

48th SESSION

Report
CPL(2025)48-05
26 March 2025

Early Municipal Elections in Podgorica (29 September 2024)

Committee on the Monitoring of the implementation of the European Charter of Local Self-Government and on the respect of Human Rights and the Rule of Law at local and regional levels (Monitoring Committee)

Rapporteur :¹ Randi MONDORF, Denmark (R, ILDG)

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Summary

Following an invitation by the authorities of Podgorica received on 5 September 2024, the Congress deployed its first election observation mission in Montenegro to assess the early local elections held on 29 September. On election day, four teams visited 55 polling stations, monitoring procedures from opening to closing and counting.

The delegation found the elections generally calm, orderly and mostly in line with procedures but noted several inconsistencies. Breaches of voting secrecy due to poor polling station layout, improper sealing of ballot boxes, and rushed result reconciliation were observed. A lack of distinction between polling officials and party proxies, along with last-minute appointments and insufficient training of polling station commissioners, also negatively impacted the process. While candidates campaigned freely, the election was largely dominated by national politics and allegations of misuse of administrative resources were widespread but inadequately addressed by the Agency for the Prevention of Corruption. The delegation welcomed the organisation of many televised debates but raised concerns about political and foreign influence on media coverage and on the underrepresentation of women in the media and as lead candidates.

The Congress called for stronger commitments to local self-government and electoral reform, including holding all elections on the same day and revising residency rules to curb electoral tourism. Key recommendations also included improving election administration transparency, proper ballot box sealing, accreditation of polling station members, and stricter regulations on social media campaigning, abuse of administrative resources and campaign financing. To make local elections fully inclusive, the delegation recommended enabling independent candidates to run in elections, promoting women and youth's participation and ensuring accessibility of polling stations.

1. L: Chamber of Local Authorities / R: Chamber of Regions.
EPP/CCE: European People's Party Group in the Congress.
SOC/G/PD: Group of Socialists, Greens and Progressive Democrats.
ILDG: Independent Liberal and Democratic Group.
ECR: European Conservatives and Reformists Group.
NR: Members not belonging to a political group of the Congress.

RECOMMENDATION 523 (2025)²

1. The Congress of Local and Regional Authorities of the Council of Europe (“the Congress”) refers to:

a. Article 1, paragraph 3 of the Committee of Ministers’ Statutory Resolution CM/Res (2020)1 on the Congress of Local and Regional Authorities of the Council of Europe;

b. the principles laid down in the European Charter of Local Self-Government (ETS No. 122), ratified by Montenegro on 12 September 2008;

c. Chapter XIX of the Rules and Procedures on the practical organisation of election observation missions;

d. Congress Recommendation 506 (2024) “Monitoring of the application of the European Charter of Local Self-Government in Montenegro”;

e. the invitation by the authorities of Podgorica, dated 5 September 2024, to observe early municipal elections held in the country on 29 September 2024.

2. The Congress reiterates the fact that genuinely democratic local and regional elections are part of a process to establish and maintain democratic governance and that observation of grassroots elections is a key element of the Congress’s role as guardian of democracy at local and regional level.

3. The Congress acknowledges that, overall, the legal framework in Montenegro is conducive to holding democratic elections at local level.

4. The Congress notes with satisfaction that:

a. the election day was overall calm and orderly, the procedures were largely followed in polling stations visited by Congress observers and the use of electronic identification seemed to ensure greater confidence in the identification process;

b. all candidates were able to campaign freely, and all electoral contestants fulfilled their financial reporting obligations in a timely manner;

c. in line with the gender quota, nearly 40% of the councillors in the newly established City Assembly of Podgorica are women and a portion of public funding for political parties is dedicated to women’s sections;

d. the results were accepted by most candidates and the mandates were awarded to the councillors without major delays, in a welcome step compared with the 2022 elections;

e. broad arrangements were made to facilitate the exercise of the right to vote by voters in detention facilities or who were unable to vote in designated polling stations due to age or mobility impairments;

f. the situation of the media in Montenegro improved overall, boosted by updated legislation and a lively public and private media landscape as well as the organisation of many televised debates, which gave the opportunity to all lists to present their programmes.

5. At the same time, the Congress expresses its concern with respect to the following issues:

a. the legal framework governing local elections is fragmented across different texts and is very complex, with vagueness and loopholes negatively affecting its readability, while political will to reform it remains low;

b. the legal framework provides for local elections to be held on a rolling basis, resulting in a nearly constant state of campaigning for all stakeholders. In addition, the absence of a residency requirement

² Debated and approved by the Chamber of Local Authorities and adopted by the Congress on 26 March 2025 (see document CPL(2025)48-05, explanatory memorandum), rapporteur: Randi MONDORF, Denmark (R, ILDG).

for local elections, as per the 2020 Constitutional Court decision, raises concerns about the accuracy of voter lists and fuels recurring allegations of electoral tourism;

c. independent candidates are not allowed to stand in local elections, which is not in line with Congress Recommendation 476 (2022) "The situation of independent candidates in local and regional elections";

d. politicisation and last-minute appointments of polling station officials coupled with the lack of compulsory training affected election day performance; in addition, the lack of final oversight of the State Election Commission (SEC) over some critical Municipal Election Commission (MEC) decisions does not allow for effective redress;

e. local issues remained largely overshadowed by national ones and by the high involvement of national-level officials – sometimes leading the candidate lists without planning on accepting the mandate – and the elections were perceived as bargaining tools for national political negotiations, undermining local self-government in Montenegro;

f. the campaign was marred by recurring allegations of misuse of administrative resources, abuse of official positions and politically motivated hiring, which were insufficiently investigated and sanctioned, in part due to insufficient regulations and the limited effectiveness of the Agency for the Prevention of Corruption (APC);

g. the APC was not sufficiently empowered to fully investigate and sanction violations related to party and campaign finance, notably underreporting and political advertising, in a timely and dissuasive manner;

h. challenges related to the independence and ownership of the media were significant, particularly regarding long-standing allegations of political and foreign influence on local election coverage;

i. on election day, the blurred distinction between polling station officials and party proxies and inconsistencies regarding the number of commissioners present in the polling stations created confusion as to who was responsible for what and instances of interference by unauthorised persons;

j. in some polling stations, other procedural inconsistencies were observed, including breaches of the secrecy of the vote due to inadequate polling station layout, inconsistent sealing of ballot boxes and the sometimes rushed reconciliation of results; access to polling stations for people with mobility impairments was not ensured in many polling stations visited;

k. women and youth continued to be largely under-represented in the media and as heads of lists;

l. the election administration lacks transparency in handling complaints, notably at the level of the Constitutional Court, and the SEC has limited capacity to review over lower-level decisions in local elections;

m. last but not least, political deadlocks at local and national levels have negatively impacted local self-government in Montenegro and most notably in the municipality of Šavnik where election results were never finalised despite nine rounds of voting between October and December 2022, effectively leaving the local council elected in 2018 in power.

6. In the light of the above, the Congress invites the authorities of Montenegro to:

a. urgently recommit to the work of the Parliamentary Committee for Comprehensive Electoral Reform and pursue constructive and open dialogue about local self-government reform and the adoption of a harmonised legal framework to address gaps in the law related to local elections;

b. hold all local elections on the same day to reduce administrative burden and fraudulent registrations of voters; as a minimum, revise the legal provisions on residency requirements for local elections;

c. introduce provisions to enable independent candidates to take part in local elections;

d. depoliticise and professionalise the election administration, which should include systematic and compulsory training by the election administration, as well as measures to prevent last-minute replacements of commission members;

e. strengthen existing legislation and regulations related to the misuse of public resources, including legislative and regulatory provisions on employment, clarify their applicability to national-level officials and increase the capacity of the APC to handle cases in a timely and transparent manner;

f. ensure a level playing field for all candidates and increase oversight and sanctions of the APC, notably on overspending, underreporting and third-party donations;

g. develop the monitoring activities of the Agency for Audiovisual Media Services and its capacity to handle ex officio investigations, and clearly regulate campaigning activities on social media;

h. strengthen electoral integrity by modernising the sealing of ballot boxes, harmonising counting procedures, reviewing polling station layout and introducing a requirement for all accredited persons to wear ID badges; ensure accessibility of polling stations for voters with impaired mobility;

i. specifically monitor the use of party public funding dedicated to women's sections and introduce incentives to strengthen the participation of women and youth in decision-making positions at local level;

j. improve the transparency and adherence to legally prescribed deadlines on electoral disputes and allow for SEC final oversight of the MEC decisions in very specific cases, such as candidate registration and repeat elections, to ensure effective redress and timely decisions;

k. urgently organise new elections in Šavnik in order for the composition of the local council to reflect the will of the voters.

7. The Congress calls on the Committee of Ministers and the Parliamentary Assembly of the Council of Europe to take account of this recommendation regarding the 2024 early municipal elections in Podgorica (Montenegro) and the accompanying explanatory memorandum in their activities relating to this member State.

RESOLUTION 507 (2025)³

1. The Congress of Local and Regional Authorities of the Council of Europe (“the Congress”) refers to:

a. Article 1, paragraph 3 of the Committee of Ministers’ Statutory Resolution CM/Res (2020)1 on the Congress of Local and Regional Authorities of the Council of Europe;

b. the principles laid down in the European Charter of Local Self-Government (ETS No. 122), ratified by Montenegro on 12 September 2008;

c. Chapter XIX of the Rules and Procedures on the practical organisation of election observation missions;

d. Congress Recommendation 506 (2024) “Monitoring of the application of the European Charter of Local Self-Government in Montenegro”;

e. the invitation by the authorities of Podgorica, dated 5 September 2024, to observe early municipal elections held in the country on 29 September 2024.

2. The Congress reiterates the fact that genuinely democratic local and regional elections are part of a process to establish and maintain democratic governance and that observation of grassroots elections is a key element of the Congress’s role as guardian of democracy at local and regional level.

3. The Congress acknowledges that, overall, the legal framework in Montenegro is conducive to holding democratic elections at local level.

4. The Congress notes with concern that:

a. the legal framework governing local elections is fragmented across different texts and is very complex, with vagueness and loopholes negatively affecting its readability, while political will to reform it remains low;

b. the legal framework provides for local elections to be held on a rolling basis, resulting in a nearly constant state of campaigning for all stakeholders. In addition, the absence of a residency requirement for local elections, as per the 2020 Constitutional Court decision, raises concerns about the accuracy of voter lists and fuels recurring allegations of electoral tourism;

c. independent candidates are not allowed to stand in local elections, which is not in line with Congress Recommendation 476 (2022) “The situation of independent candidates in local and regional elections”;

d. local issues remained largely overshadowed by national ones and by the high involvement of national-level officials – sometimes leading the candidate lists without planning on accepting the mandate – and the elections were perceived as bargaining tools for national political negotiations, undermining local self-government in Montenegro;

e. challenges related to the independence and ownership of the media were significant, particularly regarding long-standing allegations of political and foreign influence on local election coverage;

f. women and youth continued to be largely under-represented in the media and also as heads of lists;

g. the election administration lacks transparency in handling complaints, notably at the level of the Constitutional Court, and the SEC has limited capacity to review lower-level decisions in local elections,

3. Debated and approved by the Chamber of Local Authorities and adopted by the Congress on 26 March 2025 (see document CPL(2025)48-05, explanatory memorandum), rapporteur: Randi MONDORF, Denmark (R, ILDG).

h. last but not least, political deadlocks at local and national levels have negatively impacted local self-government in Montenegro and most notably in the municipality of Šavnik where election results were never finalised despite nine rounds of voting between October and December 2022, effectively leaving the local council elected in 2018 in power.

3. In the light of the foregoing, the Congress:

a. undertakes to strengthen its political dialogue with the authorities of Montenegro, and in particular the Ministry of Public Administration, with the aim of improving the situation pertaining to local democracy and local elections in the country in the light of the provisions of the Charter and electoral standards;

b. invites the rapporteurs to update the Monitoring Committee regularly during its meetings on the latest developments as regards local democracy in Montenegro and, in particular, as regards the shortcomings identified in the recommendation and its explanatory memorandum, as well as in Congress Recommendation 506 (2024) “The Monitoring of the application of the European Charter of Local Self-Government in Montenegro”.

EXPLANATORY MEMORANDUM⁴

I. INTRODUCTION

1. Following an invitation by Ms Jelena BOROVINIĆ BOJOVIĆ, President of the City Assembly of Podgorica, received on 5 September 2024, the Congress of Local and Regional Authorities deployed an election observation mission to observe the City Assembly elections held on 29 September 2024 in Podgorica, Montenegro. These elections were called early by President Jakov MILATOVIĆ, following a vote by the City Assembly of Podgorica on 24 July 2024 to shorten its mandate and trigger new elections.
2. The Law in Montenegro grants both citizens and international election observers the right to observe all stages of the electoral process, upon accreditation delivered by the State Election Commission. The Congress was the only international observation mission to observe these elections and had not observed elections in Montenegro since 2002, before its independence.
3. A delegation composed of five Congress members, one expert and the Congress secretariat carried out an election observation mission from 26 to 30 September to observe the 2024 Podgorica elections. Ms Randi MONDORF (Denmark, R, ILDG) led the delegation. Prior to the election day, the delegation met representatives of the election administration, the Ministry of Public Administration, the Agency for the Prevention of Corruption as well as with representatives of political parties and candidates running in the elections. It also held exchange of views with members of the diplomatic corps, domestic elections observers and local NGOs as well as media representatives. The programme, composition of the delegation and deployment plan are appended to this report.
4. On the election day, four Congress teams were deployed and followed the electoral procedures in 55 polling stations, including the counting in four places. One team partly observed the handover of electoral material at the Municipal Election Commission.
5. The following report focuses specifically on issues arising out of exchanges during meetings held with Congress interlocutors in the context of the early municipal elections in Podgorica and on observations made on the election day. The Congress wishes to thank all of those who met with the delegation for their open and constructive dialogue.

II. POLITICAL CONTEXT

6. Montenegro is a republic with a mixed parliamentary-presidential system, where the President holds limited powers. It officially declared its independence from Serbia in 2006 following a referendum, cutting *de facto* its last ties to former Yugoslavia (1945-1991). The Constitution of Montenegro was adopted on 22 October 2007. Montenegro applied for EU membership in 2008 and started accession negotiations in 2012. In 2017, it joined the NATO, despite some domestic opposition and pressure from the Russian Federation. Montenegro is a multi-ethnic country, composed of Montenegrins (44,98 %), Serbs (28,73 %), Bosniaks (8.65 %), Albanians (4,9 %), Croats (0.97%) and Roma (1.1%).⁵ Congress interlocutors informed the delegation that Montenegro's national identity and views of historical relations with neighbouring Serbia continue to be polarising issues, including in local politics.
7. The first parliamentary elections in independent Montenegro were held in 2006. Since then, regular elections for the 81-seat unicameral parliament (*Skupština*) are held every four years and led to a first alternance in power following the 2020 parliamentary elections. The Democratic Party of Socialists (DPS), which had previously ruled the country since 1991, lost its majority and moved to the opposition. A short parliamentary majority of 41 members of parliament was formed by a broad coalition of political parties united in three big-tent political blocks: For the Future of Montenegro obtained 27 seats, Peace is our Nation- 10 seats, Black and White – 4 seats.⁶

⁴ Prepared with the contribution of Dr Alenka Verbole, Slovenia, member of the Congress Group of Independent Experts.

⁵ Statistical Office of Montenegro, [2011 Census](#). The delegation was made aware that there is no reliable data on the Roma community and that the Roma community does not have any specific representation rights, unlike the Croats, which does not provide this community with enough opportunities to participate in local democratic processes in Montenegro.

