority group in the political life of society.

XIV COMPLAINTS AND APPEALS

Article 107 of the Law on Election of Councillors and MPs prescribes the procedural possibility of protecting the right to vote in such a way that each voter, candidate and submitter of the electoral list is entitled to file a complaint to the competent election commission due to the violation of the right to vote during the election. The complaint has to be submitted to the competent election commission within 72 hours from the time when the decision was passed or the action was taken.

Article 108 of the same Law stipulates that a complaint against a decision, action or omission of the PB is submitted to the MEC, while a complaint against a decision, action or omission of the MEC is submitted to the SEC. In accordance with Article 109 of this Law, the competent election commission issues a decision within 24 hours following the receipt of the complaint and submits it to the complainant. If the competent election commission approves the complaint, it will annul that decision or action, and if the competent election commission fails to issue a decision on the complaint within the statutory time limits, the complaint shall be considered adopted.

Furthermore, Article 110 of the Law stipulates that a complaint can be filed with the SEC against the decision of the MEC dismissing or rejecting the complaint, while, as a final legal remedy, it is possible to lodge an appeal with the Constitutional Court of Montenegro against the decisions of the SEC. The authorities responsible for conducting elections are obliged to inform voters about their voting rights and the way to protect those rights during the election process. In addition, every citizen has the constitutional right to submit an initiative for starting the proceedings for the review of constitutionality and legality, both in terms of compliance of laws with the Constitution and ratified and published international treaties, as well as compliance of other regulations and general acts with the Constitution and the law.

During the election process, 14 complaints to the work of the PBs were submitted to the MECs. A total of 19 complaints to the decisions of the MECs were submitted to the SEC. A total of six appeals were lodged to the Constitutional Court of Montenegro against the decisions of the SEC. The Constitutional Court accepted one appeal of the Social Democratic Party (SDP) against the decision of the SEC and ordered the Cetinje MEC to repeat the parliamentary elections at the "Lovcenski partizanski odred II" polling station. The repeated elections at this polling station in Cetinje were held on 8 July 2023.

The process of submitting complaints and appeals is marked by numerous legal controversies arising from the inconsistency of the electoral legislation and parts of other systemic laws that regulate the implementation of administrative procedure, which during this election process were the cause of the prolongation of the procedures for the filed complaints and appeals, and thus the declaration of final election results. Although the SEC met the statutory deadlines in deciding on the submitted complaints, it seems that some participants in the election process used different legal methods to prolong the procedures on the filed complaints, as a result of which the deadline for announcing the final election results was exceeded by almost 20 days.

During the comprehensive electoral reform, it is necessary to pay special attention to the harmonization of the deadlines from the Law on Election of Councillors and MPs which refer

to the determination of election results, with the deadlines from the Law on Administrative Procedure which refer to the submission of acts. Also, it is necessary to work out in more detail the procedure and deadlines in the proceedings before the Constitutional Court, as well as the procedure for delivering the decisions of the MEC and the SEC to the complainants, so that they do not cause the prolongation of election disputes.

XV INTERNATIONAL AND DOMESTIC OBSERVERS

A. INTERNATIONAL OBSERVERS

Based on the SEC's official data, accredited international observers, stated by the organization/embassy they come from and in what number, were:

Table 14: Number of accredited observers of international organizations and embassies

INTERNATIONAL ORGANIZATION/EMBASSY	NO. OF ACCREDITED OBSERVERS
ODIHR (EOM)	126
U.S. Embassy in Montenegro	28
European Union	24
Parliamentary Assembly of the Council of Europe	20
British Embassy in Montenegro	10
European Parliament	7
National Democratic Institute (NDI)	6
Central Election Commission of Kosovo	6
International Foundation for Electoral Systems (IFES)	3
State Electoral Commission of the Republic of Croatia	3
Estonian e-Governance Academy Foundation	2
State Electoral Commission of the Republic of Slovenia	2
TOTAL	237

It is noticeable that the interest expressed by international observation missions is slightly lower in comparison to the parliamentary elections held in 2020, when international observers accredited a total of 265 observers.³ At the same time, we must bear in mind that the 2020 elections were held in the circumstances of a global pandemic.

