

**48th SESSION**

## **Early Municipal Elections in Podgorica (29 September 2024)**

Recommendation 523 (2025)<sup>1</sup>

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;

<sup>1</sup> 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).

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 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 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 capacities 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.