⁶ For the Future of Montenegro is a conservative coalition gathering many parties including the Socialist People's Party (SNP), United Montenegro (UCG), Workers' Party (RP), the Democratic Front (DF) and others. "Peace is our Nation" was a coalition of pro-EU, moderate parties including the Democrats, Demos and the New Left. Black and White was a progressive pro-EU coalition

8. The three opposition blocks agreed to build a coalition to usher in political alternance, while being affected by internal divisions and important ideological differences. Political tensions thus quickly emerged leading to two governments being voted out in February and August 2022.⁷ The Europe Now Movement (PES) was founded in June 2022 by former ministers Jakov MILATOVIĆ and Milojko SPAJIC (now respectively the President and the Prime Minister) and quickly emerged as a key political force of the ruling coalition. A caretaker government carried out its duties with limited accountability, due to the inability of the political system to form a new government or proceed to early elections.⁸ In April 2023, Jakov MILATOVIĆ, the candidate supported by the new ruling coalition parties, won the presidential elections against Milo ĐUKANOVIĆ (DPS), the incumbent President and previously long-time Prime Minister. Early parliamentary elections were called in June 2023 by outgoing President ĐUKANOVIĆ, which saw the victory of the members of the ruling coalition.⁹

9. The shifting political landscapes at national level also had significant impact on the 2022 local elections in Montenegro and in particular in Podgorica, the political, administrative and economic centre of the country. Elections for the City Assembly of Podgorica were held on 23 October 2022. Until 2022, Podgorica had been continuously managed for 24 years by the DPS. Eight entities contested for 58 seats, with a 3% vote threshold required to win seats. The 2022 local elections in Podgorica were marked by a high turnout of 69.3%. In total, the DPS-coalition (incumbent) won 24 seats, PES 13, For the Future of Podgorica 11, the Democrats-led coalition six, and the alliance led by the civic movement United Reform Action (URA) gained four seats. Of the 58 elected councillors, one represented the Bosniak minority, and one the Albanian one and 22 councillors were women.

10. Following the elections, the PES formed a ruling coalition with For the Future of Podgorica and other local councillors from URA. Ms Olivera INJAC (PES), former Minister of Defence (December 2020- April 2022) was elected the first female Mayor of Podgorica with the support of the ruling coalition and Ms Jelena BOROVINIĆ BOJOVIĆ (For the Future of Podgorica) was elected President of the City Assembly. However, seat allocation was delayed until March 2023 due to pending appeals to the Constitutional Court, which could not be adjudicated as the Court lacked the quorum to make decisions.

11. Against this backdrop of political alternance and protracted institutional and constitutional crisis, the alliance between President MILATOVIĆ and PM SPAJIC eroded. In October 2023, open political disagreement erupted between the two PES founders and President MILATOVIĆ officially left the party in February 2024 and founded the Movement for Podgorica. With his departure, the PES-led coalition lost some councillors in the City Assembly of Podgorica along with some other councillors who had progressively switched to the opposition since 2022. PES and allies, the largest political group following the 2022 elections, had no longer enough councillors to secure a majority.

12. On 24 July 2024, the City Assembly voted to shorten its mandate, so that extraordinary local elections could be held in Podgorica. Councillors who initiated the proposal were mainly from the current opposition parties Democratic Party of Socialists (DPS), Social Democrats and Liberal Party. They were also supported by the URA, as well as the PES faction loyal to President MILATOVIĆ, gathered in the Movement for Podgorica.¹⁰ Out of 58 councillors, one voted against the dissolution and 31 voted in favour.¹¹ The move was decried as unrelated to the development of the city by the ruling coalition, which boycotted the vote.

launched by the civic movement URA and joined by the European Greens and other smaller groups. Kajosevic, S. "[Political Wrangling Delays Formation of New Montenegro Govt](#)", *Balkan Insight*, 26 October 2020.

7 Freedom House (2023), "[Nations in Transit - Montenegro](#)".

8 European Commission, "[Commission Staff Working Document Montenegro 2023 Report Accompanying the document Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 2023 Communication on EU Enlargement policy](#)", 8 November 2023.

9 The following parties/political coalitions won seats in parliament: Europe Now Movement (25,53%, 24 seats), the Coalition "Together", led by the Democratic Party of Socialists (23,22%, 21 seats), the Coalition "For the Future of Montenegro" (14,74%, 13 seats), the Coalition "It Counts Bravely" - Democratic Montenegro and Civic Movement URA (12,48%, 11 seats), Bosniak Party (7,08%, 6 seats), Coalition Socialist People's Party and Demos (3,13%, 2 seats), The Albanian Forum (1,91%, 2 seats), Albanian Alliance (1,49%, 1 seat), Croatian Civic Initiative (0,74%, 1 seat). European Union, "[Montenegro - 1.4 Political and economic situation](#)", *Eurydice*, 14 March 2024.

10 Matijašević B. "[Savnica scenario](#)" could repeat itself - local elections in one day would solve many problems" *Vijesti*, 29 September 2024 (in Montenegrin).

11 Radio Slobodna Europa, "[The citizens of Podgorica are going to the polls on September 29](#)", 27 July 2024 (in Montenegrin).

13. Congress interlocutors stressed that the 2024 local elections in Podgorica were seen as a test for the ruling coalition and that holding early elections for the Assembly of Montenegro depended on the results of the 2024 local elections, a situation very similar to the 2022 elections. 2024 was also a busy electoral year as several local elections were held in Montenegro, in addition to Podgorica. Local elections were held on the same day in Kotor. On 26 May 2024, early local elections were held in Budva, on 2 June in Andrijevica and on 15 September in Gusinje. The winning lists in the elections for Budva were unable to agree on a post-election coalition, and new elections were held on 17 November. Some Congress interlocutors also believed that the situation was characteristic of a clientelist and polarised approach to local politics, where consensus is hard to reach. They perceived the recent political deadlocks and related local dissolutions to have further eroded public interest in local democracy.

III. ADMINISTRATIVE STRUCTURE OF LOCAL GOVERNANCE

14. Montenegro is a unitary state with a single level of local self-government. 25 local self-government units are established, including 23 municipalities plus the capital city Podgorica and the former royal capital Cetinje. The 2007 Montenegrin Constitution¹² enshrined the autonomy of local governments, stating that municipalities are identified as the basic form of local self-government having autonomy in the performance of their duties. (Article 22). The applicable framework consists of the revised 2010 Law on Local self-government¹³ (amended in 2020) (LSG) and the 2019 Law on Local self-government financing, the 2005 Law on the Administrative capital (amended in 2022), and the 2007 Law on Gender equality.

15. According to the legal framework, all municipalities have the same competences, the same institutional structure and, in principle, the same sources of revenue. Only the historical royal capital Cetinje and the administrative Capital Podgorica have a slightly different status. Municipalities are also able to compose their own budgets and are financed from both their own resources and those of the State.

16. The Law on the Administrative capital established the status of the City of Podgorica. It gives the city the exclusive right to create an urban municipality as a local administration of its own – “the City municipality” – and to exercise some self-governing rights. The administrative structure of Podgorica includes the directly elected City Assembly, the indirectly elected mayor and various municipal departments and agencies responsible for different aspects of city governance.¹⁴ The competencies of local self-government in Podgorica are wide and encompass urban planning, local economic development, public transport, social services, primary education, and cultural activities.¹⁵

17. The City Assembly of Podgorica is the legislative body of the municipality of Podgorica (*Skupština glavnog grada Podgorica*) and its members are elected every four years. Before the 2024 elections, the City Assembly had 58 elected representatives. The number of councillors was revised, and the 2024 convocation of the City Assembly consists of 59 councillors (30 councillors plus one for every 5 000 voters).¹⁶ As indicated in Article 45 of the LSG Law, the City Assembly adopts and enacts local regulations, approves the budget, adopts basic plans and programmes and oversees the mayor's activities. The Assembly elects its president among its councillors and appoints a secretary for further administrative tasks (Article 55, LSG Law).¹⁷ The Assembly's decisions are therefore key for local governance and development projects.

18. The mayor is the executive head of the municipality, responsible for implementing local policies, managing the city's administration, and representing the city both domestically and internationally. He/she is elected by simple majority by the members of the City Assembly of Podgorica for a period of four years (Article 56, LSG Law), thus indirectly by the voters, and can be a member of the City Assembly him/herself or not. The mayor also appoints the deputy mayor and the chief administrator

12 Parliament of Montenegro, [Constitution of the Republic of Montenegro](#), 2007.

13 Paragraph.Me, [Law on Local self-government](#) (updated in 2021).

14 The Constitution and the Law on Local Self-Government (LSG Law) prescribe that two municipal authorities need to be established, namely: the Municipal assembly as the “representative body” and the mayor – or “president of municipality” – as the “executive body” (Article 41 LSG Law).

15 The Capital City of Podgorica, [“Internal Organisation”](#) (consulted in January 2025).

16 International Institute for Middle East and Balkan Studies [“Montenegro 2022: Local elections - the unfolding of a political crisis?”](#), 21 October 2022.

17 Congress, [“CPL\(2024\)46-03, Monitoring of the application of the European Charter of Local Self- Government in Montenegro”](#), 27 March 2024

(both with the consent of the municipal assembly) as well as the chiefs of local administration bodies, vocational and other services, directors/managers of agencies. In certain circumstances and subject to strict conditions, the mayor can pass acts on behalf of the City Assembly (Article 58 LSG Law).¹⁸

19. The administration of Podgorica, like other municipalities in Montenegro, was significantly affected by the crisis of the Constitutional Court. The Court is responsible for handling complaints regarding violations of individual voting rights. Several such complaints were submitted following the 2022 elections, delaying the assumption of office for councillors elected in October 2022 until March 2023. Indeed, appointments of new Constitutional judges were delayed due to the lack of political agreement in parliament, leaving the Constitutional Court without a quorum between 13 September 2022 and 27 February 2023. Important appeals, including on the Podgorica results remained *de facto* pending for six months. Political instability was therefore noted as a key challenge for local government's functioning and delivery of public services. Some interlocutors from the ruling coalition expressed their disappointment over the fact that, between receiving their mandates in March 2023 and the shortening of the Assembly's mandate in July 2024, they had only governed the municipality for slightly over a year. They regretted that, overall, the current organisation of local self-government did not provide enough stability, created long periods of caretaker governments and was too polarised for efficiently delivering public services.

20. Most Congress interlocutors expressed concern over the slow progress of the reform of the local self-government system and of the decentralisation process. While the Ministry of Public Administration submitted initiatives to the Parliament of Montenegro and the Committee for Comprehensive Electoral Reform and prepared a draft law on local self-government, progress on these reforms stalled by lack of political consensus. Interlocutors also drew attention to the overall trend towards recentralisation of local competencies. The delegation was informed that the future reform would integrate the direct election of mayor, to avoid political deadlocks, and would envisage holding all local elections on the same day, to facilitate the organisation and oversight over the electoral process.¹⁹

21. In addition to issues related to Podgorica, the delegation was informed in preliminary meetings of other concerning situations related to local elections in Montenegro. In Budva, the mayor elected in the 2022 elections was arrested due to a case of drug trafficking but was allowed to run the municipality from prison. Elections were re-run in Budva in May 2024, to no avail.²⁰ This exceptional situation raised important concerns on the probity of some local representatives. The delegation was also informed of the grey area and legal disputes on MPs refusing to give up their mayoral seat, in Nikšić in particular, despite a June 2024 amendment to the Law on Prevention of the corruption providing for the incompatibility of these two mandates.²¹

22. Congress interlocutors also mentioned the electoral crisis in the municipality of Šavnik and feared that the current polarisation of local politics could lead to similar scenarios.²² Indeed, election results could not be finalised despite nine rounds of voting between October and December 2022, preventing the determination of the municipal assembly results in Šavnik. This problem was caused by polling station commissions, allegedly from "For the Future" refusing the right to vote to newly registered voters that they suspected were fraudulently registered by the DPS. This extraordinary situation created a legal grey area, as the Šavnik Municipal Assembly, elected in 2018, continues to govern despite the

18 Congress, CPL(2024)46-03, *Op.cit.*

19 Some interlocutors also expressed concern about dual mandates as some elected representatives serve in more than one elected public position simultaneously leading to the conflict of interests or these politicians benefitting from the immunity clause of being MP, protecting them from corruption probes at local levels. See Rudovic M. ["The prosecution's request to lift immunity has been pending in the Parliament of Montenegro for months"](#), *Radio Slobodna Europa*, 27 January 2025.

20 Since 2014, Budva Municipality has suffered from many scandals, with several past mayors being dismissed due to corruption or drug trafficking investigations. See Kajosevic S. ["Montenegrin Resort's Mayor Arrested on Suspicion of Drug Trafficking"](#), *Balkan Insight*, 25 April 2023.

21 The Agency for the Prevention of Corruption ruled in January 2025 that Marko Kovačević, the Mayor of Nikšić, violated the law by simultaneously holding the position of MP and mayor, and failing to resign from one of the roles within the required 30 days. While some other mayors, like the president of the municipality of Bar, Dušan Raičević, complied with the APC decisions on this matter, other cases are still pending. The new APC leadership annulled previous decisions that had allowed similar dual roles and warned that violations could result in fines ranging from 500 to 2 000 euros. Marko Kovačević, also under scrutiny for cases of hate speech, has refused to comply so far alleging that his case had already been reviewed in 2023 and that the law could not be applied retroactively. See Matijašević B. ["ASK: Kovačević broke the law, he cannot be both mayor and MP"](#) *Vijesti*, 22 January 2025.

22 This issue had already been noted by Congress Monitoring Co-rapporteurs in the most recent Monitoring report. Congress (2024), [Recommendation 506\(2024\) on the Monitoring of the application of the European Charter of Local Self-Government in Montenegro](#).

law clearly limiting mandates to four years. The State Election Commission has released more than 150 decisions to push the Municipal Election Commission to hold elections, but the MEC has been unable to reach a consensus since. In March 2024, the government envisaged placing Šavnik municipality under its administration but withdrew this proposal during the negotiations on electoral reform, which have stalled since.²³

23. The Congress delegation refers to Congress Recommendation 506 (2024) on the Monitoring of the application of the European Charter of Local Self-Government in Montenegro and its explanatory memorandum, for a more in-depth analysis of local self-government in the country.²⁴ The delegation regretted that the current situation created many challenges for local governance and not only in Podgorica. It recommends continuing the discussions on comprehensive electoral and local self-government reform, including to establish one unique election day throughout the country and taking steps to enhance local-level probity. In parallel, the Congress delegation noted with concern that the political deadlocks at local and national levels have negatively impacted local self-government in Montenegro and most notably in the municipality of Šavnik where election results were never finalised despite nine rounds of voting between October and December 2022, effectively leaving the local council elected in 2018 in power. It called on the authorities to urgently organise new elections in Šavnik in order for the composition of the local council to reflect the will of the voters.

IV. INTERNAL AND INTERNATIONAL NORMATIVE FRAMEWORK

1. Domestic legal framework and electoral system

24. The legal framework applicable to elections in Montenegro remains uncoded and relies on several pieces of legislation and ad-hoc regulations. Local elections are regulated by the 2007 Constitution and the 2014 Law on the Election of Councillors and Members of Parliament (Election Law),²⁵ applicable to both local and national elections. Other aspects of the electoral process are regulated by the 2020 Law on Financing of Political Entities and Electoral Campaign,²⁶ 2014 Law on Voters List,²⁷ 2004 Law on Political Parties, 2008 Law on Registration of Residence and Temporary Residence,²⁸ the Law on Public Administration and the State Election Commission (SEC) and Podgorica Municipal Election Commission bylaws and instructions.

