



International Foundation
for Electoral Systems

Election FAQs: Montenegro

Presidential Elections

March 19, 2023

Europe & Eurasia

International Foundation for Electoral Systems

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March 13, 2023

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Election Snapshot

- Election Day: March 19, 2023
- Registered voters: 542,154
- Polling stations: 1,182
- Candidates: 7
- Campaign expenditure and donation limits:
 - Individual donations: €5,000 for individuals and €20,000 for legal entities
 - Expenditures for each candidate: €1.7 million

When is Election Day?

Citizens of Montenegro will elect a new president on Sunday, March 19, 2023. Voting will take place from 7 a.m. until 8 p.m.¹ in 1,182 total polling stations² across the country (out-of-country voting is not permitted). The Speaker of the Parliament of Montenegro announced the elections in line with the Constitution of Montenegro on January 16.³

A second round of elections may be held on Sunday, April 2, 2023, between the two candidates with the highest number of votes,⁴ in the case no one presidential candidate receives more than 50 percent of valid votes.⁵

Why are these elections important?

Montenegro has progressed on the path to Euro-Atlantic integration for the past decade, but critical challenges have stalled the country's progress toward European Union accession and overall government stability. The political environment has been dominated by a deep constitutional and institutional crisis ultimately impacting the ability of state institutions to fulfill mandates. Multiple votes of no confidence in Parliament throughout 2022⁶ triggered a collapse of the ruling coalition and the installation of a technical government under Prime Minister Dritan Abazović.⁷

Vacancies in the Constitutional Court and Parliament's inability to agree on new appointments due to political instability resulted in only three of the seven positions being filled. Because the court lacked the quorum needed to resolve election complaints during the 2022 local elections, several races have not yet been finalized.⁸ As a result, on February 27, 2023, the appointment of three new judges allowed for a quorum ahead of the presidential elections.⁹ Earlier, on November 2, 2022, Parliament adopted amendments to the Law on the Election of the President that allow it to propose a candidate for prime minister if it considers that the president failed to do so without

¹ [Law on the Election of Counselors and Members of Parliament](#), Article 70.

² Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR) [Needs Assessment Mission Report](#), January 24–27, 2023, page 2.

³ [OSCE/ODIHR Needs Assessment Mission Report](#), January 24–27, 2023, page 1.

⁴ [OSCE/ODIHR Needs Assessment Mission Report](#), January 24–27, 2023, page 2.

⁵ [Law on the Election of Counselors and Members of Parliament](#), Article 70.

⁶ Tomovic, Dusica, "[Montenegro Government Toppled by No-Confidence Vote](#)," *Balkan Insight*, August 19, 2022.

⁷ "[Montenegro's Pro-Serbian Government Collapses in No-Confident Vote](#)," *Radio Free Europe*, February 4, 2022.

⁸ [Key findings of the 2022 Report on Montenegro](#), *European Commission*, October 12, 2022.

⁹ Kajosevic, Samir, "[Montenegro Starts Unblocking Constitutional Court, Electing New Judges](#)," *Balkan Insight*, February 28, 2023.

justification. This exacerbated the political and institutional crisis, and with the Constitutional Court unable to hear the case ahead of the elections, the amendments cannot be challenged.¹⁰

Who are citizens voting for on Election Day?

The March 19 elections will decide the presidency of Montenegro. The president is elected to a five-year term and cannot serve more than two consecutive terms.¹¹ Seven candidates are certified by the State Election Commission (SEC) to stand in these elections.

On Election Day, voters will have a wide range of candidates to choose from, including incumbent president Milo Đukanović.¹² Đukanović's Democratic Party of Socialists reigned uninterrupted from the country's first multi-party elections in 1991 until its first electoral defeat in 2020. However, the opposition coalition elected in 2020 collapsed, prompting the current political deadlock.¹³ Significant controversy surrounded the Europe Now Movement after the SEC disallowed the candidacy of its leader, Milojko Spajić, who held dual Montenegrin and Serbian citizenship. According to the SEC, Spajić asked for his Serbian citizenship to be revoked on February 14, two days before filing to run in the March 19 presidential elections. However, Spajić was still a Serbian citizen by the deadline, making him ineligible for candidacy according to the legal framework. In his place, Europe Now's deputy leader, Jakov Milatović, assumed the candidacy.¹⁴ The seven candidates are listed below, in order of which they will appear on the ballot:

- Milo Đukanović, Democratic Party of Socialists;
- Jakov Milatović, Europe Now Movement;
- Andrija Mandić, Coalition for the Future of Montenegro - Democratic Front (New Serbian Democracy - Movement For Change - Democratic People's Party - Workers' Party) - True Montenegro - Free Montenegro;
- Jovan Radulović, Independent Candidate;
- Goran Danilović, United Montenegro;
- Aleksa Bečić, Democratic Montenegro; and
- Draginja Vuksanović Stanković, Social Democratic Party.¹⁵

What is the electoral system?

