



CIVIC MONITORING OF THE
PRESIDENTIAL ELECTIONS
Montenegro
2018

Final Report



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I Summary of conclusions

The election campaign for the presidential elections began with a changed electoral legislation (Law on the Voter Register, Law on Political Parties, Law on Financing Political Entities and Election Campaigns and the Law on Electronic Media). These changes were made on December 29, 2017 and through them some of the recommendations made by ODIHR were implemented, especially the ones relating to campaign financing and the media.

In the work and decision making of members of some Municipal Election Commissions (MECs) and the State Election Commission (SEC) dominates party affiliation of members of these agencies.

In the work of the SEC in the last phase of the electoral process not all members of the permanent composition participated, while all the electoral lists did not name authorised representatives which violated the concept of organization and the way of decision making in this agency during the electoral process. So, the SEC, with six out of sixteen possible votes (without the quorum), rejected the complaint made by the presidential candidate of the opposition Bojanić, in which he asked for the results of the elections to be annulled. Representatives of the opposition were not present at the session. The SEC explained that the complaints should not have been delivered to this institution, but first to the municipal election commissions.

Besides the fact that the SEC improved its communication with the media by appointing a PR manager for the presidential elections, satisfactory transparency was not achieved. The media still does not have the possibility to attend the sessions, while the internet presentation, although improved, is still unsatisfactory from the aspect of data and documents availability.

The SEC has faced a problem of massive forging of signatures in support of candidates for the confirmation of the presidential candidacy. It is commendable that the SEC made an application where each citizen can check whether their signature has been used to support any party.

Municipal Election Commissions mostly work in accordance with the law, but a certain number of them have issues with updating their websites which leads to decreasing of transparency. On the SEC's website there is not a section for activities of the MECs.

MEC Ulcinj was not constituted in accordance with the Law on Election of Councillors and Members of Parliament, since it did not have the number of members from the opposition that the Law requires even though party affiliation was not noticable during decision making.

The election day was marked by several irregularities which appeared in similar form at a relatively large number of polling stations. CeMI's Legal team for irregularities received 110 reports about irregularities during the election day, from observers who monitored the work of the polling boards at polling stations and from citizens themselves.

The biggest number of irregularities was related to the violation of voting secrecy by saying out loud the name of the voter during electronic identification, proxy voting, giving information to third parties or members of the polling board about whether certain people exercised their right to vote, public declaration by voters about which options they voted for, polling boards accepting open ballots and noncompliance with procedures that insure the secrecy of voting at polling stations.

There were also problems noted about the disorder of the voter register, as well as examples of inadequate behaviour by members of polling boards (verbal confrontations, mobile phone use, not wearing accreditations, bad training of members etc.)

Irregularities were also noted while accessing visual identification of voters, when the device for electronic identification of voter's documents did not recognize voters in which cases polling boards acted differently. Part of Municipal Election Commissions gave instructions to polling

boards not to let voters exercise their voting right when the device did not recognize their personal identification, besides the fact they were registered in the voter register and possessed a valid and legally required personal identification. With this, a significant number of voters were denied their right to vote.

CeMI's observers evaluated the work of polling boards as good and very good in 98,6% of cases, which relative to parliamentary elections held in 2016, represents a growth of 0,9%.

The Agency for Prevention of Corruption failed to investigate allegations made by some presidential candidates and non-governmental organizations about the existence of misuse of state resources by the ruling coalition, on a national and a local level as well.

Openness and readiness of the Ministry of Internal Affairs to provide domestic and foreign observers the possibility to attend the AFIS (Automated Fingerprint Identification System) control is praiseworthy. However, domestic observers did not have the same level of access like on the previous parliamentary elections held in 2016, when it comes to comparison of database about citizens, based on which data is generated in the Central Voter Register, so this kind of proceeding represents a regression in relation to previously established practice.

There are still a certain number of voters that are not in the voter register and they should be and vice versa. The application "Number of voters" has shown that the total number of voters in the concluded voter register was 522 599, while the number of voters with prints was 523 791. It was noted that 8808 people do not have a fingerprint in the base. Additionally, the AFIS system showed that in the base exist 288 hits, i.e. assumed similar syllables, meaning that 163 voters potentially have the same print with one or more voters. It was noted that out of 163 in total, 74 voters are recognized in the process of deduplication carried out in 2016, while 89 faces are newly recognized.

When it comes to the misuse of state resources, CeMI's observers registered the use of public resources for political marketing in the case of the presidential candidate of the ruling coalition.

The public service was professional and balanced while reporting on the presidential campaign, unlike parts of the private media who did not have the same approach to all presidential candidates. PINK M television led a strong negative campaign against the opponents of the candidate of the ruling coalition.

Exceptionally aggressive campaign on social networks was continued even when end of pre-electoral campaign. It is especially significant to point it out in materials that the political subjects put out on social networks and their youtube channels.

The Law on Electronic Media does not require the cable operators to respect the principles of pre-election silence while rebroadcasting content, and it also did not regulate with more detail the workings of electronic publications (web portals).

Centre for Monitoring and Research CeMI announced a preliminary result projection based on realization of the sample 45 minutes after polling stations closed, and the final projection at 10.15pm. The average deviation of CeMI's estimation relative to the results published by the State Election Commission is 0,06%.

II Introduction and acknowledgments

CeMI represents the first organization founded with the goal of monitoring the electoral process in Montenegro. Since its foundation (2000) CeMI monitored the largest number of parliamentary, presidential and local elections in Montenegro. CeMI monitored all of the parliamentary elections in Montenegro, starting in 2001. By realizing the project of civic monitoring of elections, CeMI strives to contribute to democratic conditions for the organization of transparent, free and fair elections through civic control of the electoral process on the parliamentary and local elections.

Besides the activities in the field of democratization, human rights, fight against corruption and euro-atlantic integration, CeMI is recognized as a think tank that provides expertise in the field of the electoral process, fight against corruption and the rule of law.

CeMI is the founder and the full member of the international organization ENEMO (www.enemo.eu) and the Global Network of Domestic Elections Monitors GNDEM (www.gndem.org). CeMI's representative is the Secretary General of ENEMO and the member of the Governing Board of GNDEM. Secretariat of ENEMO will be in CeMI for the next two years. Through ENEMO and OSCE ODIHR members and experts of CeMI participated in many international observing missions as experts, short-term and long-term observers, and on three occasions CeMI's expert was the head of a international observing mission (Ukraine and Kosovo).

CeMI monitored the election campaign starting from the registration of the first candidature, the election day and all the way through the announcement of the final results. The final report was based on the findings of the network of short-term observers and experts.

In accordance with the nature of activities it does, as well as the goals of the organization, the Centre for Monitoring and Research realized a project called "Electoral Integrity in Montenegro – Winning Citizens' Trust – Presidential elections 2018". The project was implemented in order to stop electoral irregularities during the presidential elections 2018.

The project is realized with the support of the German Embassy in Montenegro. The Centre for Monitoring and Research wants to thank the German Embassy in Podgorica for financially supporting the project of civic election monitoring and making possible the implementation of this mission.

Also, CeMI wants to express gratitude to all representatives of the election administration, state authorities, political parties, international observing missions with whom cooperation has been established during the implementation of this mission.

In this Final Report, CeMI gives the evaluation of the entire duration of the electoral process.

III Political context

On the 19th of January 2018, the President of the Parliament of Montenegro called for Montenegro's presidential elections to be held on April 15, of that same year. The third term was expiring for the current president of Montenegro. The presidential elections that were held, represent the third presidential elections since Montenegro regained its independence.

The previous presidential elections were marked by several important institutional questions.

The first question was whether Filip Vujanovic even had the right to be president for the third time in a row. Part of the expert public and the opposition claimed that Vujanovic was not entitled to a third consecutive term in office. This debate was finalized with the decision of the Constitutional Court which confirmed the right of Vujanovic to be a candidate for his third term. The ending of the presidential elections held in 2013 was followed by members of the opposition refusing to recognize the results as legitimate. In the night of the presidential elections, which were very unpredictable, both presidential candidates declared victory. However, the official results showed that Vujanovic had 51,21% of support, while Lekic had 48,79%. The elections were monitored by foreign, but not domestic, non-governmental organizations that specialize in election monitoring.

On the parliamentary elections held in 2016, the ruling DPS kept its control over the executive, forming a post-election coalition with its coalition partners: Socialdemocrats, the Bosniak Party, Croatian Civic Initiative, Albanians Decisively. Parliamentary opposition did not recognize the official election results as legitimate.

On the local elections held during the previous and current year (Cetinje, Tuzi, Petnjica, Mojkovac, Ulcinj i Berane) there was no change in the ruling structure, that is, parties held their positions at a local level even after the elections. At the last local elections, held on February 4 in Ulcinj and Berane, voting was repeated at several polling stations because of noncompliance with legislative provisions. The elections were, inter alia, marked by mutual accusations of representatives of ruling and opposition parties, in connection with violation of the election laws. Also, the opposition was accusing the State Election Commission of being a politicized institution which makes decisions according to the interest of the ruling coalition.