25. The legal framework for elections provides a sufficient foundation for holding democratic elections at local level, despite important inconsistencies and vagueness that weaken its overall effectiveness. The 2014 Election Law amendments introduced a voter identification device, positive discrimination for minority parties and a stronger protection of gender quotas. However, concerns on fairness, particularly issues of gerrymandering, and political influence, remained noted in past local elections. In 2019, a draft electoral law, on which the Venice Commission released an urgent opinion, was presented but later abandoned due to political alternance at national level.²⁹

26. Numerous Congress interlocutors as well as the 2024 European Commission report stated that the electoral framework requires an urgent and comprehensive revision. Parliamentary discussions have been held on this matter to no avail so far by lack of political will.³⁰ Progress has been slow since the first session of the Parliamentary Committee for Comprehensive Electoral Reform held in April 2021.³¹ The fifth and most recent session was held in June 2024, but no legislative proposal was put forward. With the Committee's mandate expiring on 31 December 2024, some interlocutors doubted

23 See Dragas N. Turovic A. "[Will the 2018 parliament elect the Mayor of the Municipality? A new legal and political absurdity looms in Šavnik](#)" *Vijesti*, 31 January 2025.

24 Congress, Recommendation 506(2024), *Ibid*.

25 State Election Commission website, [Law on election of councillors and members of parliament of Montenegro](#) (2020).

26 Agency for the Prevention of Corruption Website, [Law on Financing of Political Entities and Electoral Campaigns](#), 17 June 2020.

27 Podgorica Municipal Election Commission Website, [Law on Voters List](#), as amended in 2020 (in Montenegrin).

28 Government of Montenegro Website, [Law on Registration of Residence and Temporary Residence](#), as amended in 2022 (in Montenegrin).

29 Venice Commission (2020), "[CDL-AD\(2020\)026-e Montenegro - Urgent joint opinion on the draft law on elections of members of parliament and councillors](#)".

30 European Commission, "[Commission Staff Working Document Montenegro 2024 Report](#)", 30 October 2024.

31 Parliament of Montenegro, "[The First Session of the Committee for Comprehensive Electoral Reform Held](#)", 14 April 2021 (in Montenegrin).

that a text would be put forward by the end of its mandate.³² The work of the Committee has been seriously hampered by political divisions including opposition parties abstaining from participation in the past.³³ The Committee includes also five representatives of NGOs and the academic community.³⁴ Despite expectations that the 2020 political alternance would result in the long-awaited electoral reform, the process has stalled in spite of the law being crucial for EU accession. In the context of the 2023 elections, the OSCE/ODIHR noted that “long-standing ODIHR recommendations remain unaddressed, including those pertaining to undue restrictions on voting and candidacy rights, mechanisms of dispute resolution, and oversight of campaign finances and media.”³⁵

27. As amendments to the electoral framework and the Constitution require a two-third majority in parliament, no comprehensive reform has been tabled since 2014. Only the Law on Financing Political Entities and Electoral Campaign was amended in 2020 but would require further amendments. In October 2024, the OSCE/ODIHR provided a final opinion on this specific law and identified areas requiring attention especially with respect to third party financing, the regulation of in-kind support, and ineffective sanction mechanisms.³⁶ It also pointed out the need to reassess the balance between public and private funding to ensure that the system of public funding for both statutory and campaign-related activities of political parties did not unduly advantage larger, established parties at the expense of smaller or newer political parties. It drew attention to the possible overlaps and incoherence with other legislation. Last but not least, it called for integration of gender aspects throughout the public funding mechanisms envisaged by the law to better reflect the constitutional principle of equality between women and men and to promote and enhance the participation of women in political life.

28. NGOs involved in the Parliamentary Committee have also made several recommendations for future reform based on their observations.³⁷ For the Center for Democratic Transition, recommendations focus on voter registration and protection of electoral rights during election and in the post-election period, on decision-making processes by election commissions (including on complaints and appeals) as well as method for determining facts and rules of evidence, and the right to lodge an objection via proxy. For the CEMI, another NGO involved in the Committee, the urgency is to restart constructive dialogue and negotiations through the Committee on Comprehensive Electoral Reform on the basis of OSCE/ODIHR recommendations and to ensure expert and public debate are held to avoid inconsistencies in the future legislation.³⁸

29. The Congress delegation noted with concern that the current legal framework governing local elections is fragmented across different texts and is very complex, with vagueness and loopholes negatively affecting its readability. It also observed a lack of political will to reform the electoral framework.

30. It invites the authorities to urgently recommit to the work of the Parliamentary Committee for Comprehensive Electoral Reform and to pursue constructive and open dialogue about local self-government reform and the adoption of a harmonised legal framework to address some legal gaps related to local elections, including on the dual mandate of elected officials, election dispute resolution, residence requirements, competencies of EMBs and voting procedures.

2. International legal framework

31. The rights of citizens to vote – and to stand in elections – at periodic, genuine democratic elections are internationally recognised human rights, as stated in Article 21 of the Universal Declaration of Human Rights, which provides that: “Everyone has the right to take part in the government of his country, directly or through freely chosen representatives [...]. The will of the people shall be the basis

32 Parliament of Montenegro, [“The Fifth Session of the Committee for Comprehensive Electoral Reform Held”](#), 20 June 2024 (in Montenegro).

33 ADRIA [“Meeting of the Co-Chairs of the Committee for Comprehensive Electoral Reform with the EU Delegation to Montenegro held”](#), 16 October 2024 (in Montenegro).

34 Parliament of Montenegro, [“Committee for Comprehensive Electoral Reform: Public call for the election of three associate members from the non-governmental sector”](#), 26 January 2024 (in Montenegro).

35 OSCE/ODIHR, Montenegro, [Presidential Election, 19 March and 2 April 2023: Final Report](#), 11 December 2023.

36 OSCE/ODIHR (2024), [“Montenegro: Final Opinion on the Law of Montenegro on Financing of Political Entities and Election Campaign”](#).

37 Center for Democratic Transition (2024), [“Legal Redress in Electoral Law”](#).

38 Vujovic Z. (ed.), [“Electoral Reform in Montenegro - Recommendations for Improvement”](#), Centre for Monitoring and Research (CEMI), 25 March 2024.

of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures".³⁹

32. Article 25 of the United Nations Covenant on Civil and Political Rights (ICCPR) also provides for the right to vote and stand in elections: "Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in Article 2 and without unreasonable restrictions: (a) To take part in the conduct of public affairs, directly or through freely chosen representatives; (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors".⁴⁰

33. At European level, the right of all citizens to free elections is guaranteed by Article 3 of the Protocol No. 1 to the European Convention on Human Rights (ECHR)⁴¹ : "The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature".

34. With respect to local and regional elections, Article 3.2 of the European Charter of Local Self-Government⁴², ratified by the Montenegro in 2008, sets out that local self-government shall be: "exercised by councils or assemblies composed of members freely elected by secret ballot on the basis of direct, equal, universal suffrage, and which may possess executive organs responsible to them". The citizens' rights to exercise their democratic choice is the foundation of political participation at local and regional levels. This principle is also enshrined in the preamble to the Additional Protocol to the European Charter of Local Self-government on the right to participate in the affairs of a local authority,⁴³ ratified by Montenegro in 2012.

35. In addition to the above-mentioned international treaties, soft law instruments also guide Congress observation missions including Congress Resolution 306 (2010) on the Observation of Local and Regional Elections⁴⁴ and Resolution 274 (2008) on the Congress Policy in observing local and regional elections⁴⁵ as well as the Venice Commission's Code of Good Practice in Electoral Matters, which specifies guidelines on the five principles underlying Europe's electoral heritage, namely "universal, equal, free, secret and direct suffrage".⁴⁶

36. Specifically on election observation, the Congress also refers to Article 8 of 1990 the Copenhagen document which provides that: "The participating States consider that the presence of observers, both foreign and domestic, can enhance the electoral process for States in which elections are taking place. They therefore invite observers from any other Conference on Security and Co-operation in Europe (CSCE) participating States and any appropriate private institutions and organizations who may wish to do so to observe the course of their national election proceedings, to the extent permitted by law. They will also endeavour to facilitate similar access for election proceedings held below the national level".⁴⁷

37. Genuine elections to establish democratic governance cannot be achieved without rule of law and unless a wide range of other human rights and fundamental freedoms are guaranteed without discrimination. Consequently, the conclusions of observation reports are also informed by issue-specific resolutions, recommendations, and opinions adopted by the Congress and the Venice Commission which each address different aspects of the electoral process. The Congress specifically addressed the following subjects through the adoption of transversal reports on: electoral lists and voters residing abroad, criteria for standing in elections, the use of administrative resources, local voting rights, elections during crisis situations, and the situation of independent and opposition candidates.⁴⁸ The

39 [Universal Declaration of Human Rights](#) (1948).

40 United Nations General Assembly (1966), [The International Covenant on Civil and Political Rights](#).

41 Council of Europe (1952), "[Protocol No. 1 to the European Convention on Human Rights](#) (CETS No 009)".

42 Congress (1985), "[European Charter of Local Self-Government](#) (CETS No 122)".

43 Congress (2009), "[Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority](#)" (CETS No. 207)

44 Congress (2010), [Resolution 306](#) "Observation of local and regional elections – strategy and rules of the Congress"

45 Congress (2008), [Resolution 274](#) "Congress policy in observing local and regional elections"

46 Venice Commission (2002), [Code of Good Practice in Electoral Matters](#).

47 OSCE/ODIHR (1990), [Copenhagen Document](#).

48 All Congress transversal reports, resolutions and recommendations in the field of elections are available at <https://www.coe.int/en/web/congress/transversal-reports-local-and-regional-elections>.

Congress also incorporates the thematic work of the Venice Commission into its reports, notably their standards concerning inter alia the use of technology, campaigns, dispute resolution, gender representation, persons with disabilities, national minorities, electoral systems, and the media.⁴⁹

V. ELECTORAL SYSTEM

38. As prescribed by the Election Law, regular local elections in Montenegro are held every four years to elect local councils (*Skupština Opštine*), with councillors chosen by proportional representation on closed candidate lists without the possibility of preferential voting. Article 38 states that candidates can run on list supported by parties, coalitions or groups of voters. While non-party affiliated lists are accepted, independent candidates are not allowed to stand in elections, which is not in line with Congress Recommendation 476(2022) on the situation of independent candidates. Elections are based on universal suffrage and all citizens over 18 have the right to vote and run for office. There is no common election day at local level in Montenegro and municipalities vote on different days on a rolling basis. Montenegro's local elections are usually characterised by a high voter turnout out, on average amounting to 65%.

39. For elections to the City Assembly of Podgorica, the municipality constitutes a single electoral district. The number of councillors can vary depending on the population size of the municipality (Election Law, article 3). Consequently, the number of seats available in the 2024 Podgorica elections was increased from 58 to 59. Voters in Podgorica determine the composition of the City Assembly, which in turn elects the mayor, who is thus indirectly elected by the voters. Only parties that reach an electoral threshold of 3% of the votes can gain seats in the City Assembly (Election Law, article 94).

40. In the case of extraordinary elections, according to the legislation, the President of Montenegro calls for extraordinary elections on the day after the dissolution of the City Assembly, i.e., the day after the entry into force of the decision to shorten the mandate. Elections must be held no earlier than 60 and no later than 100 days from the day of the announcement. For the 2024 elections, President MILATOVIĆ called the elections on 25 July, following the decision of the City Assembly to dissolve on 24 July.

41. Women in Montenegrin local politics still face challenges that limit their full participation.⁵⁰ The 2014 reform of the Election Law introduced a gender quota, requiring that at least 30% of candidates on each list (and one every four candidates) be of the less represented gender. It also established that when the term of a councillor from the less represented gender ends, the first next candidate on the list from the less-represented gender will be selected as a replacement. With the amendments to the Law on Financing Political Entities and Electoral Campaigns, measures were introduced for the first time to finance the political work of women's organisations/forums of political parties. According to Article 14, funding for the regular activities of women's organisations or forums within parliamentary political entities is set at 0.05% of the entity's total planned budget, while at the local level, it amounts to 0.11% of the adopted budget for the given year. These funds are paid into special sub-accounts of women's political organisations. Congress interlocutors expressed scepticism on the actual use of these funds to support the representation of women, as there is no oversight on these activities.

42. The D'Hondt method is used to distribute seats in local elections with a 3% threshold to participate in seat allocation. Minority parties must reach a 0.5% threshold (Election Law, article 94).⁵¹ The method tends to favour larger parties slightly more than smaller ones. This system encourages coalition-building, particularly in municipalities where no single party wins a majority, but such coalitions have been difficult to establish due to polarisation at all levels of government in Montenegro.

43. According to Congress interlocutors, a proposal has been put forward by the Ministry of Public Administration to hold all local elections on the same day to limit electoral tourism and to avoid electoral contestants, voters and the election administration alike being constantly in the middle of an electoral

49 All Venice Commission standards are available at https://www.venice.coe.int/WebForms/pages/?p=01_01_Coe_electoral_standards.

50 UNDP Montenegro (2023), "[Yesterday, Today, Tomorrow: 80 Years of the Struggle for Women's Rights in Montenegro](#)".

51 The D'Hondt method works as follows:

- The total number of votes each list receives is recorded.
- The number of votes for each list is divided by a series of divisors (1, 2, 3, 4, etc.) to create a table of quotients.
- The available seats are allocated to the lists that have the highest quotients. This process continues until all seats are distributed.

cycle. Some Congress interlocutors also expressed the hope to see succeed the second proposal of the Ministry of Public Administration to change the current electoral system to a direct election of mayor. These interlocutors perceived that such system could prevent that political deadlocks in the local assemblies jeopardise the day-to-day management of the municipality and would give a clearer mandate to the local executive. The Congress delegation pointed out that such change must be made through open dialogue and large consultations, in particular with local self-government themselves, to fully assess potential consequences of this proposal.

44. The Congress delegation noted with satisfaction the efforts of the Ministry of Public Administration to advance discussions on local self-government and electoral reform but regretted the lack of political will on these matters. Despite member States and local authorities having a large margin of appreciation to organise their local elections, the delegation noted that the current legal framework provides for local elections to be held on a rolling basis resulting in a nearly constant state of campaigning at national and local levels for all stakeholders. It agrees that holding all local elections on one single day could reduce opportunities for fraud, decrease costs and increase oversight and transparency. It therefore recommends taking steps to hold all local elections on the same day to reduce administrative burden and fraudulent registrations of voters.

45. In addition, as no such provisions exist in the legal framework, the Congress delegation recommends enabling independent candidates to take part in local elections, in line with Congress Recommendation 476(2022) on the situation of independent candidates in local and regional elections.

VI. ELECTION ADMINISTRATION

46. The administration for elections in Podgorica follows a three-tier structure. It is overseen by the State Election Commission (SEC) at the highest level, followed by the Podgorica Municipal Election Commission (MEC) at the second level, and by 212 Polling Boards (PBs) at the third level. During the elections, permanent composition of election commissions is extended with one authorised representative per electoral list allowed to participate in the meetings.

State Election Commission (SEC)

47. The SEC is a permanent body composed of 11 members with four-year mandates. The permanent composition of SEC comprises a chairperson and ten members. The chairperson must be independent and is appointed by parliament following a public call. Of the remaining ten members, four are nominated by the parliamentary majority, four by the parliamentary opposition, one by the national minority group which received the highest number of votes in the previous parliamentary elections and one by civil society or academia.⁵²

48. The SEC oversees the conduct of elections at all levels. It is responsible for ensuring the legality and transparency of the electoral process and it provides guidelines and supervises election activities, ensuring compliance with the law.

49. The SEC handles the legal conduct of elections and uniform application of the provisions of the legislation, monitors the application and gives opinions regarding the application of the legislation, coordinates and supervises the work of MECs, establishes uniform standards for election material, prescribes the manner of announcing election lists, determines the manner of handling and storage of election materials and publicly announces the number of voters, by municipality and by polling station (Election Law, article 32).