Montenegro is a parliamentary republic with a mixed parliamentary and presidential political system. Both are elected by popular vote.¹⁶ To be elected in the first round, a presidential candidate must receive more than 50 percent of valid votes.¹⁷ Otherwise, a second round between the two candidates receiving the highest number of votes will be held on April 2.¹⁸

¹⁰ [OSCE/ODIHR Needs Assessment Mission Report](#), January 24-27, 2023, page 1.

¹¹ [OSCE/ODIHR Needs Assessment Mission Report](#), January 24-27, 2023, page 5.

¹² "Milo Đukanović's Candidacy for President of Montenegro, Proposed by [the Democratic Party of Socialists], Has Been Confirmed," State Election Commission of Montenegro. February 27, 2023.

¹³ "[Montenegro to Hold Presidential Election on March 19](#)," *Euractiv*. Updated January 17, 2023.

¹⁴ "[Montenegro's opposition Europe Now picks new challenger to incumbent President Djukanovic](#)," *bne Intellinews*. February 24, 2023.

¹⁵ "The Deadline for Submitting Candidacies has Expired." State Election Commission of Montenegro. February 27, 2023.

¹⁶ [OSCE/ODIHR Needs Assessment Mission Report](#), January 24-27, 2023, page 3.

¹⁷ [Law on the Election of Counselors and Members of Parliament](#), Article 70.

¹⁸ [OSCE/ODIHR Needs Assessment Mission Report](#), January 24-27, 2023, page 2.

The president, as the head of state, holds limited powers; these include proposing a candidate for prime minister, representing the state, commanding the army based on the decisions of the Defense and Security Council, appointing ambassadors, accrediting diplomats, and appointing two judges to the Constitutional Court.

What is the legal framework for conducting the elections?

Elections are regulated by the Constitution, the 2007 Law on the Election of the President, the 1998 Law on Election of Counselors and Members of Parliament (the Election Law), the 2020 Law on Financing of Political Subjects and Election Campaigns, and the instructions of the State Election Commission.¹⁹ For the March 19 elections, the Law on the Election of the President outlines the legal framework for the conduct of elections. In cases in which this law does not cover certain elements of the electoral process, the Law on Election of Counselors and Members of Parliament prevails.

The legal framework has remained largely unchanged since the last elections in 2020, despite political pressures for reform. The *ad-hoc* parliamentary Committee for a Comprehensive Reform of Electoral and Other Legislation, established in 2018, resumed its activities in late 2021 but met only twice in 2022. The committee prepared a draft election law to address previous reform recommendations from the Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR). However, the committee has not formally proposed the law for vote in Parliament.²⁰ Ultimately, most OSCE/ODIHR and European Union recommendations remain unaddressed, including those needed for comprehensive review and harmonization of the legislation, restrictions on voter and candidacy rights, measures against the misuse of state resources, transparent campaign finance, the media, election dispute resolution, and measures to enhance the participation of women in political and public life.²¹

Who is eligible to run as a candidate?

Citizens can run for the presidency if they are 18 years of age or older by Election Day, have legal capacity, and have resided in Montenegro for at least 10 of the 15 years before Election Day.²²

A candidate for president can be nominated through multiple mechanisms. A political party or a group of citizens may nominate a candidate, but an individual party or group may only propose one candidate. However, two or more political parties can coordinate to nominate a joint candidate.²³ A candidate can also be nominated based on the signatures of at least 1.5 percent of eligible voters, as calculated from data on the number of voters from the previous election period.²⁴ For the March 19 elections, the State Election Commission (SEC) confirmed that the required number of signatures is 8,101.²⁵

¹⁹ Ibid., page 5.

²⁰ [OSCE/ODIHR Needs Assessment Mission Report](#), January 24–27, 2023, page 5.

²¹ Ibid.

²² [Law on the Election of the President](#), Article I.

²³ Ibid., Article 4.

²⁴ Ibid., Article 4.