The vast majority of members of the Parliament from the opposition were boycotting its work at the moment the presidential elections were being held. The reasons for boycotting are different. Namely, Democrats, SDP, URA and SNP are boycotting the Parliament for reasons they stated after the parliamentary elections in 2016, and that is a demand for snap elections that would be free and express the will of the voters in the right way, and not under the influence of news, such as the one about a coup on the elections in 2016. On the other hand, after returning to the Parliament, the Democratic Front decided to boycott it again, only this time because a member of their Presidency, Milan Knezevic, went to prison.

IV Legal framework and the electoral system

A. Legal framework

The most important legal acts for the implementation of presidential elections in Montenegro are the Constitution, the Law on Election of the President of Montenegro and the Law on Election of Councillors and Members of Parliament. According to the Constitution, the right to vote have all citizens who are 18 years old and have a permanent residence in Montenegro for two years.

Besides the Constitution, the Law on Election of the President of Montenegro and the Law on Election of Councillors and Members of Parliament, other relevant laws are the Law on Political Parties, the Law on Financing of Political Entities and Election Campaigns and the Law on the Voter Register. Also laws from the field of radio-diffusion are of importance –

the Law on Electronic Media and the Law on Public Radio-Diffusion Services of Montenegro. Regarding the evaluation of accuracy of data from the voter register, the Law on Registers of Temporary and Permanent Residence is important.

According to the Law on Election of the President of Montenegro, the right to be chosen as president has a citizen who is at least 18 years of age and has a permanent residence in Montenegro for at least 10 years in the last 15 years before the day of the elections. The Law on Election of Councillors and Members of Parliament regulates the organisation, composition and jurisdiction of the authorities in charge of the implementation of elections; the determination of the voting results; the protection of the right to vote and other questions of importance regarding the organisation; and the implementation of elections.

B. The Electoral system

For the election of the President of Montenegro a two-round at large system is used. For a candidate to be elected in the first round it is necessary for them to win more than half of the valid votes. If no candidate receives an absolute majority in the first round, the two candidates with the largest number of votes go into the second round.

V Electoral administration

The organs of the electoral administration are: the State Election Commission (SEC); Municipal Election Commissions (MECs) (23) and Polling Boards (PBs) (1214). All decisions must be passed by a majority of the total number of members at each level of the electoral administration, including the authorised representatives of political entities which have an equal right to vote.

The State Election Commission is a permanent body composed of: the President and ten members of the standing composition and one authorised representative of the submitter of each electoral list. The President is elected by the Parliament of Montenegro on the proposal of the working body of the Parliament, in charge of election and appointment, after a previously conducted open competition. Four members of the standing composition of the SEC are named on the proposal by the ruling coalition. Four members, out of which one performs the function of the Secretary, are named on the proposal by the Parliamentary opposition. Also named as a member of the standing composition is one representative of a political party i.e. submitter of an electoral list for the authentic representation of minorities that won the largest number of votes on the previous elections. One member is named by the Parliament of Montenegro as a representative of the civil sector, the non-governmental sector or universities, who is an expert in the field of electoral legislation.

Since 2016, the State Election Commission does not have a representative of the civil sector, even though multiple competitions were published. On the last competition, the Administrative Committee suggested to the Parliament to choose a candidate who did not satisfy the legally required conditions. The Parliament, contrary to legal requirements, elected a candidate who was not suggested by organization that monitor elections. The organizations specialized in

election monitoring are refusing to suggest their representative, insisting on reforming the existing model of the State Election Commission, which they claim is dysfunctional.

The State Election Commission made an application on their website, which citizens can use to check whether someone abused their signature or national identification number. This application led the Prosecutor's office to initiate proceedings because several hundred citizens reported their personal information were abused. The application of the State Election Commission represents a significant step towards the protection of voter rights and increasing the number of signatures that are a reflection of real citizens' support, not of misuse. The training of the president and members of the polling boards that the SEC conducted was monitored by our observers and the quality was satisfactory. Also, it is commendable that the SEC appointed a PR manager for this electoral process and achieved certain progress in communication with the media. On the other hand, the sessions are still not open to the media, so for that reason full transparency in the work of this body has not been achieved yet. Our observers also noted, while attending the sessions of the SEC and reading the material from the sessions, that neither the Rules on the Work of Polling Boards nor the Training Manual for Polling Boards point out the obligation of the President and members of the polling boards to wear accreditations at the polling stations. In situations where the President and members of the polling boards do not wear accreditations at polling stations, the possibility for persons who are not part of the polling boards to be present at polling stations increases, which represents a violation of the electoral legislation.

In the work of the SEC in the last phase of the electoral process, not all members of the standing composition participated, while all the electoral lists did not name authorised representatives which violated the concept of organization and decision making of this body during the electoral process. The SEC, with six out of possible sixteen votes (without the quorum), rejected the complaint by Bojanić, in which the presidential candidate asked for the result of the elections to be annulled, and members of the opposition were not present for the session. The SEC also explained that complaints should not have been delivered to this institution, but first to the Municipal Election Commissions.

Municipal Election Commission is composed of the President and four members in the standing composition and one authorised representative of the submitter of each electoral list. As President, a candidate of the political party that won the largest number of council seats on the previous elections. Two members are named on the proposal by the Parliamentary opposition, and one of them performs the duty of Secretary, while the other two are named on the proposal of the ruling coalition.

What represents a problem in the work of Municipal Election Commissions is the fact that a number of them do not have their own website, or they do, but it does not contain all the information important for the electoral process. Examples for these types of problems are MEC Zabljak and MEC Gusinje, which do not have their own website; MEC Kolasin, MEC Pluzine and MEC Petnjica have their own website but informations are not sufficiently up to date. For these reasons it is necessary to improve the transparency of the MECs through adequately moderated websites. With MEC Ulcinj, a different kind of irregularity was noted. Namely, this Commission is working in the composition that includes only one member of the opposition from the local parliament, even though the Law on Election of Councilors and Members of Parliament states that there need to be two. On the other hand, MEC Tivat does not have the legally determined number of members i.e. it has one member less than the Law on Election of Councilors and Members of Parliament states. Also, the work of the MECs on the field of determining polling stations can be characterised in a certain number of cases, as endangering the secrecy of voting. Data shows that in Montenegro there were 10 polling stations which had 10 or less voters. Besides endangering the secrecy of voting, this kind of determination of polling stations is not economically profitable. The solution to this situation that is potentially endangering the secrecy of voting could be organizing

transportation to the bigger polling stations for voters who live in faraway rural areas.

On these elections with had a specific situation with the MEC Niksic. Namely, in the standing composition of this body are not present the representatives of the opposition, because they were boycotting the previous local elections. Accordingly, they did not even have the right to name their representatives in polling boards of this municipality.

On the other hand, the Polling Boards have a President and four members. Their obligations are determined by drawing before voting starts. Other than them, the right to a representative in the expanded composition of has each electoral list or presidential candidate, depending on the type of elections. The polling board is composed of a President and four members in the standing composition and one authorised representative of the submitter of each electoral list.

Each political party represented in the appropriate parliament, gets to choose the number of polling board Presidents proportionally to the representation of council seats in the parliament, whereas polling stations where a certain political party would suggest a representative as the President of a polling board, MEC would decide by drawing.

In the standing composition of a polling board, a political party i.e. the coalition that has the majority in the appropriate local parliament makes the proposal for appointment of two members.

In the standing composition of a polling board it is required to appoint one representative each of two opposition political parties in the appropriate local parliament, who won the largest number of seats on the previous elections, and in the case the number of seats is the same, the highest percentage of votes.

If in the appropriate local parliament exists only one opposition political party, in the standing composition of the polling board, two representatives of that party are named.

Polling boards are named for each polling station, no later than 10 days before the day of the elections.

VI Registration of presidential candidates

Registration of candidatures in the electoral process was marked by allegations against the SEC in connection with validity of signatures of support for the presidential candidates. For that reason the SEC, on a session held on March 9, 2018, determined a solution with an application which can be used to check whether a voter gave his signature of support to a candidate for the President of Montenegro. This application can be found on a special section of the website, where citizens can check if their signature and national identification number were abused for the candidature of one of the presidential candidates. In the application of such measures the SEC should be encouraged because the application for checking signatures can significantly lower the risk of abuse by presidential candidates in the electoral process.

This is also shown by the fact that several hundred citizens reported to the Prosecutor's office that their national identification number was abused, and in that way they started the protection of their rights. Worthy of praise is also the reaction of the responsible Prosecutor's office which initiated a case for citizens' reports, concerning this matter. Likewise, the responsible courts should try not to make the court proceedings as long as it was the case earlier, concerning this matter and other matters of voting right abuse. Still, we need to realize that this solution is not enough, the SEC has to take the role of an institution that

checks the credibility of gathered signatures, and in that way be an active participant in the pre-election process, by checking the regularity of all submitted electoral acts. The seriousness of this problem is reflected in the election results which showed that three presidential candidates (from a total of 7) failed to win as many votes as they had signatures. Namely, for the candidature 7993 signatures were necessary, and three candidates did not have an election result that was even close to this number (Hazbija Kalac 2 677, Vasilije Milickovic 1 593, Dobrilo Dedeic 1 363 votes).

