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# **Elections in Montenegro**

## *2016 Parliamentary Elections*

Frequently Asked Questions

Europe and Eurasia

International Foundation for Electoral Systems

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## Frequently Asked Questions

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*Disclosure:*

*These FAQs reflect decisions made by the Montenegrin elections authorities as of October 12, 2016, to the best of our knowledge. This document does not represent any IFES policy or technical recommendations.*

## When is Election Day?

Election Day is October 16, 2016.

## What is the legal framework and electoral system in Montenegro?

Parliamentary elections in Montenegro are governed by the constitution and the Law on the Election of Councilors and Members of Parliament. Several other laws and regulations, including the Law on the Voter Registration, the Law on Political Parties, the Law on Financing Legal Entities and Campaigns, legislation focused on media, and the decisions of the State Election Commission also [govern how the elections are executed](#).

The 2014 amendments to the Law on the Election of Councilors and Members of Parliament significantly changed the legal framework for elections. The [amendments introduced](#) a new voter registration system; provided new details for candidate registration, the assignment of seats within minority lists, the representation of women in Parliament, and the workings of the election administration; and allowed the presence of observers during homebound voting.

The October elections will be organized by over 1,000 polling boards and some 20 Municipal Election Commissions (MECs), overseen by the State Election Commission (SEC). Montenegrins will elect 81 Members of Parliament in a single nationwide constituency for a four-year term under a proportional representation system with closed lists. Seats are [allocated according to the highest average system](#), using the d'Hondt method.<sup>1</sup> Political entities that receive at least 3 percent of valid votes are eligible for parliamentary representation, though special rules apply for candidate lists representing minority communities. Seats are assigned according to the order of candidates in the lists.

## Who is eligible to vote?

All citizens who are 18 years old on or before Election Day who have resided in Montenegro for at least the last 24 months and have a valid biometric identification document are [eligible to vote](#).

## How is voter registration conducted and how many registered voters are there?

In 2014, the Law on Electoral Register introduced a centralized electoral register that is maintained by the Ministry of the Interior and based on information extracted from three civil registries. The State Election Commission has a supervisory role over the process and has a right to access the electronic data

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<sup>1</sup> The d'Hondt method of seat allocation in a closed list system uses the formula:  $\text{quotient} = V/(s+1)$ , where "V" is the total number of votes a party receives, and "s" is the number of seats that party has been allocated. The d'Hondt method tends to slightly favor larger parties and coalitions.

from all registries. Additionally, the Ministry of the Interior maintains a working group that focuses on issues regarding the accuracy of the electoral register.

President Filip Vujanovic [called the elections](#) on July 11, 2016. Once the elections were called, the register was made publically available on the Ministry of the Interior website. Voters can view the register and request changes up to 15 days before Election Day. [Changes can be based](#) on data from records, public documents, and electronic registers.

Biometric voter identification devices in polling stations will read voters' identification documents and confirm their identities on Election Day. The biometric devices are an automated fingerprint identification system. The system, called AFIS, has been [cross referenced](#) with the national ID database.

There are [currently 529,680 registered voters](#) in Montenegro.

## **Is out-of-country voting allowed?**

Only citizens who are currently in Montenegro at the time of the elections may vote. Montenegrin [citizens who live abroad](#) may only vote in person by returning to the country for Election Day.

## **Who are the main parties involved?**

The following parties have [submitted lists for the election](#): Alternative Montenegro, Bosniak Democratic Union, Bosniak Party, The Democrats, The Democratic Party of Socialists, Democratic Front, Democratic Alliance of Albanians, Croatian Civic Initiative, A Coalition with a Single Goal-*Gzim Hajdinaga*, Positive Montenegro, Social Democratic Party, The Social Democrats of Montenegro, Serb Party, The Party of Pensioners, People with Disabilities and Social Justice, The Party of Serbian Radicals, The Key Coalition (Socialist People's Party, Demos, and United Reform Action).

## **What are the party/candidate registration requirements?**

All citizens with voting rights who have resided permanently in country for at least two years are eligible as candidates. [Candidates can be nominated](#) by political parties, coalitions of political parties, or groups of voters.

The State Election Commission registers candidate lists. Per the recently amended candidate registration procedures, a political party or coalition is required to submit signatures of at least 0.8 percent of the voters, based off of the number of voters in previous elections. Political parties and groups of voters that represent a minority community must submit at least 1,000 signatures. Candidates representing a minority making up to 2 percent of the population must have 300 signatures.

Voters can only [sign in support of one candidate list](#) and must do so in front of Municipal Election Commissions members.

## What are the key issues in the campaign?

Due to dissatisfaction with the economic, political, and social situation in Montenegro, there has been an increase in political tension over the past few years. This led to the opposition boycotting sessions of Parliament and organizing protests that called for early elections. The protests continued after Montenegro was [extended an invitation to join the North Atlantic Treaty Organization](#) (NATO) in May 2016. A [political agreement was reached in April](#) in order to mitigate the political crisis and to allow for the October elections.