²⁵ Press Release Regarding the 74th Session of the State Election Commission Held on January 19, 2023. Montenegro State Election Commission. January 20, 2023.

While there are multiple ways to stand for candidacy, a candidate's proposal must be submitted to the SEC no later than 20 days before Election Day (February 26, 2023). In addition to meeting the minimum requirements for candidacy, an individual must provide the SEC a written declaration that he or she accepts the candidacy and confirms his or her right to vote, along with a certificate of residence and a certificate of citizenship. Whoever proposed the candidacy must submit the signatures of voters that support the candidacy.²⁶ The SEC is unable to verify the authenticity of the signatures due to capacity constraints, so it cannot refuse a signature solely based on the suspicion that it is forged. Therefore, voters are urged to check official lists to see whether their names appear in support of a candidate.²⁷

The SEC must finalize the list of candidates within 48 hours after the last day a candidacy can be submitted.²⁸ For the March 19 elections, the SEC finalized the order of candidates on the ballot on March 4, 2023,²⁹ and was required to publish the list in the Official Gazette of Montenegro and all daily newspapers published in the country.³⁰

What are the campaign expenditure and donation limits?

All official candidates are entitled to public funding, with 20 percent of the state's election-related budget allocated to all registered candidates and the remaining 80 percent is then divided among candidates who obtained more than three percent of valid votes on Election Day.³¹ Presidential candidates can receive monetary and in-kind donations from individuals and legal entities, as well as from political parties (which are also entitled to public funding).³² To track donations, each candidate is required to have a dedicated bank account available for oversight. The law also prohibits donations from foreign, anonymous, state-funded, and non-governmental organizations, as well as religious sources.³³

Individual citizens can donate up to €5,000 to each candidate and legal entities can donate up to €20,000.³⁴ The expenditure ceiling for each candidate €1.7 million, overseen by the National Audit Office and tracked by the Agency for the Prevention of Corruption, which can initiate misdemeanor proceedings for possible violations of the relevant law.³⁵

What is the election management body? What are its powers?

Election management is divided into three levels in Montenegro; the State Election Commission (SEC) at the national level, Municipal Election Commissions (MECs) at the sub-national level, and Polling Boards (PBs) at the polling station level. The SEC and MECs are permanent bodies that serve four-year terms, and MECs manage the appointment of the PBs for each election.^{36,37} Article 18 of the Law on Election Counselors and Members of Parliament determines that election

²⁶ [Law on the Election of the President](#), Article 6.

²⁷ [OSCE/ODIHR Needs Assessment Mission Report](#), January 24–27, 2023, page 9.

²⁸ [Law on the Election of the President](#), Article 7.

²⁹ "The order of the list of candidates determined by lot." State Election Commission of Montenegro. March 4, 2023.

³⁰ [Law on the Election of the President](#) Article 8.

³¹ [OSCE/ODIHR Needs Assessment Mission Report](#), January 24–27, 2023, page 8.

³² *Ibid.*

³³ [Law on Financing of Political Entities and Election Campaigns](#), Article 29.

³⁴ *Ibid.*, Article 15.

³⁵ [OSCE/ODIHR Needs Assessment Mission Report](#), January 24–27, 2023, page 9.

³⁶ *Ibid.*, page 2.

³⁷ [Law on the Election of Counselors and Members of Parliament](#), Article 35.

management bodies should operate in both permanent composition (standard appointed members) and extended composition. The Parliament appoints the permanent composition of the SEC, consisting of 10 members and a president.³⁸ The SEC includes four members from the parliamentary majority, four from the parliamentary opposition, one from the minority entity that received the most votes in the previous election, and one from civil society or academia.³⁹ The SEC's main responsibilities include coordinating MECs, overseeing election materials, reviewing and publishing official candidate lists, and ascertaining and publishing election results.⁴⁰

Municipal assemblies appoint the permanent composition of MECs, consisting of a president and four permanent members.⁴¹ In extended composition, the same nominating entity that submits a candidate for the presidency also nominates an individual's membership in the extended composition. MECs determine the number and location of polling stations across the country in addition to determining the number of ballots needed for each polling station.⁴² The presidential election is administered by the SEC, 25 MECs, and approximately 1,200 PBs.

Who can vote in these elections, and how many registered voters are there?