VII Registration of voters

The Law on the Voter Register states that the voter register is a derived electronic collection of personal data of Montenegrin citizens who have the right to vote. Besides, the voter register is a public document, that serves only for elections and is managed on official duty. In accordance with the newly adopted regulation of the Law on the Voter Register, the voter register is managed by the Ministry of Internal Affairs. The voter register was created as a new database derived from the main registers (registers of citizenship, permanent residence, birth and death) managed by the Ministry of Internal Affairs in a procedure that included the unification and “cross-referencing” of data from many registers, in order to get a collection of the personal data of Montenegrin citizens who have the right to vote.

The Ministry of Internal Affairs showed readiness for cooperation with NGO CeMI by making possible for CeMI’s observers to attend the AFIS (Automated Fingerprint Identification System) control, within the Working group for control of the implementation of procedure of deduplication of the photograph of voters’ fingerprints. CeMI’s observers were present during the entire control and evaluated the cooperation with the Ministry as good. The control lasted more than four days. The results showed that deduplication of photographs of fingerprints exist for 89 voters. At the last meeting of the Working group it was clarified why such an occurrence happened. Director General of the Directorate for Civil Status and Personal Documents, explained that the reason for the deduplication of fingerprints photograph for 89 voters was because in the regional units and branches for civil status and personal documents, after taking fingerprints of the mentioned persons, the glass on the device for taking fingerprints was not cleaned, which is why in certain cases there was an overlap of fingerprints for more people i.e. after one person from whom the fingerprint was taken, came a second person, then a third, fourth, fifth or similarly and it automatically came to an overlap of fingerprints, which the AFIS system showed, and which was proven by the recorded date and time when the fingerprints were taken.

The application “Number of voters“ showed that the total number of voters in the voter register was 532 599, while the number of voters with fingerprints was 523 791. It was concluded that 8808 people do not have their fingerprints in the base. In most cases, it was people who have an old ID card which they have not substituted in the meantime because they live abroad or for other reasons, it was also people who turned 18 but have not regulated their documents, that there are certain occupations which changed people’s papillary lines etc. Also the AFIS system showed that the base has 288 hits i.e. assumed similar syllables, that is, that 163 voters have a potentially same print with one or more voters. It was noted that from a total of 163, 74 voters were recognized in the process of deduplication done in 2016, while 89 were newly recognized. The reason for the deduplication of fingerprint photograph of 89 voters is because in the in the regional units and branches for civil status and personal documents,

after taking fingerprints of the mentioned persons, the glass on the device for taking fingerprints was not cleaned i.e. after, for example, one person who got their fingerprint taken, came another, then a third and similarly which is why it automatically came to an overlap of fingerprints for more people, which the AFIS system showed, and which was proven by the recorded date and time when the fingerprints were taken.

Besides the AFIS system more measures should be taken to lower the risk of abuse within the voter register. For example, it should be worked on the periodic control of permanent residence based on a random sample on the territory of the entire Montenegro.

It is important to mention that exist a certain number of voters who are not in the voter register and they should be and vice versa, so it is necessary to think about new mechanisms which would decrease the number of these situations. Also, it is noticeable that still exist a certain number of citizens who claim they have not been notified about changes of polling stations, so it is necessary to work harder in this area.

The key problem with the voter register is the fact that in it exist persons who falsely reported their permanent residence in Montenegro, so on the basis of fulfillment of residence conditions, with the fulfillment of other conditions, they gained the right to vote. In practice, this leads to a large difference in the trend of increase of voters relative to the trend of increase of the population, which leads to weakening of citizens' trust in the accuracy of the voter register.

VIII Election campaign

Characteristic of this electoral process was the slow way in which the biggest political parties presented their candidate.

The first ones who became candidates were: Hazbija Kalac (Justice and Reconciliation Party) and Vasilije Milickovic (candidate of a group of citizens "Citizens' Action" and the political party Party of Pensioners, the Disabled and Restitution). After them came: Marko Milacic (True Montenegro) and Draginja Vuksanovic (Social Democratic Party). When it comes to most of the opposition (DF, Democrats, URA and SNP) the process of finding a joint candidate was slow but it came to an end when the largest part of the opposition supported the candidature of Mladen Bojanić. The candidature of Mladen Bojanić was described by the ruling coalition as one more sign that the opposition parties cannot achieve opposition unity, because there was not going to be a single candidate of the entire opposition. The ruling DPS was the last one to present its candidate, the party's president Milo Đukanović. This DPS's decision was evaluated by the opposition as a sign that DPS has serious personnel problems as well as a problem with division inside of the party, that was only temporarily solved with this candidate. Just before the deadline expired Dobrilo Dedeic, a representative of the Serb List, signed up as a candidate.

The campaign was marked by different approaches that the candidates had. However, the general characteristic was the tendency to find different ways of communicating with the voters. For example, the candidate of the ruling coalition dedicated more attention to internet promotion than ever before, the candidate of the largest part of the opposition led the campaign in such a way that at his rallies, the leaders of the opposition parties that supported him, were mostly absent, while the SDP candidate dedicated one part of her campaign to visiting citizens at public places. On the other hand, the similarity of this campaign with the

previous ones are the allegations against the ruling coalition made by the opposition, about the misuse of state resources in their campaign. So, for example, the opposition and part of the non-governmental sector criticized the organization of a rally by Milo Đukanović in an educational institution in Kotor.

Also, the campaign was marked by the “stray email” affair. On the official email address of the Public institution Museums and Galleries Budva (which is now run by a member of DEMOS) came an unusual email, intended for the former director Biljana Brajović, sent from the official address of the Center for Conservation and Archaeology which is part of the Ministry of Culture of Montenegro, and where Brajović was recently appointed as director by the government of Montenegro. The email contained a table with the names of the employees of the Center for Conservation and Archaeology, with their national identification numbers, plus and minus signs and notes about which one of them are members or sympathizer of another party, and instructions that it was necessary to have a conversation with some of them. This email was sent from the address of Sanja Jovicevic.

The end of campaigning was marked by members of the ruling DPS attacking non-governmental organizations¹ (IA, CeMI, CGO, CRNVO) who published a critical report about fulfillment of conditions set by the European Union that Montenegro achieved. The attacks by the leaders of DPS on non-governmental organizations were followed by a hate speech campaign and intimidation by PINK M, and other pro-government media, which continue even after the end of the elections.

IX Financing of the election campaign

Presidential candidates have an obligation to manage and keep up to date the records on spendings of their election campaigns, while the total costs of the campaign cannot exceed the amount of 1.189.998,84€ per candidate. The political subjects have an obligation to deliver to the Agency for Prevention of Corruption the Interim Report on Election Campaign Expenses, on April 10, 2018.

When it comes to funds gathered from private sources, they can be gathered during the election campaign in the amount of 594.999,42 € per candidate. The subjects whose candidature has been confirmed are obligated to submit biweekly reports on funds gathered from individuals and legal entities during the election campaign, while they are obligated to deliver the next report on March 21, 2018.

The budget funds for financing parts of the election campaign costs, candidates for President of Montenegro, are provided in the amount of 0.07% of the planned total budget funds, minus the current budget, i.e. in this case in the amount of 594.999,42 €. They are distributed in accordance with Article 20 of the Law on the Financing of Political Parties and Election Campaigns. In case there is only one round in the election, the distribution is done in the following way: 1) 20% goes to all candidates whose candidature has been confirmed, divided equally, within 10 days from the day the list of candidates has been confirmed; 2) 80% goes to candidates who won over 3% of votes, proportional to the percentage of votes won. In case there are two rounds in the election, the funds referred to in Paragraph 1 of this Article are distributed in the following manner: 1) 20% goes to all candidates whose candidature

¹ Institute Alternative (IA), Centre for Monitoring and Research (CeMI), Centre for Civic Education (CGO) and Centre for Development of Non-Governmental Organisations (CRNVO)

has been confirmed, divided equally, within 10 days from the day the list of candidates has been confirmed; 2) 40% goes to candidates who won over 3% of votes, proportional to the percentage of votes won; 3) 40% goes to two candidates with the highest number of votes, proportional to the percentage of votes won.

The work of the Agency for Prevention of Corruption was characterised by submission of reports by candidates in the legally determined deadlines. Although the Agency stated on its website that the transparency of use of public resources in the election campaign was fully ensured, there were numerous allegations that the situation was not like that. When it comes to financing of the campaign of the ruling coalition, besides the opposition, allegations against the ruling coalition were made by representatives of certain domestic non-governmental organization, as well as OSCE, whose conclusion was that the candidate of the ruling coalition had “institutional advantage“. On the other hand, non-party candidate Vasilije Milickovic accused the opposition candidates Mladen Bojanić and Draginja Vuksanovic of abusing municipal resources in the municipalities where the governing parties are the ones that support them.

From the reports by Agency for Prevention of Corruption it was noticeable that Rožaje Municipality is late with information on travel orders and social benefits that it legally obliged to publish. Also, from these reports it can be noticed that Danilovgrad and Kotor municipalities increased the amount of social benefits in the pre-election period.

Numerous people with whom representatives of CeMI talked to pointed to political bias in the decision-making of the Agency for the Prevention of Corruption i.e. the strong influence of the ruling dominant party (DPS) on its work. The Agency faces a damaged reputation in public. Despite exceptionally large funds, and having adequate technical and human resources at its disposal, the Agency in its work fails to provide evidence that it makes decisions with integrity. Given its significance in the electoral process, these shortcomings undermine confidence in the electoral process.