³ European Network of Election Monitoring Organizations (ENEMO) – 116, ODIHR – 26, ODIHR (LEOM) – 33, Embassy of the United States in Montenegro – 38, British Embassy – 9, Delegation of the EU to Montenegro – 22, Parliamentary Assembly of the OSCE – 17 and the Embassy of the Republic of Kosovo in Montenegro – 4

B. DOMESTIC OBSERVERS

The SEC awarded 1,761 accreditations to domestic observers. Observers from the following organizations were accredited:

Table 15: Number of accredited observers from domestic organizations

DOMESTIC ORGANIZATION	No. of accredited observers
Centre for Monitoring and Research (CeMI)	1.218
Centre for Democratic Transition (CDT)	459
Association of Blind People of Montenegro	59
Association of Youth with Disabilities of Montenegro (UMHCG)	9
NGO Female organization "Feniks"	9
Centre for Civic Education (CGO)	4
Women's Right Centre	2
NGO Spectra Association	1
TOTAL	1.761

XVI CONCLUSIONS AND RECOMMENDATIONS

PRIORITY RECOMMENDATIONS

1. It is necessary to carry out a comprehensive electoral reform, which would include the adoption of the new (1) Law on the Election of Councillors and MPs, as well as related laws, (2) Law on the Election of President of Montenegro, (3) Law on Electoral Roll and (3) Law on Financing of Political Entities and Election Campaigns. The reform should also include amendments to a set of related laws: (4) Law on Electronic Media, (5) Law on Registers of Temporary and Permanent Residence (6) Law on Prevention of Corruption. A comprehensive reform would regulate all the disputed issues from this and previous election processes. The codification of election laws should also be considered.
2. Carry out a full professional development and depoliticization of the SEC and partial one of the MECs. It is necessary to carry out full professional development and depoliticization of the composition of the SEC, which would consist of 3-5 professionals (from the field of law), as well as professional development and depoliticization of the position of the MEC presidents.

OTHER RECOMMENDATIONS

A. TO THE PARLIAMENT OF MONTENEGRO

3. Without delay, start the process of comprehensive reform of the electoral legislation, which should be transparent and inclusive, and which should include non-governmental organizations that monitor the election processes and that stand out with expert knowledge in the field of the electoral system.
4. Due to limited spatial and technical capacities, the Secretariat of the Parliament of Montenegro should continue with the previously established good practice of providing support to the SEC in the context of conducting election processes.
5. It is necessary to introduce a mandatory verification of the support signature authenticity by a notary, in order to further discourage misuses that keep on occurring in all election processes. The cost of this service should also be limited, so that it would not be a limiting factor for presenting candidacies.
6. In accordance with the international obligations undertaken by Montenegro, it is necessary to define the scope of the term "election monitoring" in the Law on Election of Councillors and MPs, by including unhindered access to domestic and foreign observers of the election process to election materials, including signatures of support.
7. Abolish the prohibition to citizens to provide signature support to only one candidate.
8. Prevent cases of misuse during voting, by establishing a precise provision defining the conditions that the ballot has to meet to be considered valid, instead of the current provision defining cases in which the ballot is considered invalid, which lacks precision. These changes must also prevent marking ballots with different geometric shapes, decorations, in combination with different colours, which can compromise the secrecy of voting.
9. It is necessary to regulate the election of members of the MECs and PBs in more precise and unambiguous manner, to ensure that it does not depend on political turmoil and decisions of the MECs and the SEC.

