



SPECIAL PARLIAMENTARY ELECTIONS IN MONTENEGRO

October 11, 2002

On October 20, 2002, voters in Montenegro will cast their ballots in early parliamentary elections, as well as early municipal elections in the capital, Podgorica, and the seaside resort town of Tivat. Elections for president of the republic are also expected within the next few months.

The elections are seen as critical for both settling Montenegro's internal political course and resolving its contentious constitutional status with Serbia.

This report by NDI/Montenegro is the first in a series on the electoral framework, political developments, the campaign and the election results in Montenegro. This issue provides a background on the parliamentary elections.

POLITICAL BACKGROUND

The long-term process of political stabilization and democratization in Montenegro has taken a back seat to an intense struggle for political power, following the March 14 Belgrade Agreement that ended prospects for Montenegro independence in the short-term in favor of loosely federated union with Serbia. The pro-independence, ruling Democratic Party of Socialists (DPS) failed to form a new government and lost control of the parliament when the Liberal Alliance (LSCG) joined Together for Yugoslavia (ZZJ). The new LSCG-ZZJ parliamentary majority is an odd alliance of the staunchest pro-independence and pro-federation groups, united in their mutual desire to bring

down the DPS and President Milo Djukanovic. The new LSCG-ZZJ majority passed amendments fundamentally altering the election law and rules for media coverage, precipitating a crisis that threatened to derail the parliamentary elections now scheduled for October 20.

POLITICAL ACTORS

Parties and coalitions were required to submit their candidate lists for all three elections by September 25. After approval of the lists, the official campaign began. Below is a description of the main competitors, their program orientation and, if available, their campaign messages.

DEMOCRATIC LIST FOR EUROPEAN MONTENEGRO – MILO DJUKANOVIC

The Democratic List is a coalition of President Milo Djukanovic's DPS and the smaller Social Democratic Party (SDP) that formed the most recent government. The coalition also includes one candidate from Citizen's Party and one from National Unity – splinter parties of Liberal Alliance and People's Party, respectively. In the last parliament, DPS had 30 and SDP 6 seats out of total of 77 seats and ruled only with support of the Liberals.

The Democratic List advocates continued democratic and economic reforms and a referendum on independence in three years. DPS leaders negotiated and signed the Belgrade Agreement that redefined relations between Serbia and Montenegro – and, now call for passage of the Constitutional Charter

for the new state but insist on indirect elections for the new federal parliament.¹

For the last month, President Djukanovic, who is also president of the DPS, has traveled throughout the republic and has appeared at various meetings and rallies. He has visited factories, villages and schools. Other DPS leaders, such as former Prime Minister Vujanovic, have also had a busy schedule.

The message coming from DPS in these elections is: “This election is one of the most important elections to date but the choice has never been easier. The voters need to choose between a step forward and a step backward, between a road to the future and a road to the past, between the path toward development and the path toward stagnation.”²

TOGETHER FOR CHANGES – SNP-SNS-NS

The Together for Changes (ZZP) coalition comprises the Socialist People’s Party (SNP), Serbian People’s Party (SNS), and People’s Party (NS), holding 19, 3 and 11 seats respectively in the outgoing parliament. NS was formerly part of the pro-reform coalition with DPS and SDP until December 2000 when the latter started to campaign for independence. SNP and SNS were allied with Milosevic until after his fall from power.

As the coalition’s name suggests, ZZP is intent on replacing the current regime and introducing change in Montenegro that includes improved living standards and an end to organized crime and corruption. Parties belonging to ZZP support

maintaining a joint state between Serbia and Montenegro. They accept the Belgrade Agreement and want fast approval of the Constitutional Charter – but only if it provides for direct elections to the new federal parliament.

Like Democratic List, the leaders of Together for Changes have been active throughout the republic at meetings and rallies of party supporters – although they did not officially start their campaign until after their candidate list was registered on September 25.

The message coming from this camp is: “The change of regime is a necessary precondition for general change in all spheres of life, especially the economy. ZZP can win an absolute majority – although, in a worst-case scenario, it would rely on the Liberal Alliance. Our program is a struggle against organized crime, corruption and the mafia.”³

LIBERAL ALLIANCE OF MONTENEGRO

The Liberal Alliance (LSCG) is the most pro-independence party and strongly advocates for European-style reforms. It had six seats in the last parliament. LSCG was a supporter of the recent government until DPS leaders signed the Belgrade Agreement, causing LSCG to withdraw its support and the government to collapse. LSCG has since created a parliamentary alliance with ZZP to bring down President Djukanovic and his DPS, which LSCG has often described as a mafia organization.

DEMOCRATIC COALITION “ALBANIANS TOGETHER”

This coalition comprises Democratic Union of Albanians (DUA), Democratic Alliance in Montenegro (DSCG), and Party of

¹ The Democratic List wants the Montenegrin parliament to select the republic’s representatives to the Union parliament, rather than voters to elect representatives directly.

² *Vijesti*, October 1, 2002.