50. In local elections, the role of the SEC is relatively limited as the MECs are primarily responsible for the conduct of local elections. However, the SEC informed the Head of delegation that the institution could be asked for advice or opinions by the MEC of Podgorica but cannot control ex-officio some of the decisions of the MEC, even if errors can be made. For instance, while it was not the case in Podgorica this time, the SEC cannot control if registration of lists is made in accordance with the gender quota, or in Šavnik, the SEC could not order the MEC to reorganise elections, despite more than 150 decisions issued on this matter. In parallel, due to the complexity of the task, the SEC was also

⁵² The addition of the "civil society member" in 2016 was welcomed as a step towards more transparency and impartial work of the SEC.

responsible to organise the vote in detention facilities. It also handled the accreditation of observers and limited voter education.

Municipal Election Commission (MEC)

51. For local elections in Podgorica, the Municipal Election Commission of Podgorica is the primary body responsible for the administration of the electoral process. It oversees the work of polling stations and manages the tabulation of votes and announcement of results.

52. The Podgorica MEC, similarly, to other MECs, is composed of five members appointed by the City Assembly for a four-year term: a chairperson plus four permanent members reflecting the results of the last municipal elections. The formula for the nomination of MECs and PBs chairpersons and other members aims to provide a level of political balance in their composition in each municipality. The MEC chairperson is appointed by the party or coalition that won most votes in the local elections, two members are appointed by the majority in the respective local council and two by the biggest minority parties/coalitions. The secretary is appointed by the strongest opposition party.⁵³ The extended composition includes one authorised representative of each political contestant.

53. The current chairperson of the MEC, Mr Vladimir Filipović, was appointed on 2 August 2024. Indeed, the Podgorica MEC was confronted with a serious staffing challenge, as the former chairperson resigned in July 2024 and her deputy had resigned in November 2023, *de facto* leaving the MEC ineffective. Several other resignations of MEC members occurred in 2023. Therefore, on 2 August 2024, Ms Jelena BOROVINIĆ BOJOVIĆ, President of the City Assembly, had to replace four members of the MEC by decree, despite the elections being already called a week prior. At the time, the Centre for Democratic Transition (CDT) expressed concern about the functioning of the MEC and possible legal challenges to the election process.⁵⁴

54. While most interlocutors were confident that both the SEC and MEC would perform their tasks professionally on election day, a limited number of Congress interlocutors questioned the composition and independence of the SEC, due to past decisions they perceived as biased, but also due to the ineffectiveness and political blockages of the Podgorica MEC before the elections.⁵⁵

55. MECs work publicly and must publish all decisions online including all acts and information of election administration significance, as well as interim and final voting results at every polling station (Election Law, article 27). The MEC of Podgorica respected this practice and published decisions in a timely manner. Some interlocutors regretted however the lack of staff and resources, leaving little space for voter education. They also regretted that the software used to verify support signatures in the last national elections was not deployed for these elections by the MEC, due to a lack of budget.

Polling Boards (PBs)

56. On election day, 212 Polling Boards were tasked with opening, voting and counting procedures. PBs are composed of five members and their appointment procedure is similar to the one for MEC members, except for the chairpersons. Each political party/coalition represented in the City Assembly receives a number of PB chairpersons proportional to their number of seats in the City Assembly.⁵⁶ The extended composition also includes one authorised representative of each political contestant, but many contestants did not manage to appoint party representatives. The MEC decides 15 days before the election day which contestants can nominate members of the PBs and all members must then be

53 OSCE/ODIHR, Montenegro, [Presidential Election, 19 March and 2 April 2023: Final Report](#), 11 December 2023 and Center for Democratic Transition, ["We call for the urgent election of a new chair and deputy chair of the CCEC and a new composition of the SEC"](#) 1 August 2024.

54 Center for Democratic Transition, *Ibid.*

55 One such decision revolved around the decision to prevent PM Milojk Spajić from running in the 2023 presidential elections and was mentioned a few times by Congress interlocutors.

56 On 14 September, the Podgorica MEC indicated that 18 parties would participate in the lottery to appoint PB chairpersons, with the DPS getting the highest number (62), followed by PES (47). On 16 September, the Podgorica MEC indicated that, based on the results of the 2022 elections, the following four parties had qualified to appoint the remaining members: Europe Now Movement, DPS, Social democratic Party and New Serb Democracy. Podgorica Municipal Election Commission, ["Report on the drawing of lotteries for the presidents of polling committees in the territory of the capital city of Podgorica for the local elections to be held on 29.09.2024"](#), 14 September 2024 and ["Decision on determining the permanent composition of electoral committees"](#), 16 September 2024 (in Montenegrin).

nominated maximum 10 days before the election day.⁵⁷ Consequently, the DPS benefited from being the strongest party and, at the same time, the biggest opposition party, thus obtaining a significant majority of chairpersons, secretaries and members of lower-level commissions (see below). Furthermore, some political actors challenged this rule, having left their 2022 coalition/party, and therefore not being represented in PBs. The MEC submitted a request for advice to the SEC on this matter. The SEC ruled that the MEC had to strictly adhere to the results of the 2022 elections to allocate seats on electoral boards.⁵⁸

57. The Podgorica MEC informed the Congress delegation that trainings for PB members were not compulsory and, despite holding three days of training sessions close to the election day (25-27 September), the training sessions were not well attended, as political parties provided their own training materials. It also deplored that parties encountered difficulties in the appointments of PB members, suggesting the stipend for the day was too low and that it was difficult to motivate potential members. The MEC chairperson regretted that party-appointed members could be changed up until 12 hours before the election day. On 28 September, the eve of the election day, the Podgorica MEC released the final composition of the 212 polling boards, which had been modified in 149 cases up until 28 September and 63 cases until 25 September. On the final composition of polling stations (chairpersons included), 274 members were appointed by the DPS, 259 by the PES, 219 by Social democratic party and 226 by the New Serb Democracy, 14 by the Democrats, 11 by URA and 30 by smaller parties which were part of different political alliances at the time of the 2022 elections.⁵⁹ On 28 September, the Podgorica MEC also released a decision on the party appointed representatives in the extended composition of PBs (one per contestant). In 175/212 polling boards, party representatives had been changed up until 28 September. In case a party failed to submit a name before that deadline, the MEC chairperson informed the delegation that they could then nominate replacements on a voluntary basis, but did not have access to a pre-trained pool of civil servants to facilitate this task.

58. Overall, Congress interlocutors did not express concern on the work of the SEC and its role remained relatively limited during local elections. Some interlocutors regretted the politicisation of the lower levels of the election administration, the last-minute changes in commissioners by political parties (leading to absences on election day and/or lack of training) and feared some interference or interruption of the voting/counting procedures in cases of disagreements, as had happened in Šavnik/Kruševica in the 2022 elections (see above). In addition, the absence of final oversight of the election administration on voter registers (only the Ministry of Interior is allowed to make changes) was noted as a potential source of tensions.

59. The delegation welcomed that the City Assembly reacted in a prompt manner to the issue of the staffing of the MEC and noted that this initial issue did not further impact the work of the MEC. It shared the concern raised by various interlocutors as regards the politicisation of the election administration and the last-minute appointments of polling board members, as well as the lack of compulsory training which negatively affected election day performance. It recommended taking steps to depoliticise and professionalise the election administration, which should include systematic and compulsory training and certification for all officials by the election administration, as well as measures to avoid last-minute replacements of PB members. The delegation also noted with concern the lack of final oversight of the SEC over some crucial MEC decisions. It recommended to allow for SEC final oversight of the MECs in very specific cases, such as candidate registration and repeat of elections, to provide for effective redress and timely decisions.

VII. VOTER REGISTRATION

60. Voter registration is passive in Montenegro. To vote in local elections in Podgorica, a person must be at least 18 years old, a Montenegrin citizen, have lived in Montenegro for a minimum of two years prior to the election and maintain a permanent residence in a municipality.

57 On 18 September, the Podgorica MEC released a first decision, which was largely amended on 25 and 28 September. Podgorica Municipal Election Commission, [Decision on the appointment of polling stations](#), 29 September 2024 (in Montenegrin).

58 SEC, "[Opinion of the SEC at the request of the MEC of the capital city](#)", 19 September 2024 (in Montenegrin).

59 Podgorica Municipal Election Commission, [Decision on the appointment of polling stations](#), 29 September 2024 (in Montenegrin).

61. The voters lists are regulated by a separate legal act, the 2014 Law on the Voters List as amended in 2020. While the process of updating voter lists is perceived as transparent, significant issues remain with the accuracy of the death and civil registry, which relies on the Law on Registers of Permanent and Temporary Residence. Past allegations of deceased/phantom voters or electoral tourism of voters living in neighbouring countries or other Montenegrin municipalities have been common in Montenegro and are the main argument put forward by Congress interlocutors in favour of a common election day for local elections. Montenegrins living abroad often do not declare their change of residency.

62. The voter register is compiled and maintained by the Ministry of Interior (Mol), based on the civil registry. The election administration can request the Mol to amend it and has no right to correct it ex-officio. Citizens can check their registration status and update their information on a dedicated website or in person at the local Mol offices and request amendments until 10 days before the election day. As prescribed by Article 21 of the Law on the Voters List, MECs, parliamentary parties, candidate representatives and observers have the right to view the voter register online prior to the election day and suggest corrections.

63. For the September 2024 elections, 145 724 citizens were registered in Podgorica (roughly 25% of all voters in Montenegro). In comparison, in the 2022 local elections, 143 523 citizens had the right to vote.⁶⁰ Arrangements were made for voters who, due to age, disability, hospitalisation, or home treatment, were unable to vote at their designated polling station, allowing 1 140 voters to vote outside the polling station by letter, i.e. mobile ballot box. Assisted voting was also allowed at the request of the voter. The voting rights of detainees are protected by law, and the SEC directly organised voting for detainees in three different prisons where 118 detainees were registered. Prisoners threatened to boycott the Podgorica elections if an amnesty law was not passed, but the boycott did not occur.⁶¹

64. Several interlocutors raised with the Congress delegation the issue of the accuracy of voters register due to the recent scrapping of the six-month residency requirement prescribed by law up until 2020. One interlocutor believed that this issue was the most complex point of the electoral system applicable to local elections as it opened the door to cases of electoral tourism.⁶² In 2020, the Constitutional Court ruled against the six-month residency requirement applicable to local elections, despite the six-month requirement being in line with Congress recommendations and the Venice Commission's Code of Good Practice on Electoral Matters. Interlocutors stated that following this decision, allegations of a significant number of voters fictitiously changing their permanent residence shortly before the local elections have increased, further undermining trust in the accuracy of the voter register (2021 local elections in Niksic). They also blamed this decision for the situation in Šavnik/Kruševice. In December 2022, the Parliament of Montenegro adopted amendments to the 2015 Law on Registers of Permanent and Temporary Residence, tightening the evidential requirements for changing residence, requiring either a rental contract or proof of ownership and strengthening the ex officio control mechanisms trying to limit the "electoral tourism", but interlocutors considered the problem to persist in all local elections.

65. At the same time, the 2008 Law on nationality in Montenegro⁶³ currently prohibits dual citizenship with the exemption of those Montenegrin citizens that have acquired the citizenship of another country before the declaration of independence of Montenegro on 3 June 2006. Many Montenegrin citizens also have Serbian nationality, and according to Congress interlocutors, cooperation with Serbian authorities on disclosure of this data is slow. It was perceived by some interlocutors as a gap in the legislation allowing for electoral tourism of residents of Serbia and opportunities for fraud at the border.⁶⁴ Citizens living abroad also maintain their permanent residence in Montenegro unless they request to be deregistered. In January 2023, amendments to the Law on Permanent and Temporary Residence authorised the Mol to reject a citizen's change of residence registration if police verification fails to confirm their residence at the declared address. These amendments were adopted to curb alleged voter migration in the October 2022 local elections, but only provided a limited solution to this issue.

60 Portal Analitika, "[See all the results of yesterday's local elections](#)", 24 October 2022.

61 Vlahović Z., "[Prisoners remind Montenegrin politicians of the promised amnesty law: They threaten to boycott the elections](#)", *Dan*, 11 September 2024 (in Montenegrin).

62 CEMI, "[Changes to the register of residence and place of residence are the key to solving the voter list](#)", 29 May 2022

63 Official Gazette of Montenegro, "[Law on Montenegrin Nationality No. 13/08](#)"

64 The issue of dual nationality is a recurring issue in Montenegrin politics as PM Miloško Spajić was banned from running in the 2023 presidential elections by the SEC due to his dual citizenship (Montenegro and Serbia).

66. The Congress delegation welcomed the broad arrangements taken to facilitate the right to vote of voters in detention facilities or unable to vote in designated polling stations. In line with Congress Recommendation 378 (2015) on Electoral Lists and voters residing de facto abroad, the delegation pointed out the need for a genuine link between voters and their constituency to ensure local elections reflect the will of actual residents. Accurate voter registration is an absolute prerequisite for local democratic elections to reflect the will of voters living in a municipality. While welcoming recent changes to curb electoral tourism, the delegation regretted that, the absence of a residency requirement for local elections, as per the 2020 Constitutional Court decision, raises concerns about the accuracy of voter lists and fuels recurring allegations of electoral tourism. It recommended urgently pursuing the dialogue on local self-government reform and electoral law and holding all local elections on the same day to reduce administrative burden and fraudulent registrations of voters. At minima, it recommended revising the legal provisions on residency requirements for local elections to prevent electoral tourism.

VIII. CANDIDATE REGISTRATION

67. Candidates for local elections in Podgorica must be at least 18 years old, have lived in Montenegro for at least two years, and have the right to vote in the municipality where they wish to stand (Election Law, Article 11).

68. The electoral lists for the election of local councillors are submitted to the relevant MEC at the earliest 20 days from the date of the announcement of the election, and at the latest 25 days before the day set for holding the election (Election Law, Article 46). At least 1 153 voter signatures were required to support an electoral list, or 150 in case of a list representing a minority, and voters could verify online if their signatures had been used to support a list.⁶⁵ Registration was open from 17 August until 3 September. As lists could start campaigning once registered, it meant in practice that the length of the official campaign varied depending on the political subject, opening the door to campaigning activities being held outside the official campaign period.

69. In case of the 2024 elections in Podgorica, no major problems were noted in candidate registration, which was swiftly concluded on 5 September in a transparent manner. Positively, the Podgorica MEC informed the delegation that all lists complied with the gender quota in these elections. 13 lists applied and all lists were granted registration. Three were asked to provide corrections to the supporting signatures, which they did and were subsequently registered.⁶⁶ One Congress interlocutor mentioned that as MECs usually do not publish the full list of candidates, the deadline to file a complaint has already expired when issues become public, without efficient redress.

70. Only one list was headed by a woman, namely Dr Jelena Borovinić Bojović (For the Future of Podgorica - The City of all of us), the former Minister of Health and incumbent President of City Assembly of Podgorica. Ms Olivera Injac, the incumbent Major of Podgorica was running on the PES list but did stand for mayor. Only one party, the Bosniak Party, represented a minority.

71. Reflecting the national importance of the elections, lists were led by national-level politicians and high-ranking state officials, MPs and ministers. Among others, the lists included MPs ABDIĆ and KNEŽEVIĆ, former Ministers KOVAČ and DAMJANOVIĆ, Minister of Justice, Mr MILOVIĆ and Minister of Energy, Mr Saša MUJOVIĆ. President MILATOVIĆ'S coalition list run under his name, although he was not a candidate.⁶⁷ His list was composed of members of his Movement for Podgorica and of the URA, led by former PM Dritan ABAZOVIĆ.