10. It is necessary to amend the Law on Election of Councillors and MPs, to ensure that it regulates in detail all aspects of the work of PBs.
11. It is necessary to amend the Law on Prevention of Corruption, by granting the APC stronger powers and enabling it to conduct an administrative investigation.
12. The Law on Election of Councillors and MPs should be amended to regulate the conduct and use of social media during the election silence. In order to ensure that the principle of election silence is fully met, the law should impose that the responsibility for respecting election silence on social networks rests with political entities participating in elections, instead of the social platforms.
13. The Law on the Financing of Political Entities and Election Campaigns should be amended in order to regulate the use of social media during the campaign.
14. By amending the Law on Registers of Temporary and Permanent Residence, introduce severe penalties for persons who do not report a change of residence.
15. Consider the possibility of introducing into the Criminal Code of Montenegro the criminal offense of misuse of support signatures in the field of criminal offenses against electoral rights, in order to further influence the suppression of this practice.

B. TO THE STATE ELECTION COMMISSION OF MONTENEGRO

16. Bearing in mind the experience of this election process, the SEC should provide concrete legal proposals regarding the harmonization of the deadlines from the Law on Election of Councillors and MPs relating to the determination of election results with the deadlines from the Law on Administrative Procedure which refer to the submission of acts. It is also necessary to work out the deadlines in the proceedings before the Constitutional Court in more detail, as well as the procedure for delivering the decisions of the MEC and the SEC to the complainants, so that they are not the reason for prolongation of election disputes.
17. The SEC should ensure the efficient exercise of election observers' rights. CeMI, as well as other, both domestic and international observation missions, did not have adequate and equal access to all institutions and bodies for the implementation of the election process, and they also had limited insight into the process and documents that accompanied the election process. We believe that observation missions should have access to all institutions, as well as documents and activities related to elections, from preparatory election actions to the conclusion of the election process, in order to ensure complete transparency and contribute to the full awareness of citizens about all the details of the election process.
18. It is necessary to continuously (even in periods between election processes) organize training programs for members of the SEC, MECs and PBs on the implementation of election processes, through practical workshops in which the lessons learned from each election process will be addressed, which will influence the improvement of the conduct at all levels of election administration in Montenegro.
19. The SEC must find an appropriate and effective mechanism for verifying the credibility of support signatures, in order to prevent abuses that accompanied this election process.
20. It is necessary to fully implement Article 18 of the new Rules of Procedure of the SEC and provide live monitoring of the SEC sessions via the Internet.
21. It is necessary to enable members of the Roma community to have election papers in their own language, in order to enable them to fully exercise their right to vote.
22. Since wearing accreditation is not obligatory either in the Rules on the Work of Polling Boards or in the Training Manual for Polling Boards, it is necessary to introduce this obligation into the by-laws of the SEC, in order to reduce the scope for abuse by unauthorized persons.
23. Point out to PBs the importance of working in full composition in order to avoid situations in which they work with a composition of four members, rather than five as provided for in the

Law on Election of Councillors and MPs.

24. Influence the standardization of the practice of the PBs regarding the treatment of persons who are not recognized by the electronic identification device.

C. TO MUNICIPAL ELECTION COMMISSIONS

25. MECs should influence the improvement of conditions at polling stations for people with disabilities (solve the problem of obstacles or designate other polling stations) in order to avoid that voting takes place outside the polling station.
26. All MECs must take care of the transparency of their work in a unified manner. Certain MECs did not properly update their websites within the framework of this election process and it is necessary to improve their functioning in this area, in the run-up to the next election processes.
27. Work on updating the existing websites of the MECs in terms of the proactive actions and publication of information relevant for conducting elections.
28. Standardize the practice of PBs regarding the treatment of persons who are not recognized by the electronic identification device.

D. TO CONSTITUTIONAL COURT OF MONTENEGRO

29. It is necessary to establish the practice of proactive action of the Constitutional Court during the election process.

E. TO PROSECUTOR'S OFFICES AND COURTS

30. Process reported violation of election rights and misusing signature of support, faster and more efficiently than in previous election processes.