X Participation of women

Voting rights were first given to women in Montenegro in 1946. At multi-party elections they voted for the first time after the fall of the communist regime, in 1990.

Since the introduction of a multi-party system in Montenegro, it is a curiosity that there were no female candidates in the 6 presidential electoral processes. On these elections applied the first female candidate ever, Draginja Vuksanovic.

The existing Law on the Election of Councillors and Representatives requires that the less represented gender should be presented on the electoral list by at least 30% of the candidates, and that on each electoral list, at least one in four candidates must be a representative of the less represented gender.

This obligation is not legally required for members of the State Election Commission and the Municipal Election Commissions. This leads to situations in which the SEC and certain number of MECs have an unacceptably small number of women. For example, out of 17 members and deputies of the current standing composition of the SEC, two members are women. In MECs, women are, either as members or deputies, mostly represented at a percentage over 30%. The average representation of women in MECs is 35,09%. Although, in MEC Zabljak, MEC Rozaje, MEC Petnjica and MEC Ulcinj, the percentage of women is less than 30%.

XI Participation of minorities

On these elections, representative of one of the minorities (Bosniaks) was the candidate Hazbija Kalac. Kalac won 0.80% of votes.

XII Election Day

CeMI Election Observation Mission mission accredited a total of 1340 observers for monitoring the electoral process. The mission consists of members of the core team, which are: (1) Head of Mission, (2) Deputy Head of Mission, (3) Election Expert, (4) Legal Expert, (5) Media and Public Relations Expert, (6) Parallel Vote Tabulation Expert, (7) Coordinator of the Network of Observers, (8) Coordinator of Logistics and Finance.

Monitoring of the election day was realized through several groups of activities: (1) monitoring the implementation of electoral procedures at polling stations, (2) parallel vote tabulation, (3) monitoring the work of the SEC, MECs, Agency for Prevention of Corruption and the Ministry of Internal Affairs and (4) media and public relations and live presentation of the results.

A. Implementation of election procedures

CeMI's legal team noted numerous irregularities during the election day, which were caused in most cases by insufficient education and training of members of the polling boards. They were represented at a relatively large number of polling stations and also characterised the previous electoral processes.

Legal team received 110 reports irregularities during the election day, from observers who monitored the work of the polling boards and from citizens themselves as well. In most cases, CeMI's observers were kindly welcomed, had professional communication and cooperation with members of the polling boards. On the other hand, through the website, social networks and press releases, CeMI invited citizens to report all noticed irregularities. All registered irregularities can be grouped in several categories:

1. Irregularities in the work of MECs

- In the work of the SEC there were not any serious irregularities during the election day, which could not be said for the MECs. Namely, MEC Ulcinj did not operate in the composition stated in the Law on Election of Councilors and Members of Parliament, because it had only one member from the Parliamentary opposition, not two, as it is legally regulated. Also, MEC Tivat did not have the total number of members regulated by law (five);

- At the same time, large number of irregularities was in relation to the incomplete composition of the polling boards, since it was noticed by CeMI's observers that at a certain number of polling stations, the polling boards were operating in an incomplete composition (for example, polling stations 14B, 68 and 106D in Podgorica, number 11 in Bar, polling station number 10 at Cetinje);
- During the opening of polling station number 4 in Ulcinj, there was no drawing, but members of the polling board verbally agreed about the distribution of roles at the polling station;

2. Irregularities in the work of the polling boards

- The largest number of irregularities were related to the violation of voting secrecy by loudly pronouncing the name of the voter during the electronic identification (polling station No. 6B, No. 69, No. 77 in Podgorica, No. 16 in Herceg Novi etc.), giving information to third parties (polling station No. 9 in Budva) or other members of the polling board (polling station No. 97 in Niksic) about whether certain persons exercised their right to vote, public declaration of voters about which option they voted for (polling station No. 59A, multiple times, as well as polling station No. 77 in Podgorica, polling station No. 16 in Herceg Novi etc.), accepting open ballots by members of polling boards and disregarding procedures that ensure secrecy of voting at polling stations. Also, the secrecy of voting was not protected enough at certain polling stations so there were situations in which after the entry of two voters in a polling booth or a loud pronouncement of the choice they made, ballot paper was not declared invalid, as was the case with polling station No. 2 in Berane, polling stations No. 59A, 71A, 82A in Podgorica, No. 22 in Rozaje, No. 138 in Niksic and others. Ballot papers were also not declared invalid in cases where voters took photographs of the ballot paper (polling station No. 5 in Mojkovac), neither in cases where the voting happened on the table of the polling station instead in the polling booth (polling station No. 138 in Niksic);
- Certain number of irregularities were related to problems with identification of voters, due to problems with the regularity of the voter register;
- During the election day, it was noticeable that the polling boards do not have a uniform practice in dealing with persons who are not recognized by the electronic identification device but they are in the voter register. Although determining the identity of these voters through visual identification of voters was undisputed, at a certain number of polling stations these voters were not allowed to vote and were thus denied their active voting right (examples noted at polling station 71 in Bar, No. 74C in Podgorica, No. 39 in Herceg Novi). Contrary to these cases, at certain polling stations visual identification of voters was used, so for example, at polling station No. 138 in Niksic, the electronic voter identification device did not recognize a single voter, while at polling station No. 11 at Zabljak, visual identification of voters was also used because the electronic voter identification was not functioning;
- CeMI's observers noticed that there were cases in which persons with a diplomatic passport, which the device did not recognize, were not allowed to vote even though they were on the voter register (for example, polling station 7C in Podgorica);
- Several polling stations in Rozaje were not opened on time because the electricity went out, while in some cases in Rozaje and Bar, for the same reasons, visual identification of voters was used;
- The rules of the electoral procedure were also violated at polling station No. 25 in Podgorica, when CeMI's observers noticed that four control sheets were signed only by the

representative of the opposition in the polling board, which broke the principle of parity of the ruling coalition and the opposition during the signing of control sheets;

- Certain number of irregularities were received by representatives of political parties, which provided information about votes being purchased in the vicinity of polling stations, as well as the presence of persons in the vicinity of polling stations who were keeping track of voters that went to the polls, while some of the reports were about cameras spotted at the entrance of polling stations (polling station No. 1 in Danilovgrad, polling stations No. 1, 2, 17, 18, 19 and 21 in Mojkovac);
- Several reports by observers were in relation with inadequate behavior of members of polling boards, due to the appearance of verbal conflicts between or by members of polling boards. For example, at polling station No. 8-B in Podgorica, a member of the polling board seriously insulted the observers and members of certain political parties. At polling station No. 105 in Podgorica, due to a verbal conflict between voters and members of the polling board, voting was abruptly for half an hour, while in one instance the police had to be called;
- Some violations of the electoral legislation that happened on the previous local and parliamentary elections were repeated, so a certain number of polling boards where the President and other members were using their mobile phones was noticed (polling station No. 9 in Rozaje, No. 15 in Niksic, No. 6 in Berane), and it was noticeable that they were not wearing accreditation.

3. Evaluation of polling boards' work

According to findings of CeMI's observers gained directly from polling stations, obtained based on standardized questionnaires about the organization of the election day and the implementation of the voting procedure, we can evaluate the following:

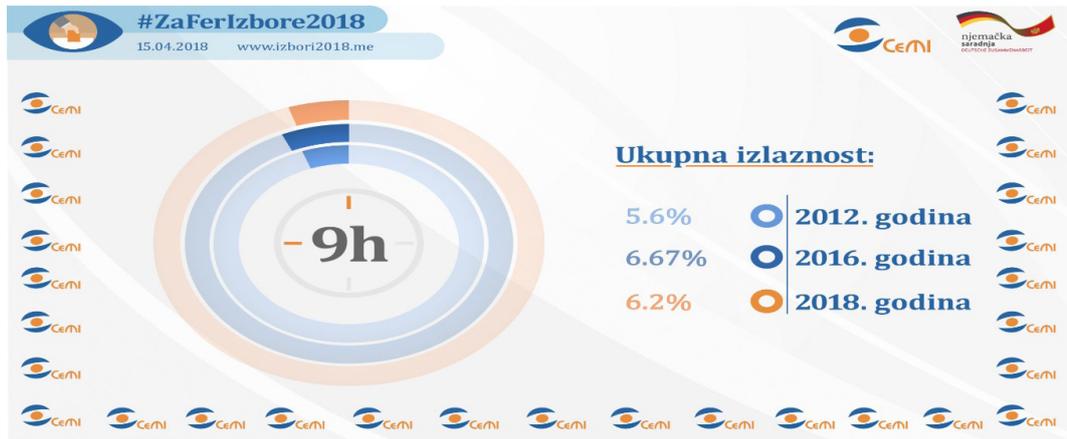
- 94,62% of polling stations where CeMI's observers were distributed, were opened on time, 4,13% were opened with a delay of less than 15 minutes, while 0.88% of the monitored pollingstations were not opened on time;
- Most of CeMI's observers evaluates the work of the polling boards during the opening of polling stations as very good. The average grade of the work of polling boards, on a scale of 1 to 5, was 4.5;
- 96,2% of observers state that the polling board checked if the conditions for voting were secured before opening, while 0.1% of observers gave a negative response to this question;
- That the responsibilities of members of polling boards were decided by drawing, state 71.2% of voters, while 12.5% of observers state that the responsibilities were not given in such a way;
- 4% of observers point to the presence of technical issues during the activation of the electronic identification device. Mostly occurred problems are in relation with charging the device with electricity and the use of printing paper;
- When it comes to election materials, CeMI's observers most frequently state the lack of a mobile ballot box and an insufficient number of printed excerpts from the voter register (one for voting by letter)
- Among the observers, 95.7% state that all members of the polling boards and observers had a good view of the voting procedure, compared to 0.7% of observers who state they were prevented from monitoring the voting procedure because of poor physical

conditions. As they explain, the most common problem was the insufficient access for monitoring the operation of the electronic identification device;