65 In the past, domestic observers regretted the lack of transparency of the signature verification procedures, but it is not clear if the same issue was observed in the context of the 2024 elections in Podgorica

66 The thirteen registered lists were: "It's Time for Order - "Dr Vuk Kadić – Movement Forward for Podgorica and the Family"; "Party of European Progress - Duško Marković"; "European Union - Boris Mugoša (SDP, SD, LP And Citizens) - Podgorica as a Case Study"; "By Word and Action! - Dr. Nermin Abdić"; "Turnover - It Can't be like this anymore - Srđan Perić"; "Europe Now - Democrats - Even Stronger - Prof. Dr. Saša Mujović"; "Podgorica's List - Andrej Milović"; "Montenegro's European Party - Novak Adžić"; "For the Future of Podgorica - The City of all of Us"; Jakov Milatović - For a Better Podgorica!"; "Podgorica Tenant Movement "Our City - Our Home" - Nemanja Baošić"; "Into The Action - Be Your True Self! Choose CGAI" and "Podgorica of all of Us" - Bosniak Party – Edin Tuzović"

67 Janković S., "[In the Podgorica elections, the lists are headed by former and current ministers, doctors, and members of parliament](#)", *Radio Slobodna Europa*, 4 September 2024 (in Montenegrin).

72. The Congress delegation noted with satisfaction that registration of lists was done in a timely manner and that all lists complied with the gender quotas. It regretted the persistent underrepresentation of women in local politics, notably as heads of lists, despite the gender quota on candidate lists and dedicated public funding for political parties and recommended specifically monitoring the use of party public funding dedicated to women's participation and introducing incentive additional measures to strengthen the participation of women in decision-making positions at local level.

IX. ELECTION CAMPAIGN

73. The election campaign is regulated by the Election Law and the Law on Financing of Political Entities and Electoral Campaigns. As prescribed by the Election Law, the election campaign started on the day of registration of the electoral lists and ended 24 hours before the election day. The campaign period is regulated to ensure fairness and equal opportunities for all candidates by the Election Law. Therefore, campaigning in public buildings is prohibited and candidates are bound by law to principles of fair behaviour (no insults, slander, etc). Fundamental freedoms of assembly and expression are enshrined in the Constitution and were mostly respected during this campaign.

74. The Election Law (Articles 112-114) regulates the use of funds for conducting elections and elections propaganda and the Constitution provides guarantees for the freedom of expression and assembly, which were respected in the 2024 elections. Political parties and candidates could promote their platforms through various means, including media appearances, public rallies, and distribution of promotional materials. Lists displayed promotional posters, leaflets, advertisements in public places pre-determined by the local administration and the Congress delegation observed such posters mostly in the city centre of Podgorica.

75. The Law on Financing Political Entities and Electoral Campaigns defines permitted and prohibited activities. It bans the misuse of state and local government assets, public institutions, and state funds for campaigns unless equal conditions apply to all candidates (Article 36). Candidates cannot make announcements to offer public subsidies or stipends from the announcement of the elections. The law also restricts the use of public funds for social benefits, prohibits third-party use of government machinery, bans state vehicle use, and forbids debt write-offs. Public officials, civil servants, and state employees cannot engage in campaign activities during working hours (Article 44), and the police and army are barred from participating. While state and local officials may represent and endorse electoral lists, they cannot make use of their official roles for campaign purposes (Election Law, Article 50.a).

76. The Agency for the Prevention of Corruption (APC) oversees the application of the Law on Financing Political Entities and Electoral Campaigns (Article 5). In April 2024, the Special State Prosecutor's Office arrested the former director of the Agency for the Prevention of Corruption for alleged use of funds for personal purposes. Her arrest followed years of allegations from political parties and NGOs regarding the Agency's political bias, lack of transparency and selective enforcement in monitoring electoral campaigns and public officials' assets, raising concerns about its integrity and impartiality.⁶⁸ On 31 July 2024, the Parliament of Montenegro elected the full composition of the APC Council and only on 26 August 2024, the APC Council appointed an Acting Director. The work of the APC regularly came into the spotlight in the 2024 campaign, as its acting Director tried to address some allegations, but several Congress interlocutors regretted its lack of resources and sanctioning power, while others pointed to past instances of the APC being politically influenced. As different election cycles overlap or follow each other closely, the APC seemed understaffed to fulfil its mandate and to review reports and investigate on violations in a timely manner.⁶⁹ The Agency informed the delegation that they could sanction political parties for not submitting reports, but not for submitting false content, thus limiting the efficiency of sanctions.

77. The campaign for the 2024 elections in Podgorica was lively and marked by the high involvement of key national-level politicians including the President, Prime Minister and numerous ministers who led the candidate lists as well as some public servants and employees.⁷⁰ Some interlocutors from NGOs

68 Visnjic B., "[Head of Montenegro's Anti-Corruption Agency Arrested](#)", Balkan Insight, 17 April 2024

69 The Director of the Financing Department of the APC mentioned that the APC had currently 600 pending cases, some of them dating back to 2018. Center for Democratic Transition, "[A fine of 200 euros will not deter anyone from campaigning for office](#)", 27 November 2024.

70 Aktuelno, "[Campaign features: Abuse of resources, official campaign and ASK silence](#)", 20 September 2024 (in Montenegrin).

labelled the campaign as a “functionaries’ campaign”⁷¹ and regretted the high number of key country’s politicians leading the candidate lists, as some of them would not consider leaving their other political functions if elected. They observed that public positions of the high-ranking state officials were sometimes put at the service of individual lists. At the same time, their presence, as well as the naming of lists after national-level politicians, contributed to overshadow local issues. One interlocutor from an NGO regretted that the level of misconduct and abuse of administrative resources witnessed in the 2024 elections was almost equivalent to the levels usually observed in national elections, exemplifying the importance of these elections in the capital city for all political subjects.

78. Allegations of incumbents’ and elected representatives’ abuse of and control over public sector staff, finances, allocations and public facilities, surfaced in the first days of the campaign and were perceived as conferring a crucial advantage during this campaign. One of the most publicised cases was the video spot recorded by the President in the presidential office and published on the Youtube channel of his list For a better Podgorica. This video was checked by the APC after many complaints were voiced by NGOs. Local NGO - Mreža za afirmaciju nevladinog sektora (MANS) submitted on 24 September an initiative to the Agency for the Prevention of Corruption to initiate proceedings due to the suspicion that the President MILATOVIĆ, violated the Law on the Financing of Political Entities and Electoral Campaigns by releasing this video and attending a rally on working hours.⁷² The Agency published a decision on 5 December 2024 and found that there was no violation on working hours, as no clear working hours exist for the President.⁷³ On 23 December, the Agency found that the President had broken the law on making the video spot available on his list’s page.⁷⁴ While both decisions were released and fully circumstantiated, the timeliness of the decisions remained problematic as decisions were taken weeks or even months after the events. Another publicised case was the decision by the Mayor of Podgorica to grant free suburban transportation in the capital city from 1 to 30 September 2024 in the context of the European Mobility week (despite the event taking place between 16 to 22 September). On 24 September, the Agency found that the Mayor of Podgorica also broke the law, in awarding this benefit during the official campaign period, after initially hesitating to open an investigation and while the City continued to provide free transportation.⁷⁵ Domestic observers also noted other alleged abuses such as promises made by the Prime Minister to increase the average salary, the presentation of the Europe Now II project, one-off grants to first-time students, subsidies to farmers and appearances of candidates at inauguration events of public works.

79. Another commonly raised issue in electoral campaigns in Montenegro is the increase in politically motivated hirings or “partisan employment” in the months preceding the elections in the public sector but also in state-owned companies. All public employment decisions during election campaigns must be notified to the APC. In 2024, the APC received 5 126 such documents for local elections in Gusinje, Kotor, Podgorica and Budva, with 2 419 in Podgorica alone.⁷⁶ While the information was published by the APC, the format of publication does not allow users to identify potential partisan employment decisions. However, in the first days of the campaign, media outlet Vijesti flagged a few inconsistent hiring decisions by the City of Podgorica, which were not promptly investigated.⁷⁷ Party employment is allegedly a common practice in Montenegro and has burdened local administrations and state-owned enterprises with many fictional employees.⁷⁸ Due to the lack of clarity of Article 44 of the Law on Financing Political Entities and Electoral Campaigns, instances of partisan employment are not often sanctioned by the APC. NGO MANS regretted the lack of dissuasive and proportional sanctions on these matters.⁷⁹ The incumbent Mayor of Podgorica, Ms Olivera INJAC, indicated that above

71 Radio Slobodna Europa, [“What does the campaign say before the extraordinary elections in Podgorica?”](#), CDM, 20 September 2024 (in Montenegrin).

72 CDM, [“MANS: Reports filed with APC against Milatović and Rakčević”](#), 25 September 2024 (in Montenegrin).

73 See MANS, [“Reports to APC against Milatović and Rakčević”](#), and Dragas N. [“APC: Milatović did not break the law because he was on the press list “For a better Podgorica” during working hours”](#), *Vijesti*, 5 December 2024.

74 Buric A., Dragas N. [“Milatović broke the law because he filmed a party video in the president’s office”](#), *Vijesti*, 23 December 2024.

75 Ibid and Gvozdenović M. [“ASK must protect elections from abuses and initiate proceedings in the case of free transportation”](#), *Center for Democratic Transition*, 3 September 2024 (in Montenegrin).

76 Agency for the Prevention of Corruption Website, [“Employment in local elections in Podgorica 2024”](#), 23 December 2024.

77 Pravilović T., [“Since the announcement of elections in Podgorica, the Capital published 12 job calls”](#), *Vijesti*, 8 August 2024 (in Montenegrin).

78 Dragas N. and Matijašević B., [“They don’t count employees when they win power: Election list holders in Podgorica without concrete solutions for surplus staff”](#), *Vijesti*, 17 September 2024 (in Montenegrin). See also on this matter Vujović Z. (ed.), [“Electoral Reform in Montenegro - Recommendations for Improvement”](#), Centre for Monitoring and Research (CEMI), 25 March 2024.

79 Center for Democratic Transition, [“A fine of 200 euros will not deter anyone from campaigning for office”](#), 27 November 2024.

800 employees work for the municipality (which is high in comparison to other cities of the same size) and that in some city companies, notably Vodovod, the proportion is estimated to 60% of all employees.⁸⁰ Local researchers believe that all parties are abusing this system and are unlikely to change practice when in government.

80. Depending on the lists, key campaign themes included mainly issues of national relevance, such as tax and fiscal reform at the state level, past performance of the DPS and the PES, and EU integration while the local issues like infrastructure, water and waste management, and reforestation of the city were often marginalised, addressed mostly by civic lists, and parties' plans and programmes for the development of Podgorica were in general poorly presented to the citizens.⁸¹ The delegation noted that voters did not seem enthused to go to the polls, as political deadlocks and early elections have been quite common since 2020. In particular, the youth did not seem well-represented in the elections, as both voters and candidates.

81. At the same time, the debate was lively with several national-level politicians, all men usually, involved in the race. TV debates were organised in mid-September in which all lists were represented and granted equal airtime. Both local and national media released interviews of all lists and covered NGO allegations on the negative campaigning, abuse of state resources and party recruitment.⁸² Congress interlocutors reported that the personal discrediting of opponents and insults ran high during the campaign and were strongest between political entities that had a common past.⁸⁴ Some interlocutors also regretted the intervention of the Serbian Orthodox Church, which made public statements in the elections⁸⁵ interpreted as favouring one list over the others.⁸⁶ The influence of a religious authorities in the political processes had been observed also in 2020.⁸⁷

82. Overall, the Congress delegation welcomed the fact that all candidates were able to campaign freely and that all lists actively participated in televised debates, a first for local elections in Podgorica, despite women being marginalised in these debates. The delegation regretted the high involvement of national-level politicians and officials, sometimes leading the candidate lists without planning on accepting the mandate if elected, and that local issues remained largely overshadowed by personal politics and national issues. On the abuse of administrative resources and state positions, the delegation noted the efforts of the Agency for the Prevention of Corruption to adjudicate some of the highly publicised cases. At the same time, it deplored that the campaign was marred by recurring allegations of misuse of administrative resources, abuse of official positions and politically motivated hirings which were insufficiently investigated and sanctioned, in part to insufficient regulations and the limited effectiveness of the Agency for the Prevention of Corruption. It recommended strengthening existing legislation and regulations related to the misuse of public resources, clarifying the applicability to national-level officials during the official campaign period and reinforcing the capacities of the Agency to handle cases in a timely and transparent manner.

X. CAMPAIGN FINANCE

83. The financing of parties and campaigns is regulated by the Law on Financing of Political Entities and Electoral Campaigns. The law adopted in 2020 (currently under revision) introduced strict restrictions on the advertising of state bodies, payment of benefits, grants and debt forgiveness, as well as obligations related to the publication of revenues and expenditures, use of official cars and

80 Dragas N. and Matijašević B., "[Employees are not counted when they win power: Holders of election lists in Podgorica without concrete solutions for the excess of employees](#)", Vijesti, 17 September 2024 (in Montenegrin).

81 Portal ETV, "[Pejović: The fight for likes and personal discreditation in the election race for the Capital](#)", 22 September 2024 (in Montenegrin).

82 MINA, "[Vujović: The failure of the ruling coalition in the Podgorica elections would raise the question of government legitimacy at the state level](#)", Vijesti, 18 September 2024.

83 Aktuelno, "[Campaign features: Abuse of resources, official campaign and ASK silence](#)", 20 September 2024 (in Montenegrin).

84 Portal ETV, 22 September 2024, *ibid*.

85 On 12 September 2024, Metropolitan of Serbian Orthodox Church Joanikije declared that Saša Mujović, the holder of the list of the Europe Now Movement and the Democrats for the elections in Podgorica, is a true Christian and on 17 September, he also visited the holder of the list For the future of Podgorica, Jelena Borovinić Bojović, with whom he discussed improving relations between the Serbian Orthodox Church and the capital city. See DFC (Digital Forensic Center), "[Analysis of the local elections](#)", 27 September 2024 and Misić G., "[The role of Serbian Patriarch Porfirije in the elections in Podgorica and Kotor](#)", *Al Jazeera Balkans*, 9 October 2024 (in Montenegrin).

86 Aktuelno, 20 September 2024, *ibid*.

87 See Vujović Z. (ed.), "[Electoral Reform in Montenegro - Recommendations for Improvement](#)", CEMI, 25 March 2024, *ibid*.

employment in the public sector. However, the OSCE/ODIHR and domestic observers have often called for further revision as they identified important loopholes in the law when observing past elections.

84. Political entities can acquire funds for regular work and election campaign from both public and private sources, in accordance with the law. Public funds are distributed from both the national and local self-government budgets of Montenegro. Private sources encompass membership fees, contributions (financial or non-financial), sponsorships, legacies and borrowing from banks and other financial institutions in Montenegro. A political entity can collect funds for financing election campaign from private sources only during election campaigns (Article 23). Anonymous and foreign donations are prohibited, as well as donations from charities, state institutions and religious authorities. A maximum of 30 times the amount which is entitled to a political subject based on the distribution of public funding can be collected from private sources. For the financing of a regular work of the political entity, a natural person can pay a maximum of 5 000 euros, and a legal person can pay a maximum of 20 000 euros on an annual basis (Article 15).⁸⁸ Political parties must submit reports every two years to the State Audit Institution.

85. The law prohibits giving or receiving contributions in money or in the form of products or services through third parties but does not regulate the participation of third parties/parties in the campaign, on behalf of one or more political entities, nor media advertising through media that are not considered to be providers of audiovisual media services in the sense defined by the Law on Electronic Media, which hampers monitoring and oversight of the financing of political subjects.⁸⁹

86. During the election campaign, political entities are obliged to keep and regularly update records on the funds collected from private sources and the expenses of the election campaign on a separate bank account (Article 17 and 58). The political entity is obliged to prepare a final report on the origin, amount and structure of funds collected and spent from public and private sources for the election campaign and submit it to the Agency, with accompanying documentation, within 30 days from the date of the election (Article 50). An interim report is also requested five days before the election day. The Agency is obliged to publish the final and interim reports on its website respectively within seven days and 24 hours of receipt, which was partially done for the 2024 elections.