F. TO MINISTRY OF INTERIOR

31. The Mol should without delay carry out the process of establishing a new electoral roll of Montenegro, which will be founded on fully reliable information about the status of citizens who meet all the conditions for exercising the right to vote in Montenegro. According to CeMI's findings, the inaccurate and non-updated register of residence maintained by the Mol, which is partly a consequence of the lack of precision of the prescribed obligation of Montenegrin citizens to report the change of their residence, raised the question of the legality of diaspora voting (regional and international) in the second round of presidential elections. CeMI believes that Montenegrin citizens cannot be denied the right to vote due to the poor administration and the inability of the competent institutions to fulfil all obligations prescribed by law in a timely manner.
32. It is necessary to consider new mechanisms for more proper updating of the electoral roll in order to achieve the lowest possible number of voters who are registered in the electoral roll without meeting the conditions for it. Alternatively, consider other models (at least temporarily until the electoral roll is organized), such as an active electoral roll, or introducing compulsory voting, following the example of other countries.
33. Cooperation between the Mol and the SEC during the election process must be improved.

G. TO THE AGENCY FOR PREVENTION OF CORRUPTION

34. Stronger proactivity is needed with regard to controlling compliance with the Law on the Financing of Political Entities and Election Campaigns, through warnings and more objective and efficient filing of misdemeanour charges against political entities that violate the law, in order to make this area of their work more transparent and inform citizens about the ways of financing their campaign.
35. Despite significant developments, it is necessary to improve the proactivity of the APC when it comes to the training of those obliged to ensure that the laws are respected.
36. It is necessary to work on the further improvement of the APC's PR strategy, thus contributing to the transparency and proactivity of its activities, as well as providing the interested public with a wider scope of information. The use of creative audio-visual solutions (infographics, video recordings of stories, animations) during and outside the pre-election campaign period, and in connection with key findings, would contribute to a positive impact on the public reputation of the APC.
37. The APC should adopt new tactics for monitoring the misuse of state resources that are adapted to the online environment and should work on improving the capacity to collect evidence on the misuse of state resources using new technologies.

H. TO POLITICAL SUBJECTS

38. We appeal to all political entities to reduce the general degree of politicization of the election process and the authorities responsible for conducting the elections, in order to increase the overall degree of professional development of the work of electoral bodies and restore citizens' trust in elections and election results.
39. Political subjects should have in mind the general public interest and respect the norms of electoral legislation, instead of abusing legal loopholes and legal uncertainties for the sake of the personal interests of individuals or parties.

I. REGARDING THE MEDIA

40. The legal framework that regulates the media should be improved in such a way as to ensure uniform and equal treatment of all election entities.
41. Protection against concentration of ownership: in order to reduce potential foreign influence that may be in conflict with the interests of Montenegro, it is necessary to prescribe laws that prevent excessive foreign concentration of the media ownership, thereby preventing monopoly and ensuring pluralism of opinion;
42. It is necessary to regulate issues related to the transparency of foreign ownership. Transparency in the media ownership structure may influence the reduction of the risk of foreign hidden political or economic interests.
43. Regulation of foreign ownership should be harmonized with international standards, setting limits on the maximum share of foreign ownership in domestic media;
44. Portals that operate as media, and are not registered accordingly, should be subject to legal sanctions;
45. The Law on Election of Councillors and MPs should be amended in order to regulate the conduct and use of social media during the election silence;
46. State institutions should adopt a multi-party approach - a joint approach (along with the private sector and CSOs) and create legal and institutional mechanisms for the protection of users on the Internet.

J. TO THE GOVERNMENT OF MONTENEGRO

47. The Government should implement clear measures that guarantee an open and responsible payment of social benefits, both during and outside of an election period. During the elections, an ad-hoc committee should be established to include both members of the opposition and the civil sector, in order to ensure that social benefits will not be misused.

K. TO THE PUBLIC HEALTH INSTITUTE

48. The Public Health Institute should officially declare the end of the COVID-19 pandemic and cancel the decision that kept the pandemic in effect, given that current data no longer support its further enforcement. This measure will prevent the potential manipulation of social benefits during the election by closing the legal loophole that currently legalizes such payments during the election period. In the event of a renewed increase in the number of infections, the Institute reserves the right to declare pandemic status.

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OF THE CENTRE FOR MONITORING AND RESEARCH CEMI**

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