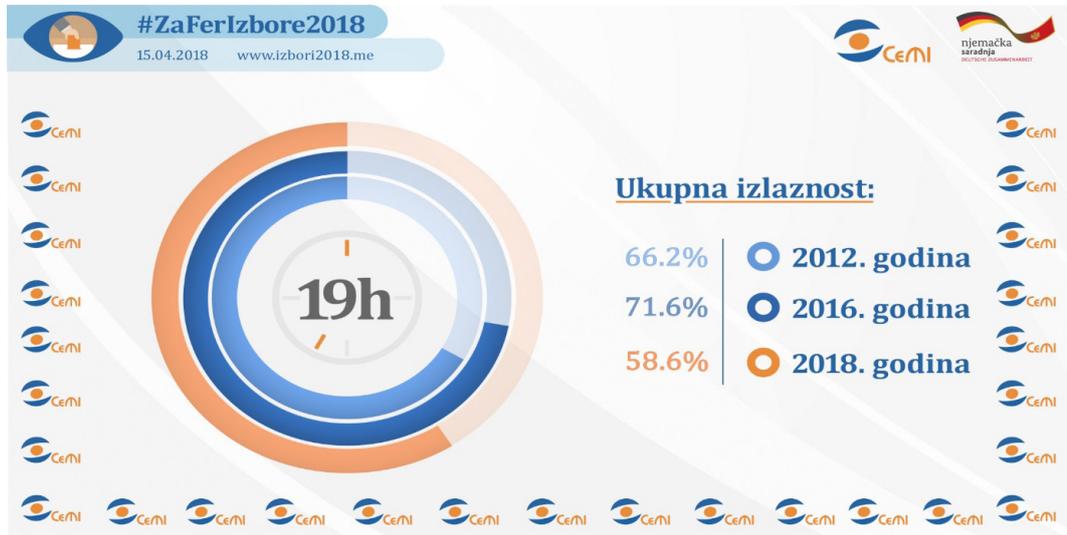
- 9.8% of CeMI's observers stated that during the procedure of monitoring, they did not have good cooperation with the polling board;
- Among noticed irregularities, 5.6% of observers state crowds gathering at polling stations or outside of polling stations because of high voter turnout or difficulties with the use of the electronic identification device. 25% of observers reported multiple persons voting simultaneously (more than one family member) and 3.6% state that there were cases in which someone voted in the name of another person. 11.2% stated that some of the members of the polling board used their mobile phone, while 10.7% point to persons keeping track of the voters who voted;
- 33.8% stated that there were voters at the polling station who did not vote because their name was not in the voter register;
- If the voter loudly announced or in another way showed who they voted for, that vote was pronounced invalid in 37.9% of cases, compared with 55.2% of cases when that vote was counted as valid, which points to uneven criteria at all polling stations;
- At 8pm, 98.7% of polling stations, which were monitored by CeMI's observers, were closed;
- 21.4% of observers state that there were ballot papers that were signed or in another way marked by voters. Among them, 94.0% state that those ballot papers were pronounced invalid, while 3.0% claims the opposite. The similarity between invalid ballot papers relates to the way of circling, so the most common were ballot papers where none of the choices were circled, or all of the candidates were circled;
- One third (29.3%) of observers state that at a polling station of the members of the polling board refused to sign the register, while 70.1% do not state this problem;
- The average grade of a polling station, on a scale of 1 to 5, during the process of closing and counting of votes was 4.54. Among CeMI's observers, 97.1% evaluate the work of the polling board as very good.
- About one third of CeMI's observers (32.5%) state that at the polling station existed physical barriers for people with disabilities, while 66.1% of observers did not registered a difficult access to the polling station;
- A bit more than half (56.3%) of observers also state that the election material was available in Braille. At almost one third of polling stations (27.4%) which CeMI's observers monitored, the material was not adjusted for people with impaired vision;
- 43.9% of CeMI's observers state that the election material was available in the language of national minorities, compared with 41.4% who claim the opposite;
- More than half of CeMI's observers (64.1%) state that other than them, there were not other domestic non-party observers. Domestic non-party observers were present at 33% of polling stations which CeMI's observers monitored.

B. CeMI's projections of voter turnout and the election results

While speaking to the media at 9am, projection of voter turnout by 9am was presented and it was 6,2%.



While speaking to the media at 11am, it was announced that voter turnout by 11am was 18,5%. At 1pm, CeMI presented the projection of voter turnout by 1pm. Voter turnout by 1pm was 32,8%. At 5pm, it was announced that voter turnout by 5pm was 49,5%. While speaking to the media at 7pm, results of voter turnout by 7pm were presented, according to which the total voter turnout up until the moment of speaking to the media, was 58,6%.



Presidential candidate	CeMI's projection (100% of sample) 15.04.	SEC (official data) 17.04.	Difference in CeMI's projections compared with the official data
Milo Đukanović	53,8%,	53,9%	0,1%
Mladen Bojanić	33,5%	33,4%	0,1%
Draginja Vuksanovi	8,1%,	8,2%	0,1%
Marko Milacic	2,9%,	2,8%	0,1%
Hazbija Kalac	0,8%	0.8%	0
Vasilije Milickovic	0,5%	0.5%	0
Dobriilo Dedeic	0,4%	0.4%	0
Average deviation			0,06%

The average deviation of CeMI's projections compared with the results published by the State Election Commission was 0,06%, similar to the previous parliamentary elections when the average deviation was 0,04% and on which CeMI also published projections of results on the basis of parallel vote tabulation conducted.

C. Official announcement of the final election results for the President of Montenegro

Based on election material from all of the polling stations for the election of the President of Montenegro gathered by SEC, it was concluded:

360.462 of voters voted in total, out of which:

- 331.174 voted at polling stations;
- 9,288 voted outside of polling stations, by letter.

532.601 ballot papers received in total.

340.462 ballot papers used in total.

192.137 ballot papers unused in total.

5.995 invalid ballot papers.

334.464 valid ballot papers.

IV Candidates for President of Montenegro got the following amount of votes:

1. MARKO MILAČIĆ 9.405 votes, i.e. 2,81%
2. MLADEN BOJANIĆ 111.711 votes, i.e. 33,40%
3. HAZBIJA KALAČ 2.677 votes, 0,80%
4. VASILIJE MILIČKOVIĆ 1.593 votes, 0,48%
5. DOBRILO DEDEIĆ 1.363 votes, 0,41%
6. DRAGINJA VUKSANOVIĆ 27.441 votes, 8,20%
7. MILO ĐUKANOVIĆ 180.274 votes, 53,90%

D. Communication with the public

During the E-day, Centre for Monitoring and Research CeMI was regularly informing the public about irregularities in all polling stations in Montenegro based on data collected from observers on the field as well as from the interested citizens who informed CeMI about the irregularities that they spotted. Along with irregularities, CeMI announced the turnout at the presidential elections at regular press conferences including a comparative analysis of the turnout in the same period at the elections that were held in 2013.

During the election day, CeMI representatives participated in thematic election related TV shows in main public and private TV stations with national coverage (RTCG and TV Vijesti). Also, CeMI's voter turnout data and preliminary results were published by all print media. Voter turnout data and irregularities during the election day were announced through 5 regular press releases. CeMI also presented comparative voter turnout data in relation to

parliamentary elections held in 2016 and 2012 at 5 regular press conferences. At the press conference that was held at 9:15 AM, as well as at the conference held at 5:15 PM, CeMI also presented comparative voter turnout data in relation to the presidential elections held in 2013, based on the official data of the State Election Commission (CEC) given that CeMI did not monitor the presidential elections in 2013. All information related to the elections were also available on the official CeMI profiles on social networks, Facebook and Twitter.

When it comes to the preliminary results, based on the processed polling stations, CeMI gave preliminary assessment at three press conferences at the Election night.

Three media (RTCG, Vijesti and Prva) with the national frequency broadcasted live CeMI's press conferences. These three televisions were directly linked to the CeMI software, which broadcasted live projections of the results at the speed at which the data came at CeMI's PVT (Parallel Vote Tabulation) center. In this way, the citizens were informed in real time through three national televisions, in relation to the data that was coming from CeMI's observers on the field.

78 journalists, cameramen and photographers from 23 media were accredited to monitor the Election day at CeMI's press center, out of which 7 of them were regional. Apart from accredited media, Polish radio and Bosnia and Herzegovina television were also present.

All relevant information about the elections were simultaneously available on the official CeMI profiles on social networks (Facebook and Twitter), as well as at a specialized web page on www.izbori2018.me.