87. In case of various misdemeanours, the law lists penal provisions in Articles 64/70. For example, a fine in the amount of 5 000 to 20 000 euros will be imposed on a political subject for a misdemeanour, if it fails to submit to the Agency a report on media advertising in the election campaign within seven days before the day of the election. However, as indicated in the 2024 annual report of the APC, the sanctions remain limited in scope and concerned mostly parties spending over the set limit.⁹⁰

88. In addition to close to 12 million euros spent annually for political parties, 140 164 euros of public funding for political contestants were allocated for the election campaign in the capital. One-fifth (28 000 euros) was equally distributed among all lists, while the remainder was allocated based on the number of mandates in the incumbent City Assembly (approximately 112 000 euros, i.e. 1900 euros per seat in the Assembly).⁹¹ In line with Article 18 and 20, the spending cap was set by the Agency for the Prevention of Corruption at 149 431 euros per political subject. The APC informed the delegation that this amount was too small for the size of Podgorica and that they expected all major parties to exceed the ceiling and to underreport their expenses, in which cases the APC had little power to sanction them.

89. The Agency is tasked with verifying the accuracy of the reports and identified a total of 18 irregularities in its analysis of the reports, including instances of incompleteness and inaccuracies which suggested that actual costs were higher than those reported. Three political entities that won mandates exceeded the spending cap: For a better Podgorica Jakov Milatović (4 043 euros), Europe Now – Democrats – Even stronger (1 854 euros) and the Democratic Party of Socialists – In word and deed! (894 euros). The same amounts will be punctured from their allocation of the next wave of public

88 No GRECO report was adopted since the adoption of the 2020 Law on Financing of Political Entities and Electoral Campaigns.
89 Mugoša N. and Vukašinović B., "[Financing of political entities and election campaigns under scrutiny: problems and solutions](#)", UZOR, 19 July 2024 (in Montenegrin)

90 In 2024, 17 proceedings were concluded, which resulted in two fines (500 euros) and 14 warnings. See Agency for Prevention of Corruption, "[III Quarterly Report on the work of APC in 2024](#)", 28 December 2024.

91 Turovic A., "[€200,000 for the local election campaign](#)", *Vijesti*, 2024 (in Montenegrin).

funding.⁹² The Agency also issued 38 warnings on the transparency of the political financing of the election campaign in Podgorica.

90. Congress interlocutors from NGOs reported that, as in past elections, the campaign remained marred by both the misuse of state and municipal resources and the circumventing of rules on campaign financing which allowed some competitors to gain an electoral advantage.⁹³ They also regretted the indecisiveness of the Agency for the Prevention of Corruption, which initially refused to open several proceedings, while the Agency itself deplored its lack of investigation and sanctioning power as well as limited resources available for in depth campaign monitoring. All feared that political entities fail to disclose all donations and contributions, enabling candidates to bypass spending limits on paper.

91. The Congress delegation noted that, despite some gaps, the Law on Financing of Political Entities and Electoral Campaigns provides a clear framework and reporting obligations for electoral competitors. However, it pointed out issues with the application of the law and that political parties have resorted to different tools to circumvent these obligations. The delegation had the impression that the APC was not sufficiently empowered to investigate and sanction violations in a timely and dissuasive manner. Such situation risked distorting the level playing field and giving unfair advantages to larger parties. The delegation recommended taking steps to ensure a level playing field for all candidates and strengthening oversight, sanctions and investigation power of the Agency for the Prevention of Corruption, notably on overspending, underreporting and third-party donations.

XI. MEDIA

92. The media landscape in Montenegro (and by extension in Podgorica, the capital) is pluralistic, but highly polarised, with the media community divided along political lines and affected by economic instability.⁹⁴ This situation leads to concern regarding the independence of many outlets. Montenegro ranks 40/180 on the freedom of information index of Reporters Without Borders. The Constitution enshrines the freedom of expression and efforts have been noted in the last few years to protect journalists.⁹⁵ The conduct of the media in the election campaign, as well as the conduct of institutions responsible for overseeing the compliance of media with legal regulations is governed by the Constitution of Montenegro and a fragmented legal framework including the 2024 Media Law,⁹⁶ the Law on Audiovisual Media Services (2024), the Electronic Media Law (amended in 2020),⁹⁷ the 2020 Law on the National Public Broadcaster Radio Television of Montenegro (amended in 2024),⁹⁸ the Law on the Election of Councillors and Members of Parliament and the Criminal Code. Defamation is decriminalised,⁹⁹ however there are still legal provisions allowing for imprisonment of persons “defaming the reputation of Montenegro”, “insulting in public space” and “causing panic by dissemination of false news”, for example. In 2021, the Criminal Code was amended to enhance protection of journalists by imposing harsher punishments for attacks and threats against them.¹⁰⁰ The EU recently welcomed that a legislative package on media services was adopted in 2024 (Media Law, Audiovisual Media Services and Law on RTCG), which brought the legal framework more in line with the EU acquis and European standards and included a higher level of protection of sources.¹⁰¹

93. Montenegro hosts a diverse media landscape that includes television, radio, print, and online outlets.¹⁰² Television remains a dominant medium for news consumption with the public broadcaster

92 Agency for Prevention of Corruption, ["Elections in Podgorica under scrutiny: Agency imposed measures for budget overruns"](#), 2 December 2024.

93 Koprivica D., ["Characteristics of the ongoing campaign: Misuse of resources, incumbent campaigning, and the silence of the Agency for the Prevention of Corruption"](#), Center for Democratic Transition, 20 September 2024 (in Montenegrin)

94 European Commission, ["Commission Staff Working Document Montenegro 2024 Report"](#), 30 October 2024.

95 Reporters Sans Frontières website (2024), ["Montenegro"](#).

96 ["Montenegro Labour Law"](#), 2024.

97 ["Law on Electronic Media"](#), Montenegrin Association of Media (AMU), 17 August 2016.

98 ["The Parliament of Montenegro adopted the Law on Media and the Law on the National Public Broadcaster RTCG"](#), *European Western Balkans*, 28 July 2020. and ["Law on the National Public Broadcaster – Radio and Television of Montenegro"](#), RTCG (Radio and Television of Montenegro), 2 November 2020.

99 Reporters Sans Frontières website (2024), ["Montenegro"](#).

100 OSCE/ODIHR, Montenegro ["Presidential Election, 19 March and 2 April 2023: Final Report"](#), 11 December 2023

101 European Commission, ["Commission Staff Working Document Montenegro 2024 Report"](#), 30 October 2024.

102 Montenegro has over 180 registered media outlets, including three daily newspapers (*Pobjeda*, *Vijesti*, *Dan*), four TV broadcasters with national frequencies – three commercial ones; *Televizija Vijesti*, *Prva*, *Nova M*, *TV Adria* and the public broadcaster *Radio and Television of Montenegro (RTCG)* and one news agency *Crnogorska nezavisna informativna agencija (MINA)*. Montenegro has 15 local public radio stations, 28 commercial radio stations, and three non-profit ones, while the National Public Broadcaster RTCG has two radio channels. Newspapers like *"Vijesti"* and *"Dan"* remain popular and provide in-depth

Radio and Television of Montenegro - RTCG being the main source of information for the majority of citizens.¹⁰³ In 2023, the Media Ownership Monitor Montenegro reported that by far the most trusted TV is Televizija Vijesti with 35,1%, followed by the RTCG with 26,8%.¹⁰⁴ Public media also includes a considerable number of local media for the size of the population, with 16 local public broadcasters (Gradska in Podgorica) funded with a discretionary mechanism by municipalities.¹⁰⁵ Social media platforms like Facebook and Twitter are also crucial for news dissemination and political discourse and were extensively used in the contest of the 2024 Podgorica elections. NGOs reported that the digital platforms are often biased and have been systematically abused, rather than contributing to the political literacy, in particular of young people.¹⁰⁶

94. Congress interlocutors informed the delegation that the freedom of press continues to be threatened by political interference, unpunished attacks on journalists and economic pressure. Although according to the 2024 EC Montenegro report, a notable decrease in the number of cases of violence against media in 2023 has been reported, concerns remain about the several incidents of harassment by senior public officials reported by journalists in 2024.^{107 108} Three of the four television networks with national coverage are partially or completely foreign owned, mainly by companies from Serbia, which was raised by Congress interlocutors as an issue for local elections. In the past, many articles and interviews and sometimes debates were held abroad and therefore not subjected to the same regulations.¹⁰⁹ The most notable case is TV Happy, a Serbian broadcaster, which has been at the centre of many controversies and temporary bans in the context of elections (2021 local elections in Niksic)¹¹⁰ also due to cases of hate speech, insults and ethnic hatred being regularly broadcasted on this channel.¹¹¹

95. The legal framework provides for equal media access and non-discrimination between contestants, for impartiality and fairness in their election coverage and for balanced, equitable and impartial coverage of election campaigns on public media. Legislation states that voters have the right to be informed about political programmes of all electoral lists and public and private media are required to cover them in a balanced manner (Election Law, Section VII). Campaign coverage should be presented in election news segments clearly separated from other news programmes. Political contestants can make use free-of-charge of the airtime on the national broadcasters and local public broadcasters during the daily programme dedicated to the elections, which are required to allocate equal airtime to all political parties and candidates. Electoral lists can also use paid advertisement on private media but must benefit from the same conditions, which must be made public on the website of the Agency for Audiovisual Media Services (Election Law, Article 50).¹¹² Advertisements must be clearly labelled as paid content to distinguish them from editorial content.

coverage of political events, including investigative journalism and opinion pieces. Weekly magazines such as "Monitor" also offer political analysis. Online news portals have gained significant traction, particularly among younger audiences. Websites like Vijesti.me, CdM.me, and Analitika.me provide real-time news updates, multimedia content, and interactive features. RTCG (Radio and Television of Montenegro), ["182 media outlets officially registered: Most influential ones controlled by foreigners"](#), 30 November 2023 (in Montenegrin).

103 Mirkovic S. ["Media in Montenegro"](#), *Osservatorio Balcani e Caucaso Transeuropa*, 10 July 2024 (in Montenegrin).

104 Media Ownership Monitor Montenegro (2024), ["Overview of TV media in Montenegro"](#).

105 OSCE/ODIHR (2023), Montenegro Presidential Election, *Op.cit*.

106 Portal ETV, ["Pejović: The fight for likes and personal discreditation in the election race for the Capital"](#), 22 September 2024 (in Montenegrin).

107 RTCG, ["Milatović belittled the TVCG journalist"](#), 24 September 2024 (in Montenegrin).

108 European Commission (2024), *op.cit*.

109 In particular, one interlocutor mentioned the programme Battle for Podgorica shown on Serbian TV during the 2022 elections. See Reporters Sans Frontières website (2024), ["Montenegro"](#).

110 As CEMI mentioned « Vulnerability to foreign media influence was particularly evident during the local elections in Niksic in 2021. Serbian media outlets published 4,730 articles about Montenegro during the Niksic elections, with more than a thousand articles focusing on the elections in Niksic. Some media even introduced special sections exclusively dedicated to the Niksic elections, while TV programs like Happy TV's "Battle for Niksic," advocated for a Greater Serbian ideology and discussed local elections.", see ["Electoral Reform in Montenegro - Recommendations for Improvement"](#), Centre for Monitoring and Research (CEMI), 25 March 2024.

111 See Popovic T. ["Some TV Happy shows banned in Montenegro for six months"](#), *Vijesti*, 8 October 2022. On 17 January 2025, proceedings were opened by the Agency for Audiovisual Media Services against TV Happy and Pink TV regarding their coverage of the shooting in Cetinje: Radio Slobodna Europa, ["Proceedings have been initiated against Pink and Hepi due to the manner of reporting on the tragedy in Cetinje"](#), 17 January 2025. Agency for Audiovisual Media Services website (2024), ["Local Elections Podgorica"](#) (in Montenegrin).

112 Agency for Audiovisual Media Services, ["Press release :Agency initiates proceedings due to controversial reporting by regional media"](#), 17 January 2025 (in Montenegrin).

96. Print and online media rely upon self-regulation also for provisions contained in the Election law, such as respect of the campaign silence period, which in the past has led to violations of the media regulations. The regulatory framework is therefore designed to ensure fair and balanced coverage, providing equal opportunities for all political entities to present their platforms to the public and freedom of media is well protected by legislation. Therefore, voters usually receive pluralistic media coverage, despite some political bias, and candidates are offered access to public and private broadcasters. Challenges remain in ensuring complete adherence to media regulations.

97. The Agency for Audiovisual Media Services, formerly the Agency for Electronic Media, is responsible for monitoring media compliance with the Law on Electronic Media and the Law on the National Public Broadcaster Radio Television of Montenegro. Its responsibilities were increased by the 2024 reform and include imposing various sanctions on media outlets that violate the rules, ranging from warnings to, in severe cases, suspension of broadcasting licenses.¹¹³

98. Overall, the media coverage of the 2024 Podgorica elections was extensive, with many public and private outlets releasing interviews, reports and televised debates. According to the Agency for Audiovisual Media Services, 20 broadcasters registered to cover the Podgorica elections.¹¹⁴ In the past, the Agency still took the responsibility to conduct pre-election media monitoring but did not do so in the context of the 2024 Podgorica elections, which was regretted by some Congress interlocutors. However, the Agency still released a report on 22 October 2024 on its analysis of political advertising. They estimated that 202 hours and 49 minutes were spent by various tv channels on political advertising, of which 98.8% was free and mostly in shows/information programmes dedicated to elections.¹¹⁵ Most paid advertising on television was recorded on the Parliamentary channel, Gradska TV and A plus TV, sometimes showing the same content several times. Free content was mostly dedicated to interviews and debates (82.4%), video spots (10.9%) and some news coverage of electoral activities (6.6%, mostly TV Vijesti and Gradska TV). Political parties were not equally represented in the free content with broad disparities between lists and between public and private TV stations. Overall, the lists For the Future, Andrej MILOVIĆ's Podgorica List and President MILATOVIĆ's For a better Podgorica were more represented and public broadcasters treated candidates in a more equal way than private channels. Both For the Future and President MILATOVIĆ's List also resorted the most to paid political advertising. The Agency conducted 10 ex-officio procedures and issued eight warnings for violations of various rules of political advertising.

99. In a welcome development, RTCG organised for the first time in Podgorica two 2.5 hours primetime debates, on 19 and 27 September between contestants which were perceived positively. Article 50 of the Election Law foresees 1.5 hours debates, but due to the number of candidates and length of responses, both debates lasted longer. Local public broadcaster Gradska also held a 2.5-hour debate with all 13 lists represented and private TV Vijesti held a debate with six candidates. Congress interlocutors mostly perceived these debates as conducted in an impartial manner, providing equal opportunities for all participants to present their views. Most lists were represented by the highest candidate on the list, especially on 27 September, but only two women attended one debate each.

100. Congress interlocutors mentioned that despite the political alternance following the 2020 elections, the situation of the media only marginally improved, with request for interviews or official information being often denied and some instances of political pressure being used against investigative journalists. Some interlocutors also alleged some long-standing political influence over the public broadcaster, including due to the controversy regarding the appointment of the Director, but mentioned that the situation of RTCG was generally improving and that the coverage of the 2024 elections was more balanced than in past elections.¹¹⁶ They also mentioned the lack of regulation of content on social media, which allows for political parties to circumvent political advertisement rules as well as electoral silence.

113 See Vujovic Z. (ed.), ["Electoral Reform in Montenegro - Recommendations for Improvement"](#), CEMI, 25 March 2024, *ibid*.