Other issues that the election will focus on include foreign policy and NATO membership, unemployment, corruption, and socio-economic issues. There are also concerns about biased media coverage of the campaign, an uptick in nationalist rhetoric, pressure on voters and misuse of administrative resources.

## What is media access like during elections?

In the past, concerns about the political segmentation of the media and the partisan editorial policies, as well as concerns about the attacks and pressure on journalists and media outlets, were raised by Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights interlocutors. More recently, in late 2015, the [Parliamentary Assembly of the Council of Europe stated](#) that, despite journalists and NGO representatives acknowledging that there is no media censorship in Montenegro, they "denounced the reprisals following controversial publications, which can range from financial restrictions to intimidation, threats, and physical attacks."

In Montenegro, television is the predominant source of news. *Radio and Television Montenegro* (RTCG), the public broadcaster, has three television channels. There are also four private television stations: *TV Vijesti*, *Prva*, *Pink*, and *Atlas*. The main print media outlets include the state owned newspaper, *Pobjeda* as well as the privately owned newspapers, *Vijesti*, *Dan*, and *Dnevene Novine*. The internet is a key source of political information and many of the main newspapers have online content. Montenegro has [388,057 internet users](#) with a 60.2 percent internet penetration rate; [99.2 percent of households have televisions](#) and 94.9 percent of households have mobile phones.

Election laws regulate the coverage of the campaign, and as such, the public media must provide all contestants with free and equitable access. Each candidate will also be given three minutes of coverage of campaign events that will be free-of-charge and there will be equal coverage of all candidates. The public news television station RTCG will organize a series of debates. Two [debates](#) took place on September 27 and 29 and there are seven scheduled in October.

During a campaign, the RTCG council oversees the coverage of the public broadcaster. A working group of media representatives has updated the preexisting Code of Ethics.

## How is equal gender participation ensured?

To promote the participation of women, the candidate lists must include at least 30 percent of candidates of either gender. [New amendments](#) also require that at least one candidate must be a woman among each four names on the list. Non-compliance with this mandate can [result in a party or political entity's list being rejected](#).

## Is the electoral process accessible to persons with disabilities and national minorities?

Legal provisions for homebound voting have been revised and provide more detailed procedures, per the 2014 electoral amendments. Amendments allow the presence of observers during homebound voting and require the homebound voter's signature after their vote is cast. Recent amendments also recommend that while choosing polling stations, the Municipal Election Commissions [should take into account their accessibility for voters with disabilities](#).

Special rules apply for candidate lists that represent national minority communities. If no minority list passes the 3 percent threshold but gains at least 0.7 percent of the valid votes, they are entitled to up to three seats as a candidate list. Candidate lists representing the Croatian minority are entitled to one seat each if they obtain at least 0.35 percent of votes. Minority national communities with at least 15 percent of the population in the country or 1.5 percent in a municipality have the right to participate in the allocation of seats separately with the obtained number of valid votes.

## Who will be observing the upcoming elections?

The laws allow for observation by citizens and international parties during all stages of the electoral process. Registered candidate lists and political parties may also appoint observers to each election administration body. All political parties have confirmed that they will send observers to the majority of polling places. Many citizen observer groups [expressed interest in observing the elections](#) in order to focus on issues such as voter registration, voter intimidation, and the misuse of administrative resources.

The Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights will be observing the elections with 12 core staff, 12 long-term observers, and some 100 short-term observers. The core staff comes from nine different countries and will be stationed in the capital city of Podgorica for the election, while the long-term and short-term observers will be stationed throughout Montenegro to observe events during the campaign period as well as Election Day.

The Parliament of Montenegro will also support the State Elections Commission in its attempts to provide fair and democratic conditions for the upcoming elections. The Speaker of Parliament, Darko Pajovic, said that there will be a parliamentary committee to monitor the implementation of laws and regulations pertinent to the election. [Pajovic said](#) that a goal of the committee will be to gain trust in the

electoral process and ensure coordination between the various institutions involved in the electoral process.

## **When will the results be known?**

All ballots are counted by the polling station boards, who fill out a protocol of results on this basis. The polling station boards are required to submit their results without delay and no later than within 12 hours to the Municipal Election Commissions (MECs), which tabulate the results and send them on to the State Election Commission (SEC) within another 12 hours. The SEC then [announces the preliminary election results](#) within 12 hours of receipt from the MECs.

Final results are announced by the SEC within 12 hours of the expiration of deadlines for complaints and appeals and published in the Official Gazette of Montenegro no later than 15 days after the election.<sup>2</sup>

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<sup>2</sup> See articles 98 and 99 of the Law on the Election of Councilors and Representatives, available at <http://www.dik.co.me/regulativa/Zakoni/Zakon%20o%20izboru%20odbornika%20i%20poslanika.pdf>.