CeMI made the phone number for reporting irregularities more visible through the promotion (boosting) of the number at the social media, Facebook, Twitter and Instagram, which contributed to informing the bigger number of Montenegrin citizens, who use these social networks.

In addition, CeMI made publicly available data on the projection of results from polling stations on its website www.izbori2018.me, which were updated right after they were collected from the field, so that the public had an insight, at any time, into the evaluation of the results, based on the processed sample.

XIII Media

The Centre for Monitoring and Research CeMI did not conduct systematic media monitoring for the presidential elections in Montenegro. The data presented in this section are based on interviews with domestic and international stakeholders, observations of CeMI's experts, as well as on a Report by the Agency for Electronic Media that conducted a systematic monitoring of 13 television stations during the period from March 19th to April 13th.

Pursuant to the Law on the Election of Councilors and Members of Parliament, Chapter VII, media monitoring in the pre-election campaign begins on the day of confirmation of the electoral list of the participants in the election campaign and ends 24 hours before the very day of the election.

The candidate Hazbija Kalač is the first of the 7 candidates who confirmed his candidacy for the president of Montenegro on March 6, 2018. Therefore, referring to the aforementioned

Law, media monitoring of the candidate's activities could have started from March 6 to April 13, when the election silence began.

Out of the total media representation, information and reporting on candidates' pre-election activities was 40%. Two percent less (38%) was the participation of particular shows intended for the presentation of candidates. Advertising or political commercial communication was 22%.

Based on the afore-mentioned it is concluded that slightly more than two thirds of the media presentation of the candidates were made through informative or particular TV shows dedicated to the presidential election, that is, through some sort of editorial content of television broadcasters, while one-third of media coverage was related to political commercial communication (ads).

The period prior to March 6th was marked by significant changes in the personnel structure of the Public Broadcaster Service (RTCG). Namely, two members of the RTCG Council were dismissed from the function in an unlawful manner for alleged failure to comply with the restrictions in performing the function (Goran Đurović and Nikola Vukčević). The NGO sector reproached this dismissal by organizing a protest in which they pointed out that Montenegro needs an independent public service, without any political influence from the authorities, which, according to the opinion of NGOs, was crucial in the dismissal of members of the RTCG Council.

Also, the President of the Council of the RTCG Vladimir Pavicevic has been dismissed recently and newly elected member Ivan Jovetić was appointed instead of him. Recent events in the RTCG Council represent a range of activities of the ruling party DPS by which it regained control over the Public Service Administrative body. During the pre-election campaign, there was no change in the editorial structure headed by the RTCG General Director and the Director of Television inside that house, so that these dismissals in the governing body were not directly reflected in editorial policy. However, the Editorial Team was continually under the pressure of the representatives but also of the DPS leader. The top officials of the ruling party DPS refused to participate in the TV shows on Public Service. The absence of Mr. Đukanović in two presidential debates that RTCG organized in the pre-election period proves that. However, Đukanović nevertheless took the opportunity to present himself in the form of interviews through RTCG to the citizens as well as other presidential candidates. In addition to significant changes in the public service governing body, the Editorial Team resisted to strong political pressures and it was reporting on the activities of presidential candidates in a balanced and professional manner.

When it comes to a part of private media, unbalanced reporting against professional standards is noticed. According to the Report on Media Representation during the election campaign for the President of Montenegro held on April 15, 2018, Đukanović was the most presented on TV PINK M. Đukanović's media coverage has always had a positive and favored character. According to the report of the Agency for Electronic Media, Đukanović participated in the overall representation of all candidates on TV PINK M with 99.8% or slightly less than 25 hours of program. Pink M Television has unprofessionally involved some persons who weren't part of the campaign but were criticized by DPS leaders during the very campaign. This was particularly evident to the leaders of 4 NGOs (IA, CeMI, CGO and CRNVO), which had a critical report on efficiency of the state administration in the process of Montenegrin accession to the European Union. Negative campaign has continued after the elections.

While observing the overall presence of the presidential candidates in media it is important to emphasize the fact that Mr. Đukanović was the candidate who was the most presented in media, despite the fact that he was the last candidate to confirm his candidacy on 25th March.

XIV International and domestic observers

The Law on the Election of Councilors and Representatives provides that the authorized representatives of domestic non-governmental organizations, registered to monitor the exercising of political rights and freedoms may follow the course of the elections and the work of election management bodies in accordance with the Law. Local NGOs interested in monitoring elections should submit their applications to the State Election Commission, which within 48 hours of receiving the application shall issue an official authorization, or a decision rejecting the issuing of authorizations. Election management bodies are bound by law to allow foreign and domestic observers to monitor the elections and the work of the authorities. Polling boards register the presence of observers at polling stations. At the proposal of the polling board the State Election Commission may revoke the authorization and identification card of the person to whom it was issued, if they do not comply with the rules on maintaining order at the polling station – the rules on the work of the election administration.

A. International observers

According to data by the SEC, international observers were: OSCE (93), ODIHR (154), Council of Europe (18), the European Parliament (14), the USA Embassy in Montenegro (21), Embassy of France in Montenegro (2), Embassy of the Kingdom of the Netherlands (1), the State Election Commission of the Republic of Macedonia (4), Embassy of Canada in Serbia (1), the Central Election Commission of the Republic of Kosovo (7), NGO SILBA (24).

On the parliamentary elections in 2016, there were a total of 570 accredited foreign observers. OSCE/ODIHR had the largest mission with 142 accredited observers. Observers were also accredited by the Delegation of European Union to Montenegro (12), Embassy of the United States (2), the Embassy of Turkey (6), the Embassy of Republic of Kosovo (17), the Embassy of Canada (1), the PSSE (14) and the SILBA (45).

B. Domestic observers

Out of domestic observers the official authorisation was given to the Centre for Monitoring and Research CeMI (1340), the Centre for Democratic Transition CDT (329), the The Network for Affirmation of the NGO Sector MANS (9), women's organization "FENIX" from Berane (4).

For monitoring of the parliamentary elections held on October 16, 2016 a total of 2,662 observers were accredited, out of which 1,463 had the Centre for Monitoring and Research (CEMI), the Centre for Democratic Transition (CDT) had 550 observers, the Network for Affirmation of the NGO Sector (MANS) had 70 observers, the Centre for Democracy and Human Rights (CEDEM) had five observers.

XV Complaints and appeals

On the Election Day, just before the closure of polling stations, Nikola Jovanović, the authorized representative of Mladen Bojanić's candidate, filed an objection to the State Election Commission stating that: 1) no one of voters voter has a biometric ID card, although this is required by law; 2) there is an abuse of the authority of the police in Bijelo Polje that examines the members of the Bojanić electoral staff; 3) in Nikšić, the authorized representatives of Bojanić are not permitted to file objections in the minutes (Polling stations 106 and Polling stations 111); 4) there are election points of the DPS where the travel expenses are paid; 5) objections by non-governmental organizations are based on true facts. The decision of the State Election Commission does not accept objections because they are premature, and it is necessary that the first competent municipal election commissions decide on these objections.

Four days after the election, the authorized representative Mladen Bojanić in the State Election Commission filed another objection. Namely, this complaint alleges that the free expression of the will of the citizens was prevented, thus depriving them of their sovereign right to freedom of choice. The reasons that the authorized representative Mladen Bojanić justified this opinion are the following: 1) the arrival of representatives of state institutions for a meeting in the DPS two days before the election; 2) the affair "stray email"; 3) Milo Đukanović's visit to the Bar-Boljare highway section; 4) visit to the construction of the Kolasin Ski Resort 1600; 5) the presence of Milo Đukanović at the donation to the KBC Podgorica; 6) support of the Federation of the Association of soldiers of the National Liberation War of Yugoslavia (associations financed from the budget of Montenegro); 7) holding a pre-election rally in the educational institution in Kotor and 8) involving senior police officers in pre-election activities. The State Election Commission decided on Mladen Bojanić's objection in a way that rejected it as illegal because objection can only be filed against decisions of Municipal election commissions (MECs). The specific objections were not decided by the MECs. Only members of the ruling coalition and prominent representative of the candidate, Milo Đukanović, attended this session of the SEC. Such a practice in deciding on the objection to the State election commission is not good because one of the basic characteristics of a democratic society is that the SEC decides on the objection in full composition and unanimously.

Also, the State Election Commission, contrary to its own practice, declared final results without voting. Namely, although in the previous election processes the practice was to vote on the proclamation of the final election results. This time there was no vote, but the president of the State Election Commission itself concluded the determination of the results. Representatives of the parliamentary majority in the commission have justified this procedure by not having a precise obligation in the election legislation to determine the results by voting, and in addition, the number of objections to the election process is not important, which indicates the regularity of the election. On the other hand, opposition representatives said that in this way the integrity of the State Election Commission is undermining, since the practice in all previous processes was to have the final results of the vote. They also stated that such a practice is correct, because important issues, such as the announcement of the final election results, must be decided by a majority vote of all members of the commission.

XVI Recommendations

Priority recommendations

1. Election reform – It is necessary to implement comprehensive and inclusive electoral reform that would include the adoption of a new (1) Law on the Election of Councilors and Representatives, as well as the related laws: (2) the Law on the election of the President of Montenegro and related laws (3) the Law on Register of Voters, (4) the Law on the Financing of Political Parties and Election Campaigns. Also, the reform should include subsequent amendments to a set of related laws: (5) the Law on Electronic Media, (6) the Law on the Registers of Permanent and Temporary Residence, and (7) the Law on the Prevention of Corruption. Comprehensive reform would regulate all the issues from this and the previous electoral processes.

