



Montenegro elections competitive and fundamental freedoms respected, but campaign characterized by lack of distinct domestic policy alternatives, observers say

PODGORICA, 17 October 2016 – Montenegro's 16 October parliamentary elections were held in a competitive environment and fundamental freedoms were generally respected in a campaign characterized by a lack of distinct domestic policy alternatives and permeated by personal attacks, international observers said in a statement issued today. While pluralistic, the media lacked editorial independence.

The election administration met all legal deadlines, but despite increased operational and human resources, the professional capacity of the administration remains inadequate. Election day proceeded in a calm and orderly manner, with few cases of procedural irregularities observed, the statement says.

“Against a campaign background characterized by a divisive debate over foreign policy questions, these elections were held in a competitive environment and fundamental freedoms were generally respected,” said Margareta Cederfelt, Special Co-ordinator and leader of the short-term OSCE observer mission. “The positive changes we have observed demonstrate a genuine will to improve the process.”

“The high turnout reflects the hopes that the people of Montenegro had in these elections. Allegations of corruption, foreign funding, political tension and inconsistencies in the legal framework tainted the electoral environment. Despite this, the verdict of our observers is that the elections represented the will of the people,” said Aleksander Pocij, Head of the PACE delegation. “It is now up to the newly elected parliament to work with the mandate the voters have given it, in order to realize the full democratic potential of the country.”

NATO membership was a key issue, with contestants also conveying general messages on the need for economic, social and political reforms, job creation, reducing youth emigration and fighting high-level corruption, the observers said. There was often little policy detail in a campaign that was largely personality driven. Accusations were made of foreign sources of campaign funding.

“The elections have shown the aspiration of the people of Montenegro to be fully engaged in building the stable democratic future of their country. Voters were provided with ample choice,” said Azay Guliyev, Head of the OSCE PA delegation. “However, the improvements in election administration and media professionalism would benefit future elections.”

The diverse media environment remains politically polarized and editorial independence is lacking, as is investigative reporting. This limited analytical information available to voters, the statement says. Contestants were able to present their views in numerous talk shows, debates and round-tables on public and private media, and campaign rallies were also actively covered. The media landscape is hampered by the absence of an effective regulatory or self-regulatory body. In addition, the blocking of access to Viber and WhatsApp services on election day by the Agency of Electronic Communications caused concern.

The election administration, led by the State Election Commission (SEC), worked in a largely transparent manner and met all legal deadlines. However, despite increased operational capacity, the SEC still lacks professional capacity and a strong collective leadership, the observers said. This led, at times, to technical mistakes and political tensions. The new formula for the composition of lower level commissions allowed for the broad representation of political parties. The representation of women in the electoral administration is low – three of 11 SEC permanent members and 37 of 115 permanent members of municipal election commissions.

The SEC registered all 17 candidate lists submitted in an inclusive process that allowed applicants to correct errors to meet legal requirements, the statement says. Although no candidate list was led by a woman, in a positive development 32 per cent of candidates were women. In line with previous OSCE/ODIHR and Council of Europe recommendations, voters were no longer required to sign in support of candidate lists in front of election administration representatives.

Revisions to the legal framework since the last elections addressed a number of prior recommendations, although some, including those concerning the right to run independently and the residency requirement to vote or be a candidate, remain unaddressed. In addition, the legal framework continues to lack comprehensiveness and some inconsistencies have led to occasional misinterpretations, the observers said.

“There have been significant improvements in the legal framework based on prior recommendations, and our hope is that efforts in this direction will continue,” said Roman Jakič, Head of the OSCE/ODIHR long-term election observation mission. “We heard continued concerns about the accuracy of the electoral register, although there was broad support for the electronic voter identification system introduced as a safeguard against multiple voting.”

Members of national minorities were afforded a fair opportunity to participate in the electoral process, both as candidates and as voters, the statement says. Linguistic difficulties were minimal, as most national minority representatives are proficient in Montenegrin, the observers said. In certain regions, ballot papers were also printed in Albanian.

The limited number of complaints filed with law enforcement and judicial bodies was attributed to lack of trust in the effectiveness and impartiality of these institutions, the observers said. Detailed guidelines are lacking, and the deadlines for the resolution of electoral disputes remain to be reviewed to ensure effective remedy.

While new campaign finance legislation improved the accountability of public institutions, it did not ensure adequate disclosure of expenditures. Contestants are not obliged to report campaign expenses before election day, which limits the transparency of the process. The availability of public funding for political parties created a more equal playing field.

The election law provides for observation by citizen and international organizations, as well as by representatives of candidate lists. The participation of three citizen observer groups at all stages of the electoral process contributed to transparency, the statement says.

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