Citizens over 18 years of age who have held permanent residency in Montenegro for at least the 24 months before Election Day have the right to vote.⁴³ Voters can check their data on a dedicated website⁴⁴ or at municipal offices, as the voter register is a permanent database maintained by Montenegro's Ministry of Interior. According to the ministry, the database is automatically updated with information extracted from the registers of citizenship, residence, births, and deaths.⁴⁵

In order to vote, an individual must provide proof of identity.⁴⁶ Voters who are in custody or serving a prison sentence will vote at special polling stations determined by the locations where they are imprisoned.⁴⁷ Voters with disabilities, elderly voters, or voters who are receiving medical treatment may apply to their polling stations to vote via mobile voting team.⁴⁸

According to the State Election Commission, of 639,123 citizens of voting age, 542,154 were included in the voter registry as of March 8, 2023.⁴⁹

³⁸ Ibid., Article 30.

³⁹ [OSCE/ODIHR Needs Assessment Mission Report](#), January 24-27, 2023, page 5.

⁴⁰ [Law on the Election of Counselors and Members of Parliament](#), Article 32.

⁴¹ Ibid., Article 25.

⁴² Ibid., Article 27.

⁴³ Ibid., Article 11.

⁴⁴ <https://provjeripotpis.me>

⁴⁵ [OSCE/ODIHR Needs Assessment Mission Report](#), January 24-27, 2023, page 7.

⁴⁶ Ibid., Article 80.

⁴⁷ [Law on the Election of Counselors and Members of Parliament](#), Article 87.

⁴⁸ Ibid., Article 85.

⁴⁹ "The number of voters in Montenegro by local self-government units and polling stations." State Election Commission of Montenegro. March 9, 2023.

What provisions are in place that support the equal rights of women, persons with disabilities, and other marginalized groups?

Women remain underrepresented in Montenegrin government institutions. This is particularly true of election administration bodies, where only two State Election Commission members and four of the 25 Municipal Election Commission chairpersons are women.⁵⁰

In November 2020, the Constitutional Court annulled the provision of the Election Law that disenfranchised citizens with intellectual and psychosocial disabilities.⁵¹ The Organization for Security and Cooperation of Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR) Needs Assessment Mission reported that the voting rights of affected citizens who were previously disenfranchised by past rulings have been reinstated.⁵²

Voters with disabilities and those who are illiterate are entitled to the assistance of a designated individual. That person is chosen by and votes as instructed by the voter.⁵³ Voters who are blind or have low vision can receive a tactile ballot guide.⁵⁴ Voters with disabilities or those who are receiving medical treatment may also apply to their Polling Board to vote by mobile voting team. In practice, a team from a polling station delivers an envelope with a ballot to the individual's home. This application is due by 1 p.m. on Election Day at the designated polling station, as determined by the individual's place of residence, and may be submitted by an individual on behalf of the voter.⁵⁵

Is out-of-country voting allowed?

Out-of-country voting is prohibited by law. The Law on the Electoral Roll states that citizens of Montenegro who have the right to vote, including those who reside abroad, are entered in the voter list.⁵⁶ The individual's last place of residence before moving abroad is used for the voter registry. Voters residing abroad during an election can vote only in country at the polling station designated by their last place of residence,⁵⁷ as voting by mail, or "mobile voting," is reserved for individuals who are unable to vote at a polling station due to age, disability, or medical treatment.⁵⁸

Who can observe on Election Day? How can they get accreditation?

Montenegrin law provides for citizen and international election observation in all stages of the election process. Foreign observers are required to submit applications for election observation to the Ministry of Foreign Affairs, which collects all applications no later than 10 days before Election Day (March 8, 2023).⁵⁹ The ministry will share all applications with the State Election Commission, which will authorize or decline the application for observation within 48 hours.⁶⁰

⁵⁰ Ibid., page 5.

⁵¹ Ibid., page 6.

⁵² [OSCE/ODIHR Needs Assessment Mission Report](#), January 24-27, 2023, page 6.

⁵³ [Law on the Election of Counselors and Members of Parliament](#), Article 84.

⁵⁴ Ibid.

⁵⁵ Ibid., Article 85.

⁵⁶ [Law on the Electoral Roll](#), Article 9.

⁵⁷ [Law on the Election of Counselors and Members of Parliament](#), Article 88.

⁵⁸ Ibid., Article 85.

⁵⁹ Ibid., Article 111g.

⁶⁰ Ibid.

Who is managing security on Election Day?