2. Professionalism and depoliticization of the SEC and the President of the MECs – It is necessary to bring about the complete professionalization and depoliticization of the composition of the State Election Commission, which would consist of five professionals from the field of law (preferably with an emphasis on the electoral law). The representatives of the confirmed lists of candidates (party lists) in the future should not participate in the work of SEC or have the right to vote, but should only have the possibility to observe and review the documentation of the SEC. It is necessary to professionalize the position of president of the Municipal Election Commission, who would be named by the State Election Commission on the basis of legally established criteria and on the basis of open competition. Other members would be determined by the political parties on a similar model.

Other recommendations

A. Parliament of Montenegro

- 1. Amend and professionalize the SEC in a way that the composition of the commission would be composed of five professionals in the field of law;*
- 2. It is necessary to professionalize the position of president of the Municipal Election Commission, who would be named by the State Election Commission based on legally established criteria and on the basis of open competition*
- 3. It is important to regulate the term of invalid ballot paper more precisely in order not to have various interpretations;*

B. The Agency for the Prevention of Corruption

- 4. To emphasize the importance of the obligation of political entities to open a special account before submitting the candidacy if they start the campaign before submitting a candidature;*
- 5. Determine in detail all the facts regarding the “stray email” affair as well as other allegations of misuse of state resources that relate both to the candidates of the government and to the opposition candidates with the greatest support in these elections;*

C. State Election Commission and Municipal Election Commissions

6. *To provide access to the media at the meetings of the SEC;*
7. *Pay special attention to checking the credibility of signatures in order to avoid misuse;*
8. *Increase the level of professionalism when it comes to up-to-date information publishing on the official website of the State Election Commission;*
9. *Create web pages for MEC Žabljak and MEC Gusinje and solve the situation on the already existing sites of municipal election commissions (MEC Kolašin, MEC Plužine and MEC Petnjica) regarding proactive action and publication of information important for the conduct of elections;*
10. *Ensure that the permanent composition of the MEC Ulcinj has a legally prescribed number of representatives of the parliamentary opposition and that the permanent composition of the MEC Tivat has a statutory total number of members;*
11. *Solve the problem of determining small polling stations with 10 or fewer voters and endangering the secrecy of voting and economic efficiency in such a way that those voters will be provided with transport to larger polling stations. Also, work on the training of polling boards in order to prevent other forms of violating the secrecy of voting;*
12. *Improve the conditions in the polling stations for people with disabilities (to solve the problem of obstacles or to determine other polling stations) so that voting outside of the polling station does not occur;*
13. *Urging the polling boards of the importance of full-time work in order that there would be no situations in which the polling board work in composition of four members, and not five as provided by the Law on the election of councilors and representatives;*
14. *Equalize the practice of the polling boards regarding the treatment of persons whom the electronic identification device does not recognize;*
15. *Allow people who have a diplomatic passport and are not recognized by the electronic identification device to vote by applying visual identification of voters;*
16. *During training, emphasize the obligation of the presidents and members of the polling boards to carry accreditations at the polling station because this obligation is not indicated in the Rules of Procedure of the Polling Boards, nor in the Policies Training Policies;*
17. *It is necessary to work on educating the presidents and members of the polling boards about the prohibition of using the mobile phone at the polling station.*

D. Ministry of Internal Affairs

18. *Work on the periodic control of the place of residence based on a random sample throughout the whole of Montenegro in order to reduce abuses;*
19. *Create new mechanisms for even better updating of the Electoral Roll to minimize the number of cases in which a voter is on the Electoral Roll and should not be;*
20. *Work on better cooperation between the State Election Commission, the Municipal Election Commission and the Ministry of Internal Affairs in order to minimize citizens' complaints, that they were not allowed to vote even if they have a valid ID card and fulfill all conditions for active voting, because they are not on the Register of Voters.*

E. Prosecutors' offices and courts

21. *Process charges for the violation of election law more quickly than was the case in previous electoral processes.*

**Core team of the Election Observation Mission
Centre for Monitoring and Research – CeMI**

Zlatko Vujović, Head of Mission

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Vladan Radunović, Observers Coordinator

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

ANNEX

Opening of polling stations

The president of the polling board is:	Number of answers	%
Male	714	79.6
Female	183	20.4
Total	897	100

Were there any physical barriers that prevented people with disabilities accessing polling stations (high doorstep, stairs...)?	Number of answers	%
Da	283	31.5
Ne	602	67.1
I don't know	12	1.3
Total	897	100

Were all election materials available in languages of national minorities?	Number of answers	%
Yes	429	48.1
No	376	42.2
I don't know	87	9.8
Total	892	100
No answer	5	0.6

Were the election materials available in Braille?	Number of answers	%
Yes	493	56.1
No	261	29.7
I don't know	125	14.2
Total	879	100
No answer	18	10.8

Did the polling board check if all the conditions for voting were provided before opening?	Number of answers	%
Yes	893	99.6
No	4	0.4
Total	897	100

Was the number of voters announced and entered into the protocol of the polling board?	Number of answers	%
Yes	880	98.7
No	17	1.9
Total	897	100

Was the device for electronic identification of voters set up so that most members of polling boards were able to see it?	Number of answers	%
Yes	869	96.9
No	28	3.1
Total	897	100

Were there any technical problems when device for electronic identification of voters were activated?	Number of answers	%
Yes	34	3.8
No	863	96.2
Total	897	100

Was the polling box transparent?	Number of answers	%
Yes	11	1.2
No	886	98.8
Total	897	100

The ballot box...	Number of answers	%
Was properly sealed, the signed control ballot was in the box	896	99.9
Was not properly sealed	1	0.1
Total	897	100

Did the first voter put the ballot in the ballot box?	Number of answers	%
Yes	894	99.7
No	3	0.3
Total	897	100

Were there all election material at the polling board?		Number of answers	%	Total
Electronic device for identification of voters	Da	897	100	897
	Ne	0	0.0	
Two eTokens (electronic keys) for activation of the device for electronic identification of voters	Da	894	99.7	897
	Ne	3	0.3	
Number of needed ballots provided	Da	888	99.0	897
	Ne	9	1.0	
Number of needed templates for voting provided	Da	895	99.8	897
	Ne	2	0.2	
Joint electoral lists	Da	896	99.9	897
	Ne	1	0.1	
Two printed extracts from the electoral register (one for voting by letter)	Da	894	99.7	897
	Ne	3	0.3	
Ballot boxes at the polling station	Da	897	100	897
	Ne	0	0.0	
Portable ballot box for voting by letter at the polling station	Da	892	99.4	897
	Ne	5	0.6	
Special and official envelopes for voting provided	Da	888	99.0	897
	Ne	9	1.0	
Form for the protocol of the polling board at the polling station	Da	894	99.7	897
	Ne	3	0.3	

Opening	Number of answers	%
The polling station opened on time (7am)	854	95.2
The polling station opened with a delay of less than 15 minutes	34	3.8
The polling station opened with a delay of more than 15 minutes	9	1.0
The polling station was not opened	0	0.0
Total	897	100

Were there any complaints/remarks on the opening procedure of the polling station by polling board members, and were they entered into the protocol?	Number of answers	%
There were no complaints	873	97.3
There were some complaints that did not affect the voting process	16	1.8
There were some unreasonable complaints	5	0.6
There were reasonable complaints that seriously affected the process	3	0.3
Total	897	100

Evaluation of the polling station	Number of answers	%
VERY GOOD	590	65.8
GOOD	292	32.6
BAD	12	1.3
VERY BAD	3	0.3
Total	897	100
AVERAGE	3.64 (SD=0.53)	

The voting process

Were the authorized representatives of lists/parties present?	Number of answers	%
Yes	855	93.6
No	58	6.4
Total	913	100

Were there any other domestic non-partisan observers?	Number of answers	%
Yes	318	34.8
No	595	65.2
Total	913	100

Were you or is anyone else prevented from observing the voting procedure in any way?	Number of answers	%
Yes	9	1.0
No	904	99.0
Total	913	100

Did you notice the presence of any uniformed or unauthorized persons at the polling station?	Number of answers	%
Yes	13	1.4
No	900	98.6
Total	913	100

If yes, who was at the polling station?	Number of answers	%
Police officer (uninvited)	7	53.8
Political party activist	3	23.1
Public or local servants	1	7.7
Someone else	2	15.4
Total	13	100

Were that persons interrupted electoral process?	Number of answers	%
Yes	0	0.0
No	13	100
Total	13	100

Did you notice any campaign activities near the polling station (party symbols are prohibited with a 100m radius)?	Number of answers	%
Yes	14	1.5
No	899	98.5
Total	913	100

Did voters experience difficulties with physical access to the polling station in any way?	Number of answers	%
Yes	69	7.6
No	844	92.4
Total	913	100

Was there a crowd in front of the polling station?	Number of answers	%
Yes	26	2.8
No	887	97.2
Total	913	100

Were there tensions or disturbances of the public order in front of the polling station?	Number of answers	%
Yes	17	1.9
No	896	98.1
Total	913	100