114 The following facts are extracted from the report of the Agency for Audiovisual Media Services, ["Report on political advertising during local elections - Gusinje, Kotor and Podgorica"](#), 24 September 2024 (in Montenegrin)

115 In comparison in Gusinje, only 2 hours were spent on content related to elections and in Kotor, 14 hours.

116 RTCG Director has been re-appointed in June 2023, despite a Court decision inviting the RTCG Council to find another candidate, due to risks of conflicts of interests. See Kajosevic S. ["Head of Montenegrin Public Broadcaster Re-Elected Despite Court Ruling"](#), Balkan Insight, 1 June 2023.

101. The Congress delegation noted with satisfaction the general improvement of the situation of the media in Montenegro, boosted by an updated legislation and a lively public and private media landscape. It also welcomed the organisation of many televised debates, which gave the opportunity to all lists to present their programmes, but women remained underrepresented in these debates. It noted with concern that the challenges related to the independence and ownership of the media were significant, particularly regarding long-standing allegations of political and foreign influence on local election coverage. The Congress delegation recommends developing the monitoring activities and ex-officio investigations of the Agency for Audiovisual Media Services and to clearly regulate campaigning activities on social media.

XII. COMPLAINTS AND APPEALS

102. The Election Law addresses the issues of the protection of voting rights (Section X) and establishes the dispute resolution mechanism. As a general rule, decisions of electoral commissions can be appealed to the relevant higher level of election administration and appeals must be decided within 24 hours. Therefore, an objection against the decision, action or omission of a polling board is submitted to the relevant MEC, and for an objection against an MEC to the SEC. Every voter, candidate and submitter of the electoral list has the right to submit a complaint to the competent election commission due to the violation of the right to vote during the election within 72 hours from the time when the action was performed (Article 107). A final appeal to the Constitutional Court can be filed by a voter or a candidate, including SEC decisions to dismiss or reject complaints.¹¹⁷

103. Complaints are reviewed publicly by the SEC, sometimes without involved parties and no public database is provided by the SEC. The Constitutional Court's deliberations are not open to the public nor it discloses all decisions in a timely manner, which does not provide for full transparency.

104. In the context of the 2024 elections, no objections were filed to the Podgorica MEC or SEC regarding candidate registration. Only one list submitted objections on election day procedures (14 objections) on 2 October 2024. Dr. Vuk KADIĆ - Move Forward - For Podgorica and Family list submitted 14 complaints to the Podgorica MEC within the legal timelines due to alleged irregularities in the Podgorica elections.¹¹⁸ The objections referred to a perceived mismatch between the number of ballots and the number of control coupons, and to a polling station in Doljani, where an excerpt from the voter list was allegedly missing. The list, which remained below the threshold to participate in seat allocation, demanded the annulment of the election and the repetition of voting in 14 polling stations, where 10 482 voters were registered. On 3 October 2024, the Podgorica MEC rejected the objections of the list. The list then submitted complaint to the SEC which rejected the objections as well.¹¹⁹ On 13 October, the list submitted appeals to the Constitutional Court following the decisions of the SEC to reject the objections (case ongoing). On 21 October, the Constitutional Court asked the SEC for a statement and documentation on the appeal regarding the elections in Podgorica (Doljani). The Constitutional Court successively on 30 October 2024 rejected all appeals of the list "Dr. Vuk KADIĆ - Move Forward - For Podgorica and family" as unfounded.¹²⁰ The MEC then announced the final results of the elections on 30 October 2024.

105. In this case, the Constitutional Court was fully staffed and ruled on the appeals in a relatively quick manner but regular deadlocks over the staffing of the Constitutional Court, observed in 2022-2023 and again since December 2024, have delayed the establishment of many local assemblies and clearly impacted the work of local governments. Domestic observers have long assessed the electoral dispute resolution mechanism as not detailed and deplored that time limits are not always clearly respected.¹²¹ The Congress delegation regretted the disruptive role of political parties in the handling of complaints related to local elections as well as the delays and lack of transparency of the election administration. It recommended to improve the transparency and adherence to legally prescribed deadlines in matters related to electoral disputes.

¹¹⁷ Center for Democratic Transition, "[Legal Redress in Electoral Law](#)", 24 April 2024.

¹¹⁸ CDM, "[Podgorica Election Commission rejects Forward Movement's objections](#)", 3 October 2024.

¹¹⁹ State Election Commission, "[SEC rejected 15 complaints from the list 'Dr Vuk Kadić - Movement Forward - For Podgorica and Family'](#)", 7 October 2024 (in Montenegrin).

¹²⁰ Official Gazette of Montenegro, [No. 106/2024](#), 1 November 2024.

¹²¹ Gazivoda S. (April 2024) "Legal Redress in Electoral Law", *Center for Democratic Transition*.

XIII. ELECTION DAY¹²²

106. On election day, the Congress delegation consisted of four teams, which visited 55 polling stations out of 212 across Podgorica Municipality (Blok 5, Blok 6, Dahna, Donja Gorica, Ibričevina, Konik, Murtovtina, Novi Grad, Stari Aerodrom, Stari Grad, Tološ, Vraniči, Zabjelo, Zagorič, Zelenika, Zlatica). Overall, the delegation witnessed a calm and orderly election day but noted some inconsistencies.

107. The delegation observed some procedural inconsistencies, particularly in the opening and closing procedures. In some of the stations visited, members faced challenges in preparing the premises for opening as some commissioners did not have sufficient knowledge/experience of the procedures, leading to minor delays and a feeling of unpreparedness. Some Congress members witnessed instances of pressure/interference from a limited number of party observers at this stage. Some PBs commissioners were replaced at the last minute, and this was not always reported to the PBs, creating confusion and delays to establish a fully staffed team. In addition, the procedures for sealing the boxes were not always followed in a uniform manner. The procedure was done manually, using wax stamps while not being provided with matches/lighters to melt the wax, which the delegation found complicated and not infallible.

108. On the voting procedures, the Congress delegation assessed the election day mostly positively, despite significant differences between polling stations and some persisting issues related to unauthorised presence in the polling stations and the layout of polling stations. Many of the polling stations visited by the Congress teams were not accessible to voters with reduced mobility, however the mobile boxes teams seemed to work efficiently. Further, the delegation observed that the positioning of the polling booths did not provide the necessary distance between the voters and the commissioners and in some cases compromised the secrecy of the vote. In a welcome step, to cope with any unforeseen issues, the MEC deployed three mobile teams of inspectors on election day. One of these teams was encountered by Congress observers and it successfully managed to defuse a problematic situation. The use of electronic identification also seemed to ensure greater confidence in the identification process.

109. Throughout the election day, and even more so during the counting, the blurred distinction between polling station officials and party representatives was observed as well as the inconsistencies regarding the number of commissioners present in the premises. A few cases of non-commissioners interfering with the work of the PBs were witnessed. On several occasions, all Congress observers were left wondering “who is who” and “who is doing what”. Many commissioners and party observers did not wear visible accreditation badges which did not provide for full clarity.

110. The counting procedures were in some PBs sometimes rushed and disorganised. The counting tables were surrounded by the commissioners, party observers and other unidentifiable persons assisting the counting process. Instructions on the counting procedures or on supervision of ballot papers were sometimes offered by domestic observers, who seemed at times better informed. One team was deployed in the hall of a large building where several polling stations were set up and witnessed counting procedures in parallel. The delegation witnessed that the responsibility for the good conduct of the counting procedures was mostly resting with polling stations chairpersons, who could choose to handle this task with the utmost care and patience or by rushing procedures. One team followed a chairperson to the Podgorica MEC and witnessed long queues to handover electoral materials.

111. The Election Law provides for citizen and international election observation. The SEC grants accreditation, even though, the international observers apply for accreditation in the first instance through the Ministry of Foreign Affairs (Articles 111b and 111g). By law, observers have the right to observe all stages of the electoral process. In addition, to the Congress delegation, there were observers from the delegation of the European Union, the Centre for Democratic Transition (CDT) and

¹²² Congress delegation members assess the conduct of elections based on a standardised election day questionnaire, which is filled out for every observation by Congress teams. The questionnaire covers all areas and aspects of the election day from the conduct of opening, voting, counting and closing procedures and include questions on the persons present in the polling station, the atmosphere outside and inside the polling station, election material, transparency, potential irregularities, official complaints and a general assessment.

the Union of the Blind of Montenegro.¹²³ While Montenegro hosts a number of very active NGOs in the field of elections, some interlocutors regretted that less observers would be deployed with no systematic observation mission set up. According to the Article 111g, the SEC issues an identification card to the observers. The person who has been issued an identification card must wear it in a visible place. Unfortunately, the number of domestic observers remained low in comparison to recent elections due to lack of budget. The Congress observers met some domestic observers during the day.

112. Domestic observers deployed around Podgorica also reported short delays in the opening of the polling stations, voting with the absence of some members of the polling boards, and mismatch of the cut of the ballot with the number of printed cuts.¹²⁴ They also pointed out the administrative unpreparedness and inexperience of some of the polling boards.¹²⁵ Some representatives of political parties and observers alleged the presence of Serbian cars in the capital and that the border was crossed many times during the weekend, estimating that Serbian residents had voted in the local elections. The DPS alleged that 3 300 voters from Serbia and Republika Srpska voted on election day.¹²⁶ The Congress observers were not able to verify or deny these allegations, but several interlocutors mentioned that these cases were rather common practice.

113. The delegation recommends taking steps to professionalise election administration, which should include systematic and compulsory training and certification for all officials by the election administration and introducing a requirement for all accredited persons to wear visible accreditation badges in particular during counting. It also invites the authorities to reinforce electoral integrity by modernising the sealing of ballot boxes, harmonising counting procedures reviewing polling station layout and introducing a requirement for all accredited persons to wear ID badges as well as to ensure accessibility of polling stations for voters with impaired mobility.

XIV. TURN-OUT AND RESULTS

114. The Election Law determines that based on the results of voting at all polling stations in the electoral unit, the Municipal Election Commission determines provisional results for the election of councillors, within 12 hours from the time of delivery of reports from polling stations (Article 92).

115. The preliminary results were published late on 29 September 2024 and final results were announced on 30 October 2024 by the Podgorica MEC, following the Constitutional Court's ruling to reject the last appeals.¹²⁷ Out of a total of 145 724 registered voters, 82 282 voters voted. 63 442 ballots were unused, while 1 106 were declared invalid. At 54,4%, turnout was 13 percentage points lower than in the previous local elections.¹²⁸ To the exception of the list Dr. Vuk KADIĆ - Move Forward - For Podgorica and family, all contestants promptly accepted the preliminary and final results.

116. Seven lists (15 political parties) passed the 3% electoral threshold to participate in seat allocation in Podgorica. Thirty seats were necessary for a majority in the 59-seat city assembly. The former ruling party, the Democratic Party of Socialists (DPS), secured the most votes, with 29.9% of the votes, which granted them 19 seats in the new Podgorica City Assembly. The coalition of ruling Democrats and Movement Europe Now (PES) won 14 mandates, the "For the Future of Podgorica" list 13, the "For a Better Podgorica" Coalition six seats, the European Alliance three seats, and two mandates each for the Party of European Progress and "Turnover - It Can't be like this anymore - Srđan Perić".

123 Gradski, "[Filipović: A large number of observers will follow the elections in Podgorica](#)", 28 September 2024.

124 Dragas N. "[Irregularities in local elections: Commissions and CDT registered minor violations, DPS "election tourism"](#)", *Vijesti*, 30 September 2024 (in Montenegrin).

125 Center for Democratic Transition website, "[All about local elections in Podgorica 2024](#)", 29 September 2024 (in Montenegrin).

126 Kulacin N. "[Serbia's influence on the elections in Montenegro: From myth to reality](#)", *Al Jazeera Balkans*, 3 October 2024 (in Montenegrin).

127 Article 98 of the Election Law prescribes that the MEC must publish final results within 12 hours of the expiration of the deadline for submitting objections or appeals, or of the finality or enforceability of decisions made upon objections or appeals. The Podgorica MEC released the final results on the day of the final decision of the Constitutional Court of Montenegro on the appeals, in line with article 98. However, article 99 of the Election Law prescribes that «the final results of the elections for deputies shall be published in the "Official Gazette of Montenegro", and for councillors in the "Official Gazette of Montenegro - Municipal Regulations, no later than 15 days from the day of the elections». Final results were only released in the Official Gazette on 5 November, showing a loophole in the legislation. Official Gazette of Montenegro, "[Report on the work of the Election Commission of the Capital City of Podgorica for determining the final results of the election of councilors at polling stations in the Capital City of Podgorica](#)", 5 November 2024 and Podgorica Municipal Election Commission, "[Final results by polling station](#)", 30 September 2024.

128 Visnjic, B. (2024) "[Election Results in Montenegrin Capital Spell Trouble for Ruling Coalition](#)", *Balkan Insight*, 30 September 2024.

117. Following the publication of the results, negotiations started as regards the formation of the government in Podgorica and the election of the mayor, as it became clear that PES and For the Future alone would not be able to reach a simple majority and needed to find another coalition partner.¹²⁹ Despite gaining the most seats, the DPS was also perceived as unlikely to find enough coalition partners to regain power in the City Assembly, but called the result a clear victory and asked for resignation of the national government.¹³⁰ Negotiations were tensed and marred by personal attacks and slander¹³¹ and overlapped with national-level tensions on the composition of the Constitutional Court.

118. Article 39 of the Law on Local Self-Government provides that the first session of the newly elected Assembly shall be convened within 30 days of the publication of the final official results. The first session was held on 28 November, in line with the law, and mandates were confirmed. However, the same article also prescribes that shall the president of a municipal assembly not being elected (i.e. the City Assembly not constituted) within 60 days from the date of publication of the final results, the President of Montenegro must call new elections for the Assembly. As the article does not specify if the date of publication was in the Official Gazette or by the MEC, the deadline was set between 28 December and 5 January. Following formal and informal negotiations, an agreement was found by political actors in Podgorica and a session was held on 28 December just before the expiration of the deadline. Ms Jelena BOROVIĆ BOJOVIĆ (For the Future) was re-elected president of the City Assembly of Podgorica and on 28 and 29 December, the City Assembly elected Mr Saša MUJOVIĆ, former Minister of Energy and head of the PES list, as the mayor.

119. Such election confirmed the political fragmentation at local level, as it was only possible following the split of the electoral alliance “For a better Podgorica”, led by President MILATOVIĆ (ex-PES), who eventually agreed to support the PES following concessions. The other alliance member, URA, did not accept the political deal¹³² and will seat as part of the municipal opposition, alongside the DPS, the Party of European Progress and “Turnover”.¹³³ Eventually, the September 2024 elections provided a very similar political composition than the 2022 elections, with the majority being constituted of roughly the same coalition partners.

120. While an agreement was reached in Podgorica, tensions emerged again in January-February 2025, in the context of a failed legal proposal to regulate foreign influence, the nomination of a new Constitutional Court member and negotiations on local governments in Budva. President MILATOVIĆ and PM SPAJIĆ remained at odds and both local self-government and electoral reforms seem to be postponed indefinitely to the exception on a potential amendment to hold all local elections on the same day. The work of the Parliament of Montenegro has been blocked by the boycott of the opposition, following the decision of the government to retire and start the replacement procedure of Constitutional Court judges. The national boycott has had repercussions on local politics, as the final results of the local elections in Kotor could not be established due to a pending appeal for the results in two polling stations in front of the Constitutional Court.¹³⁴ The SEC accepted some of the appeals and ruled that elections had to be repeated in some polling stations, but these decisions were appealed against and their application was suspended.¹³⁵ In addition, at the time of finalisation of this report, opposition parties have threatened to extend their boycott to local governments and assemblies.