³ Predrag Bulatovic, SNP leader, at a rally in Plav on October 2, 2002.

Democratic Prosperity (PDP) – all ethnic Albanian parties. The parties in this coalition support Montenegro’s independence and would most likely enter into government with the Democratic List if invited. In the past, ethnic Albanian parties have competed separately and managed to win only two of the five seats in a special set-aside constituency. The creation of a coalition may enable them to gain a third mandate.

The coalition will only compete at the republican level and has announced a boycott of the Podgorica election because no special constituency for ethnic Albanians was created for the Podgorica municipal elections.⁴ In boycotting, the coalition has not put up a candidate list; however it is unlikely that it will call voters not to vote in Podgorica municipal elections.

ELECTION BACKGROUND

On July 20, President Milo Djukanovic scheduled early parliamentary elections for October 6 in Montenegro – after months of political wrangling over formation of a new government after parliament passed a vote of no-confidence on May 22. Two days before scheduling elections, the LSCG-ZZJ majority had voted changes to the election and public information laws and had adopted a special campaign media law. The Organization for Security and Cooperation in Europe (OSCE) considered many of the amendments and provisions of the special law to be contrary to international standards.

A political standoff ensued over which law would govern the October 6 elections – the standing law or the amended law that had not yet come into force when the elections were called. In August, a parliamentary

⁴ Approximately 6,000 of the approximately 115,000 registered voters in Podgorica are ethnic Albanian.

commission was convened to work with the OSCE on creating consensus for amending the election framework. On September 11, the parliamentary parties reached an agreement to change the election law. An essential part of the agreement was postponing elections until October 20.

In the meantime, with the Podgorica Municipal Assembly unable to convene since November 2001 due to a political standoff among the main parties, the President on July 3, 2002 dissolved the Assembly, appointed a caretaker government and scheduled elections for October 6.

In Tivat, the Assembly elected in May was unable to form a governing majority so the President dissolved the Assembly on July 30 and scheduled elections for October 6.

As part of the election agreement, the elections in Tivat and Podgorica were also postponed until October 20.

At the end of July, another political crisis ensued when the mandates of four of the Constitutional Court judges came to an end and the parliamentary majority rejected the President’s suggested nominees. With one member only, the Court was unable to function. The Court serves as the highest court of appeals for election complaints. This crisis was resolved on September 25 when parliament approved the appointment of four Constitutional Court judges – leaving only one remaining vacancy.⁵

ELECTION FRAMEWORK

Political parties will compete for 75 seats in the Republican Assembly, 52 seats in the Podgorica Municipal Assembly and 32 seats in the Tivat Municipal Assembly.

⁵ The Court’s fifth judge retired during this period.

Montenegro's election system is proportional representation based on a single, closed list of candidates for each Assembly elected.

The exception is a special group of 57 polling stations⁶ with a majority of ethnic Albanians that will form a special constituency in Republican Assembly elections. In order to be eligible for seats in parliament, a party or coalition must receive at least 3 percent of the total votes cast on election day. To enter parliament, ethnic Albanian parties only need to obtain three percent of the votes cast in the special constituency. This arrangement represents a positive discrimination measure for ethnic Albanian parties that would be unable to pass the three percent threshold at the republic level.

Changes to the Election Law

The recent amendments to the election law and the public information law introduced the following significant changes to the election framework:

1) the number of seats in the special ethnic Albanian constituency was reduced from five to four. This change was based on the argument that the number of voters in the special constituency (approximately 27,000) is not sufficient to justify five seats if one applies the formula in Article 3 of the election law where each MP is to represent 6,000 persons (i.e., 30,000). The Albanian parties vigorously objected to this amendment;

2) a new Republican Election Commission was appointed by parliament two months after elections were called. Instead of 11 members, the REC now has 10 members –

⁶ There are 23 in Podgorica municipality, 32 in Ulcinj municipality and 2 in Bar municipality.

five from the governing and five from the opposition parties. And, in contrast to previous elections where the ruling party held the leadership positions, a DPS representative now serves as chairman, and a SNP representative is secretary;

3) Municipal Election Commissions (MEC) for the parliamentary elections were appointed throughout the republic two months after the election was called. In their new composition, the strongest party in the respective Municipal Assembly names the president and the second strongest party (opposition) names the secretary. The MECs were changed to reflect the May 2002 municipal election results and gave SNP the chair of some MECs that it did not previously have. Instead of seven permanent members, there are now 10 members – with five from the ruling party/coalition and five from the opposition;

4) the campaign and media black-out begins 24 rather than 48 hours before election day;

5) members of the Polling Board are strictly forbidden to announce the name of the voter who has come to vote;

6) if voters announce publicly in the polling station for whom they have voted, the Polling Board is obliged to annul the ballot;

7) no one in the polling station is allowed to keep a record of voter's names or their vote – other than polling station members verifying voter's names on the register;

8) parliament appoints a board to monitor the media daily and report immediately on and demand remedies to violations of the rules for media in the campaign; and,

9) new program boards for state TV, state Radio and the state-owned newspaper

(*Pobjeda*) were appointed, each of which elected a new acting editor-in-chief.