Individual Polling Boards (PBs) are in charge of managing security, as on-duty police officers and other uniformed persons are not allowed access to polling stations while voting is in progress.⁶¹ The only exception to this rule is if there is a disturbance at a polling station, or if there is an immediate threat to public order and security. In such cases, the president of the PB is permitted to call on the police or another security force.^{62,63} If voting is interrupted at a polling station for more than one hour, the station will remain open for the amount of time the interruption lasted.⁶⁴

Where are vote counting and tabulation conducted?

Vote counting begins at individual polling stations by members of the Polling Board (PB), who maintain order at polling stations. The number of unused ballots is determined, and those ballots are sealed in an envelope. The PB then cross-references the total number of votes at the polling station with the number of individuals on the voter list.⁶⁵ The PB also counts invalid ballots, which are sealed for further processing. If there are any concerns over the total number of ballots, incorrect serial numbers on ballots, or counting mechanisms, the PB is dissolved, a new one is appointed, and a repeat election is held at the polling station; this process is repeated until no concerns remain about the validity of the ballots.⁶⁶

Once PBs complete the counting process, all materials are sealed and securely transported to the relevant Municipal Election Commission within six hours of the closing of the polling station, where votes are re-counted and sent to the SEC for additional mechanisms to establish validity.

When will official results be announced?

Once voting has concluded, individual Polling Boards determine the results at each polling station within 12 hours of the close of the polling station—in this case by 8 a.m. on March 20, 2023.⁶⁷ After polling stations submit results to Municipal Election Commissions, they must determine the results in the respective municipality within 12 hours.⁶⁸ From this point, results are sent to the State Election Commission (SEC), which has 12 more hours to finalize provisional results.⁶⁹

Once the complaints and appeals process is finalized, the SEC has 12 hours to determine the official results.⁷⁰ Then, the SEC publishes the final results of the elections in the Official Gazette of Montenegro and in the media.⁷¹

⁶¹ Ibid., Article 71.

⁶² Ibid.

⁶³ Ibid., Article 72.

⁶⁴ Ibid., Article 71.

⁶⁵ Ibid., Article 89.

⁶⁶ Ibid., Article 89.

⁶⁷ [Law on the Election of the President](#), Article 13.

⁶⁸ Ibid., Article 14.

⁶⁹ Ibid., Article 15.

⁷⁰ Ibid.

⁷¹ Ibid., Article 20.

How will election disputes be adjudicated?

Voters and candidates may file complaints with the responsible election commission; however, the Constitutional Court is the final appellate instance. The Constitutional Court considers appeals of State Election Commission (SEC) decisions only if the SEC rejects or dismisses the complaints.⁷² By law, complainants have 72 hours to submit complaints to the relevant Municipal Election Commission (MEC) for violations at polling stations or to the SEC for violations of MEC; in both cases, the respective commission has 24 hours to render a decision.⁷³ Any appeals to SEC decisions are then forwarded onto the Constitutional Court. According to the SEC, this short deadline poses challenges when there is a large caseload and several complaints need to be considered concurrently, including on election results. The Constitutional Court has 48 hours to consider appeals.⁷⁴

⁷² “Announcement regarding the interest of the media on the jurisdiction of the Constitutional Court of Montenegro in the process of checking the signatures of citizens' support for the candidates for the President of Montenegro.” Constitutional Court of Montenegro. March 13, 2018.

⁷³ [Law on the Election of Counselors and Members of Parliament](#), Article 108-109.

⁷⁴ [OSCE/ODIHR Needs Assessment Mission Report](#), January 24–27, 2023, page 10.

Resources

- [Constitution of Montenegro](#)
- [State Election Commission](#)
- [Law on the Election of Counselors and Members of Parliament](#)
- [Law on the Election of the President](#)
- [Law on Financing of Political Entities and Election Campaigns](#)
- [Law on the Electoral Roll](#)
- [IFES Election Guide](#)
- [OSCE/ODIHR Needs Assessment Mission](#)

About IFES in Montenegro

The International Foundation for Electoral Systems (IFES) focuses on strengthening anti-corruption and promoting digital security to address disinformation in social media. Since 1997, IFES has supported electoral stakeholders to strengthen the electoral process in Montenegro, with particular focus on electoral reform, legal frameworks, voter education, and anti-corruption. IFES has partnered with election commissions, state institutions, civil society, and media outlets to improve cooperation and promote secure elections.

Disclosure

These FAQs reflect decisions made by the State Election Commission as of March 13, 2023, to the best of our knowledge. This document does not represent any International Foundation for Electoral Systems policy or technical recommendations.