121. In Budva, the November 2024 elections led to another political deadlock, with parties not agreeing to support a candidate for mayor or to hold the constitutive session of the municipal assembly. On 10 January 2025, partisans of various lists occupied the building of the City Assembly of Budva to block the constitutive session of the assembly, in a situation that led to tensions and near physical confrontation.¹³⁶ Eventually, after weeks of defamation and slander, including on ethnic affiliations of

129 *Ibid.*

130 Baca B. “[Reshuffling the Deck: 2024 Podgorica Snap Elections](#)”, European Western Balkans, 3 October 2024.

131 For instance, Saša Mujović filed a complaint against the DPS for slander in October 2024. RTCG, “[Mujovic sued both Nikolic and DPS for defamation](#)”, CDM, 17 October 2024.

132 Vijesti, “[Rakčević: Milatović agreed to the role of a rag and a pawn, signed his political end](#)”, 27 December 2024.

133 Radio Slobodna Europa, “[Government formed in Podgorica, despite conflict between coalition partners](#)”, 29 September 2024.

134 Dragas N. and Turovic A., “[Will the 2018 parliament elect the Mayor of the Municipality? A new legal and political absurdity looms in Šavnik](#)”, Vijesti, 31 January 2025.

135 Vijesti, “[DPS Kotor: Democrats to honor their public word and enable repeat elections in Prčanj and Mirec](#)”, 29 January 2025.

136 Vijesti, “[Milatović: There must be no place for violence, decision-making in the Budva Municipal Council is the sole responsibility of councillors](#)”, 10 January 2025.

some of the parties and on a resolution on the Srebrenica Genocide,¹³⁷ the constitutive session was held and a mayor elected early February 2025.¹³⁸

122. In this context, the Congress delegation deplored that local elections in general, including the 2024 Podgorica elections, continued to be perceived as bargaining tools for national political negotiations, undermining local self-government in Montenegro.

XV. CONCLUSIONS

123. Overall, the Congress delegation found that the 2024 early elections to the Podgorica City Assembly were well-organised and managed in a timely manner by the election administration, despite numerous challenges related to the political composition of the election administration notably in polling boards. On election day, Congress observers witnessed a mostly calm and orderly election and considered that procedures were largely followed, including electronic identification, while pointing out issues related to the performance and inexperience of polling board members. Indeed, the last-minute appointments, the blurred distinction between polling station officials and party representatives and the inconsistencies regarding the number of commissioners present in the polling boards raised concern and led to some procedural inconsistencies, notably on the sealing of ballot boxes and rushed counting procedures. The observers also noted that the secrecy of the vote was not fully ensured due to polling station lay out.

124. The campaign was competitive, with 13 lists vying for seats in the City Assembly, and all contestants took part in televised debates to present their programmes. However, national topics, negative campaigning and personal grudges overshadowed local issues. The involvement of high-level public officials, as heads of lists or as endorsers, as well as the many allegations of misuse of public resources through various means, marred the campaign period and did not provide for a fully equal playing field. The delegation found that too few of these allegations were investigated in a timely and transparent manner or sanctioned with dissuasive fines, due in part to insufficient regulation and the limited effectiveness of the Agency for the Prevention of Corruption. The Congress delegation therefore recommended to further regulate party and campaign finance, to improve transparency of the work of the election administration and to proactively investigate and sanction the misuse of administrative resources, abuse of official positions and politically motivated hirings.

125. The Congress delegation identified shortcomings in the legal framework which could be addressed through a comprehensive revision, preceded by open and inclusive consultations. The delegation also underlined that accurate voter registration is an absolute prerequisite for local democratic elections to reflect the will of voters living in a municipality. As this problem was not limited to elections in Podgorica, the delegation recommended urgently identifying ways to ensure veracity of the registers and to tackle electoral tourism. It supported the initiative of a single country-wide election day, as well as the imposition of a six-month residency requirement to vote in local elections, to avoid citizens residing *de facto* abroad or in other municipalities, to be able to take part in municipal elections.

126. The Congress observers feared that local elections continue to be perceived as bargaining tools for national political negotiations, undermining efforts to strengthen local self-government in Montenegro. They strongly believed that more should be done to ensure that local elections are truly inclusive processes and invites the authorities to enable independent candidates to stand in local elections, introduce measures to strengthen the participation of youth and women and to improve the accessibility of polling stations.

127. Other recommendations included inter alia included increasing professionalism of the election administration, reviewing ballot box sealing process, making the wearing of accreditation in polling stations compulsory well as introducing stronger regulations and monitoring of social media campaigning and party and campaign finance.

137 Vijesti, "[Hadžić: After the formation of the government in Budva, 'everyone can be with everyone' because every hat can look good on everyone](#)", 5 February 2025.

138 Koprovica D. "[Today, in Budva, it is decided which path Montenegro will take](#)", Center for Democratic Transition, 3 February 2025 (in Montenegro) and Portal Analitika, "[Nikola Jovanović is the new mayor of Budva Municipality](#)", 6 February 2025.

128. Finally, the Congress delegation would like to thank the authorities of Podgorica for the invitation to observe the 2024 elections. As this mission constituted the first Congress election observation mission to Montenegro, the Congress remains available to support the authorities of Montenegro in strengthening local democracy and would be pleased to receive other invitations in the future. In the meantime, the Congress stands ready to pursue its political dialogue and work with the authorities of Montenegro, notably in the framework of a proposed post-electoral dialogue.

APPENDIX I

CONGRESS ELECTION OBSERVATION MISSION TO MONTENEGRO**29 September 2024 – Early elections, Podgorica****(26-30 September 2023)****FINAL PROGRAMME****Thursday 26 September 2024**

| | |
|---------------|--|
| Various times | Arrival of the Congress Delegation in Podgorica |
| Various times | Transfers to the Hotel in Podgorica (address: Ramada Hotel, 74 Bulevar Save Kovačevića, 81000 Podgorica) |

Friday 27 September 2024**Venue for the morning meetings (until 12:30)**Ramada Hotel (**Medun” Room**)**Interpretation (EN/MONTENEGRIN)**

From 11:30

Ramada Hotel (“Medun” Room)

Mrs. Nina RADULOVIC**Mr. Uros ZEKOVIC**

| | |
|---------------|--|
| 09:00 – 10:15 | Internal briefing for the delegation with: <ul style="list-style-type: none"> - Ms Mathilde GIRARDI, Election Observation Officer (15 min) - Ms Randi MONDORF, Head of Delegation (15 min) - Ms Alenka VERBOLE, Congress expert on electoral matters (30 min) |
| 10:30 – 11:30 | Briefing with representatives of the international community in Podgorica of countries represented in the Congress delegation: <ul style="list-style-type: none"> • Mr. Giovanni GABASSI, Acting Head of the OSCE Mission to Montenegro and Mr Drako BRAJOVIC, Democratisation Officer • H.E. Matei-Viorel ARDELEANU, Ambassador, Romania • H.E. Bernarda GRADIŠNIK, Ambassador, Slovenia • H.E. Dawn MCKEN Ambassador, United-Kingdom • H.E. Johann SATTLER, EU Ambassador to Montenegro |
| 12:00 – 13:30 | <i>Lunch</i> |
| 14:00 – 15:00 | Meeting with representatives of international non-governmental organisations: <ul style="list-style-type: none"> • Mr Nenad KOPRIVICA, Project Manager, International Republican Institute; • Ms Slavica BILJARSKA, Resident Country Director and Ms Maka MESHVELIANI, Senior Resident Program Manager, National Democratic Institute |
| 15:00 – 15:30 | <i>Travel time – Transfer to the Minister of Public Administration</i> |
| 15:30 – 16:30 | Meeting with Ms. Nina BLAŽIĆ , Acting Director General of the Directorate for Local Self-Government; Mr. Senad CRNOVRŠANIN , Head of the Department for the Local Self-Government System; and Mr. Zlatko GLIGOROVIĆ , Adviser in the Department for Supervision of Local Self-Government Units, Cooperation and Reporting |

Minister of Public Administration
Rimski Trg No. 45, 81000 Podgorica.

16:30 – 17:00 *Travel time – Transfer to the Ramada Hotel*

16:50 – 17:30 Meeting with **Mr. Dušan Drakić**, Acting Director of the Agency for the Prevention of Corruption

Ramada Hotel ("Medun" Room)

17:30 – 18:00 *Travel time – Transfer to the City Assembly*

18:00 – 18:45 Meeting with **Ms Olivera INJAC**, Mayor of Podgorica and **Ms Jelena BOROVIĆ BOJOVIĆ**, President of the City Assembly of Podgorica

City Assembly of Podgorica
13 Njegoševa, Podgorica, Montenegro

Saturday 28 September 2024

Venue for the day meetings

Ramada Hotel (**Medun Room**)
74 Bulevar Save Kovačevića, 81000 Podgorica

Interpretation (EN/MONTENEGRIN)

From 09:15
Ramada Hotel ("Medun" Room)
Mrs. Nina RADULOVIC
Mr. Uros ZEKOVIC

08:30 – 09:30 Internal and technical briefing for the delegation with:

- Ms Mathilde Girardi, Election Observation Officer (10 min)
- Ms Randi Mondorf, Head of Delegation (10 min)
- Ms Alenka Verbole, Congress expert on electoral matters (10 min)

09:30 – 11:00 Briefing with representatives of domestic election observers and local NGOs

- **Mr Lazar GRDINIĆ**, Investigator, Network for Affirmation of the NGO Sector (MANS)
- **Mr Vladimir SIMONOVIC**, Head of the Legal Department, Centre for Monitoring and Research (CEMI)

11:00 – 11:20 *Coffee Break*

11:20 – 12:30 Briefing with representatives of the media

- **Mr Bojan TERZIC**, Editor-in-chief of First Channel, Radio Television Montenegro (public - RTCG)
- **Mr Borislav VISNJIC**, journalist, Balkan Insight (press)
- **Mr Ranko VUJOVIĆ**, Executive Secretary Media Self-Regulation Council

12:30 – 13:30 *Lunch Break*

| | |
|---------------|---|
| 13:30 – 14:15 | Meeting with candidates and representatives of parties running in the elections (By Word and action and Podgorica for Example – Democratic Party of Socialists) <ul style="list-style-type: none"> Democratic Party of Socialists: Ms. Jadranka MILOŠEVIĆ, Ms. Žaklina OŠTIR and Mr. Milica JURIŠEVIĆ |
| 14:20 – 15:00 | Meeting with candidates and representatives of parties running in the elections (Europe now, Democrats Even Stronger and allies, For the Future of Podgorica) <ul style="list-style-type: none"> Mr Darko SAVOVIĆ, candidate on the list Europe now, Democrats Even Stronger; Ms Jelena BOROVINIĆ BOJOVIĆ, Head of the list, For the Future of Podgorica; Mr Stefan VESOVIC, candidate on the list For the Future of Podgorica, member of the City Assembly |
| 15:00 – 15:30 | <i>Coffee Break</i> |
| 15:30 – 16:15 | Meeting with Mr Milos KONATAR , Vice-President of the party United Reform Action , member of Parliament and member of the delegation of Montenegro to the Parliamentary Assembly of the Council of Europe |
| 17:00 – 17:45 | Meeting with Mr Vladimir FILIPOVIC , President of the Municipal Election Commission of the City of Podgorica |
| 17:45 – 18:15 | Technical briefing with drivers and interpreters |

Sunday 29 September 2024 - ELECTION DAY (07:00 to 20:00)

| | |
|---------------|--|
| 06:30 | Deployment of four teams in Podgorica (according to the deployment plan) |
| 22:30 approx. | Late night debriefing <i>Venue: Ramada Hotel (room to be defined)</i> |

Monday 30 September 2024

Venue for the Press conference

Ramada Hotel ("Medun" Room)

74 Bulevar Save Kovačevića, 81000 Podgorica

| | |
|---------------|--|
| Various times | Departure of the Congress Delegation |
| 9:15 – 10:00 | Meeting with Mr Nikola MUGOŠA , President of the State Election Commission of Montenegro |
| 11:00 | Press conference presenting the preliminary findings by Ms Randi MONDORF , Head of delegation |

Delegation

Congress members

Ms Randi MONDORF, Denmark (R, ILDG), Head of delegation

Ms Bryony RUDKIN, United-Kingdom (L, SOC/G/DP)

Mr Jimmy MOLONEY, Ireland, (L, ILDG)

Mr Emilian OPREA, Romania, (L, EPP/CCE)
Mr Kristoffer TAMSONS, Sweden (R, EPP/CCE)

Expert

Ms Alenka VERBOLE, Congress Expert on electoral matters

Congress Secretariat

Ms Mathilde GIRARDI, Election Observation Officer
Ms Pascale JAFFORY, Assistant, Local and Regional Election Observation
Ms Mirjam KURENT, Assistant, Congress institutional communication

Youth Delegate

Ms Adrijana AGOVIC, *on Saturday only.*

Interpreters on the election day:

Mr. Danilo KUSOVAC
Mrs. Zorica BAOŠIĆ
Mrs. Nataša KALUĐEROVIC
Mrs. Jovana KALEZIĆ

APPENDIX II

CONGRESS ELECTION OBSERVATION MISSION
29 September 2024 – Early Elections
Podgorica
DEPLOYMENT PLAN

| Congress teams | Composition of the Congress teams | Area of Deployment |
|----------------|---|---|
| Team 1 | Randi MONDORF Mathilde GIRARDI Mirjam KURENT Interpreter: Mr. Danilo KUSOVAC | North – Zlatica, Zagoric, Murtovtina |
| Team 2 | Bryony RUDKIN Pascale JAFFORY Interpreter: Mrs. Zorica BAOŠIĆ | Center and East – Old town, Stari Aerodrom, Ibričevina, Konik |
| Team 3 | Kristoffer TAMSONS Alenka VERBOLE Interpreter: Mrs. Nataša KALUDEROVIC | South – Zelenika, Donja Gorica, Zabjelo, Dahna |
| Team 4 | Emilian OPREA Jimmy MOLONEY Interpreter: Mrs. Jovana KALEZIC | West – Novi Grad, Blok 5, Blok 6, Tološi, Vranići |

APPENDIX III

PRESS RELEASE

Podgorica early local elections orderly but improvements desired

A five-member Congress Election Observation Mission completed its mission to monitor the early municipal elections in Podgorica, which took place on Sunday 29 September in 212 polling stations.

On election day, four Congress teams led by Randi Mondorf (Denmark, R, ILDG) visited 55 randomly selected polling stations across the municipality. The teams observed the entire electoral process, from the opening of the polls to the closing and counting of the votes.

Overall, the delegation observed a calm and orderly election day, with some minor procedural issues, particularly during the opening and closing procedures. The delegation noted that the use of electronic identification worked effectively throughout the election day, with some minor issues regarding the accuracy of voter lists, which calls for clearer residency requirements. The delegation welcomed the gender balance in most of the polling stations visited, in particular the number of women chairpersons.

The preliminary conclusions highlight the need for a comprehensive legal framework to address the existing loopholes and gaps. "We fully appreciate the work being done to reform the electoral law and encourage the authorities to adopt the new legislation as soon as possible," stressed Head of Delegation Randi Mondorf.

The Congress delegation recommends steps to professionalise election administration, including systematic and compulsory training for all officials and the requirement for visible accreditation badges for authorised personnel. The delegation also noted concerns about the secrecy of the ballot and accessibility for persons with disabilities, as many polling stations were not accessible for persons with mobility impairments, and the positioning of polling booths sometimes compromised the privacy of the ballot.

In addition, the Congress delegation recommends a single election day for all municipalities in order to strengthen local democracy and highlight the important role of municipalities in the daily lives of citizens.

This was the first time the Congress observed local elections in Montenegro. It was preceded by a series of meetings on 27 and 28 September with the Election Commission, the Ministry of Public Administration, the Anti-Corruption Agency, the Municipality of Podgorica, members of the diplomatic corps, the media, NGOs and candidates from the parties running in the elections.

The draft report and recommendation will be submitted for adoption at the 48th session of the Congress of the Council of Europe in March 2025.