THE VOTERS' LIST

On September 25, the Register of Voters was closed with the only possibility for future changes to result from rulings of the Supreme Court. At present, there are 454,437 individuals eligible to vote in parliamentary elections; 115,285 eligible to vote in Podgorica municipal elections; and, 10,371 eligible to vote in Tivat municipal elections. Montenegro has a total population of approximately 650,000.

REPRESENTATION OF WOMEN

The representation of women on the candidate lists of the major parties is low. Democratic List and ZZP have 13 and 9 percent women on their lists, respectively, with the first woman at #19 on the Democratic List and at #14 on the ZZP parliamentary list. Liberal Alliance does better with 20 percent of its list made up of women and with the first woman being #2 on the list.

ISSUES IN THE CAMPAIGN

The Economy: It is interesting that both of the large coalitions are focusing on the economy in the campaign, promising to improve living standards and quicken the pace of reforms if elected.

The Constitutional Charter is also a relatively important issue in the campaign. All issues in the Charter have been harmonized between Belgrade and Podgorica except the manner of electing representatives to the parliament of the joint state. The Council of Europe in late September extended an invitation to Serbia and Montenegro to join the body once the

Charter was passed. The next meeting of the CoE Council of Ministers is November 7, which is seen as the new deadline for the parliaments to adopt the Charter if the new state is to be part of the Council by the end of the year.

Pro-independence forces accuse pro-federation leaders of trying to change the Belgrade Agreement by insisting on direct elections to the joint Serbian-Montenegrin parliament, while ZZP accuses DPS of intransigence, as Belgrade, the European Union nor the Council of Europe support indirect elections. While the method of elections is considered by many analysts to be an insignificant issue, it is fundamental to the concept of the new state union in the eyes of DPS, SDP and LSCG.

The issue is unlikely to be resolved before elections. If Democratic List wins an absolute majority, it is doubtful that it would renounce its demand for indirect elections, meaning that passage of the Constitutional Charter with Belgrade would be further delayed. European officials are placing considerable pressure on Montenegro to conclude the Charter as soon as elections are over.

The Media: With the new editors-in-chief of state media now occupying their positions and the board for monitoring the media working under OSCE guidance, polemics on the editorial policy of state media dominate. Independent media accuses state TV of being party-controlled, of not covering the movements of the President of the Republic and of bringing “war-mongers” back into high positions. Already, there have been a number of resignations – including one that happened live on camera and caused quite a scandal.

Political Party Financing: A number of parties complain that the government has never given them the funds they are owed from the municipal elections or the funds they are entitled to in these elections. On the one hand, it was the responsibility of the municipal government to pay out party financing for the municipal elections, and some claim that the republican government has not transferred the funds to enable them to make these payments. On the other hand, the law on political party financing details three tranches of funding in an election campaign – although sets no deadline for transferring these funds.

Therefore, while lack of funds may provide advantages to those parties with money already in the bank, the problem of party financing appears to be one of a weak legal framework and empty government coffers.

NDI IN MONTENEGRO

With funding from the U.S. Agency for International Development (USAID), NDI has supported the development of democratic institutions in Montenegro since 1997 in an effort to improve transparency, accountability, political representation, and citizen participation. Over the years, NDI has developed the organizational and outreach capabilities of democratically oriented political parties and provided technical assistance to several civic groups engaged in reforming the political process.

As a result of NDI's efforts, parties have begun to strengthen their organizational structures and to communicate directly with voters. NDI's 2001/2002 polling project - consisting of eight public opinion surveys between March 2001 and April 2002 provided the parties with information necessary for crafting messages responsive to their voters' concerns.

In 2002, NDI began to engage parliament and work with its institutions and individuals to improve efficient functioning of this fundamental democratic institution. With funding from the Dutch government, NDI provided computers to the Assembly and established an Internet/Press center, is training staff and MPs to use the computers and is working to rebuild the parliamentary website.

In advance of the elections, NDI has provided technical and financial assistance to the Center for Democratic Transition (CDT), a nonpartisan domestic monitoring organization, on monitoring a party Code of Conduct for the campaign and election-day observation.

National Democratic Institute for International Affairs (NDI) is a nonprofit organization working to strengthen and expand democracy worldwide. Calling on a global network of volunteer experts, NDI provides practical assistance to civic and political leaders advancing democratic values, practices and institutions. NDI works with democrats in every region of the world to build political and civic organizations, safeguard elections, and to promote citizen participation, openness, and accountability in government.

In Central and Eastern Europe, NDI conducts programs in Albania, Bosnia, Bulgaria, Croatia, Kosovo, Macedonia, Montenegro, Romania, Serbia, and Slovakia. For more information on NDI's Montenegro programs, please contact William Hayden in Washington, D.C., at 202-728-5662, or NDI in Podgorica (Lisa McLean or Marianne Goodwin) at 381-81-623-132.