Were there any output polls in front of the polling station?	Number of answers	%
Yes	7	0.8
No	906	99.2
Total	913	100

Were there any other problems near the polling station?	Number of answers	%
Yes	7	0.8
No	906	99.2
Total	913	100

Was there a crowd into the polling station?	Number of answers	%
Yes	20	2.0
No	893	97.8
Total	913	100

Did you notice campaign-related materials at the polling station?	Number of answers	%
Yes	1	0.1
No	912	99.9
Total	913	100

Did you notice anyone trying to influence voters about who to vote for at the polling station?	Number of answers	%
Yes	4	0.4
No	909	99.6
Total	913	100

Did you notice tensions or disturbances of the public order?	Number of answers	%
Yes	7	0.8
No	906	99.2
Total	913	100

Did you notice the presence of any armed persons at the polling station?	Number of answers	%
Yes	0	0.0
No	913	100.0
Total	913	100

Did you notice any other problems at the polling station?	Number of answers	%
Yes	11	1.2
No	902	98.8
Total	913	100

Were there, to this point, any official complaints at the polling station?	Number of answers	%
Yes	12	1.3
No	901	98.7
Total	913	100

Were there problems while using the device for electronic identification of voters?	Number of answers	%
Yes	51	5.6
No	862	94.4
Total	913	100

Were there voters who did not vote because their name was not in the excerpt from the electoral register for this polling station?	Number of answers	%
Yes	300	32.9
No	613	67.1
Total	913	100

Was there any group voting (several family members at the same time, for example)?	Number of answers	%
Yes	231	25.3
No	682	74.7
Total	913	100

Did someone vote or try to vote more than once?	Number of answers	%
Yes	1	0.1
No	912	99.9
Total	913	100

Were there situations in which someone voted on behalf of someone else?	Number of answers	%
Yes	30	3.3
No	883	96.7
Total	913	100

Did any polling board members or observers use a mobile phone at the polling station?	Number of answers	%
Yes	100	11.0
No	813	89.0
Total	913	100

Was someone keeping a record of the names of voters who voted?	Number of answers	%
Yes	106	11.6
No	807	88.4
Total	913	100

Were there any cases where a voter said out loud who they had voted for or showed who they had voted for in any other way?	Number of answers	%
Yes	30	3.3
No	883	96.7
Total	913	100

If the answer is YES, was that ballot annulled?	Number of answers	%
Yes	13	43.3
No	17	56.6
Total	30	100

Did the polling board follow the procedure of electronic identification of voters?	Number of answers	%
Yes	835	91.5
No	78	8.5
Total	913	100

Was the control coupon that was detached after the electronic identification of voters signed by two members of the polling board (one from the ruling parties and one from the opposition)?	Number of answers	%
Yes	803	88.0
No	110	12.0
Total	913	100

Did voters get a stamped ballot?	Number of answers	%
Yes	836	91.6
No	77	8.4
Total	913	100

Did voters personally sign next to their name in the excerpt from the electoral register?	Number of answers	%
Yes	834	91.3
No	79	8.7
Total	913	100

Were all polling board members or their deputies present all the time?	Number of answers	%
Yes	820	88.9
No	93	10.2
Total	913	100

Was there good cooperation between you and the polling board during the monitoring?	Number of answers	%
Yes	832	91.1
No	81	8.9
Total	913	100

Did a loss of electricity occur at the polling station?	Number of answers	%
Yes	59	6.5
No	854	93.5
Total	913	100

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Was visual identification of voters used in the case of a loss of electricity?	Number of answers	%
Yes	44	74.5
No	15	25.5
Total	59	100

Do you noticed any other procedural mistakes?	Number of answers	%
Yes	13	1.4
No	900	98.6
Total	913	100

Evaluation of the polling station	Number of answers	%
Very good	607	66.5
Good	292	32.0
Bad	12	1.3
Very bad	2	0.2
Total	913	100
Average	3.64 (SD=0.559)	

Closure of polling stations and vote counting

Were there voters waiting in front of the polling station at 8pm?	Number of answers	%
Da	15	1.7
Ne	881	98.3
Total	896	100

If yes, are they allowed to vote?	Number of answers	%
Yes	12	80.0
No	3	20.0
Total	15	100

Was the polling station closed at 8pm?	Number of answers	%
Yes	889	99.2
No	7	0.8
Total	896	100

Did the president of the polling board ask the polling board members if they had any complaints and did he/she enter them in the protocol?	Number of answers	%
Yes	862	96.2
No	34	3.8
Total	896	100

Did the polling board at the moment of closing the polling station access the collection of data from the device for electronic identification of voters by choosing the option STATISTICS on the device screen?	Number of answers	%
Yes	843	94.1
No	53	5.9
Total	896	100

Were there problems while turning off the device for electronic identification of voters?	Number of answers	%
Yes	21	2.3
No	875	97.7
Total	896	100

Was the device for electronic identification of voters packed in the proper state into the box in which it was delivered to the polling station?	Number of answers	%
Yes	883	98.5
No	13	1.5
Total	896	100

Did the polling board determine the number of unused ballots?	Number of answers	%
Yes	882	98.4
No	14	1.6
Total	896	100

Did the polling board determine the number of control coupons that were detached from the ballots and the number of signed printed confirmations of the electronic identification of voters?	Number of answers	%
Yes	890	99.3
No	6	0.7
Total	896	100

Did the polling board, based on the printed excerpt from the electoral register, determine the total number of voters who voted?	Number of answers	%
Yes	354	99.2
No	3	0.8
Total	357	100

Was the number of voters entered into the protocol before opening the ballot box?	Number of answers	%
Yes	885	98.8
No	11	1.2
Total	896	100

Were the ballots from the portable ballot box for voting by letter immediately put into the regular ballot box after opening it?	Number of answers	%
Yes	861	96.1
No	35	3.9
Total	896	100

Was the seal on the ballot box untouched?	Number of answers	%
Yes	879	97.8
No	20	2.2
Total	896	100

Was the control paper found in each ballot box?	Number of answers	%
Yes	891	99.4
No	5	0.6
Total	896	100

Was the control paper found in polling box identical with control paper of polling board?	Number of answers	%
Yes	885	98.8
No	11	1.2
Total	896	100

Was the choice on each ballot pronounced out loud?	Number of answers	%
Da	852	95.1
Ne	44	4.9
Total	896	100

Was the decision on valid/invalid ballots legitimate?	Number of answers	%
Yes	873	97.4
No	23	2.6
Total	896	100

Were there ballots that had been signed or marked by the voters?	Number of answers	%
Yes	185	20.6
No	711	79.4
Total	896	100

If the answer to the previous question is YES, were those ballots declared invalid?	Number of answers	%
Yes	168	90.8
No	17	9.2
Total	185	100

Was the criterion for the decision on valid/invalid ballots applied consistently?	Number of answers	%
Yes	818	91.3
No	78	8.7
Total	357	100

Were there any significant similarities between the invalid ballots?	Number of answers	%
Yes	94	10.5
No	802	89.5
Total	896	100

Were all the polling board members able to check ballots?	Number of answers	%
Yes	869	97.0
No	27	3.0
Total	896	100

Did the polling board announce the number of invalid ballots and enter that number into the protocol?	Number of answers	%
Yes	870	97.1
No	26	2.9
Total	896	100

Were any observers removed (kicked out) from the polling station during vote counting?	Number of answers	%
Yes	14	1.6
No	882	98.4
Total	896	100

Were any polling board members unable to check a ballot at their request?	Number of answers	%
Yes	839	93.6
No	57	6.4
Total	896	100

Was the sequence of steps strictly respected?	Number of answers	%
Yes	872	97.3
No	24	2.7
Total	896	100

Did you notice any forgeries in the electoral register, results or the protocol?	Number of answers	%
Yes	3	0.3
No	893	99.7
Total	896	100

Did the polling board have any difficulties with filling in the protocol?	Number of answers	%
Yes	48	5.4
No	848	94.6
Total	896	100

Were any numbers altered after they were entered into the protocol by the polling board?	Number of answers	%
Yes	30	3.3
No	866	96.7
Total	896	100

Were there any official complaints on the vote-counting process?	Number of answers	%
Yes	15	1.7
No	881	98.3
Total	896	100

Did any polling board member refuse to sign off the protocol?	Number of answers	%
Yes	244	27.2
No	652	72.8
Total	896	100

Did all the polling board members agree with the numbers entered into the protocol?	Number of answers	%
Yes	878	98.0
No	18	2.0
Total	896	100

Was a copy of the protocol released?	Number of answers	%
Yes	846	94.4
No	50	5.6
Total	896	100

Were there any independent domestic observers on the vote-counting process, except you?	Number of answers	%
Yes	211	23.5
No	685	76.5
Total	896	100

Were there any unauthorized persons on the vote-counting process?	Number of answers	%
Yes	6	0.7
No	890	99.3
Total	896	100

Were any observers deprived of clear oversight of the vote-counting procedure?	Number of answers	%
Yes	882	98.4
No	14	1.6
Total	896	100

Evaluation of the polling station	Number of answers	%
Very good	604	67.4
Good	278	31.0
Bad	12	1.3
Very bad	2	0.2
Total	896	100
Average	3.65(SD=0.52)	

