

MONTENEGRIN PRESIDENTIAL ELECTIONS

First Round, 5th October 1997

The republic of Montenegro held presidential elections on 5th October 1997. Momir Bulatovic was elected president on 15th January 1993 and his term of office officially expires on 15th January 1998. In July 1997 the ruling Democratic Socialist Party split and the majority of its MPs united behind the prime minister, Milovan Djukanovic. These MPs, with the support of minority parties, voted to bring forward the presidential elections to October 1997. Bulatovic was prevented from standing as the DPS candidate - the party maintained that according to the Constitution only one person could stand and the majority backed Djukanovic as the candidate. However, after a successful appeal to the Federal Constitutional Court in Belgrade Bulatovic was allowed to take part in the poll. 6 other candidates also contested the election.

After the split the assets of the DPS including finances and real estate were taken over by the Djukanovic wing of the party. As Djukanovic had also been prime minister for several years large areas of the state machine were already under his control, including the police and, more recently, Montenegrin TV. Bulatovic and the small number of MPs who remained loyal to him had been unceremoniously evicted from their offices in the Socialist Party building with all their equipment and possessions. They now operate from a small, badly equipped house owned by the municipal authorities in Podgorica.

Many observers, including liberals and anti-war activists in both Montenegro and Serbia support Djukanovic. They see him as a way out of the Balkan cycle of war and poverty blamed, primarily, on Milosevic but also, by association, on Bulatovic. This is because the prime minister has flirted with the idea of Montenegrin independence and stressed the need for the republic to distance itself from Belgrade and develop closer ties with the international community. He made a successful visit to the White House last year and it would be fair to say that he was the favoured candidate of the West.

However, things are not quite so clear cut. As long-time prime minister of Montenegro Djukanovic must accept as much blame for the war as his rival Bulatovic. Some would say he was more culpable: allegations of black marketeering and smuggling have been made against the prime minister and his associates which have found resonance among ordinary people even if some foreigners and local intellectuals are prepared to give him the benefit of the doubt.

By election day the atmosphere in Montenegro had become startlingly polarized: large, glossy poster of Djukanovic ('Milo') had been pasted all over the republic - there were few for Bulatovic and almost none for the other candidates. TV supported his candidature with lavish promotions like the rally of pop stars, sport's personalities and opera singers that concluded his campaign. Against this background it seemed natural to assume he would win. However, the Bulatovic campaign, despite its lack of funds, remained optimistic. Other commentators agreed with them. When the results began to come through on Sunday evening it became evident that Bulatovic was in the lead. At this stage Montenegrin TV stopped its election coverage and broadcast an extended programme featuring folk singers.

the results were not formally released until the afternoon of 6th October. Bulatovic had 47.45% of the vote, Djukanovic 46.72%; the other candidates polled c.13,500 votes between them. A major factor in the run-off on Sunday 19th October will be the destination of these votes. One candidate, Novica Stanic, has already advised his voters to support Bulatovic. It is noteworthy that few media outlets broadcast the fact that Bulatovic won the first round of the election. Some newspapers ('The European', for example) states the opposite - that Djukanovic had won. Others used opaque language conveying the impression that there had been no clear winner.

COMMENTS ON THE ELECTION

THE MEDIA

* All major newspapers published in Montenegro supported Djukanovic. Against this, the Belgrade press was behind Bulatovic. Attempts were made to prevent Serbian newspapers reaching their readers: on the day before the election the leading Montenegrin daily Pobjeda called upon students to buy up copies of Belgrade newspapers and destroy them. As copies of these papers were available on the eve of the election the plan failed. However, only because, it was suggested, extra copies had been sent from Belgrade during the day.

* Television coverage was dominated by the Djukanovic camp: its controller, Milorad Djurkovic, handed out Djukanovic rosettes to BHHRG observers in his office. Although it fulfilled its obligations by providing political broadcasts for the other candidates 80% of its coverage was pro-Djukanovic. After viewing his lavish pre-election rally the observers asked to see a recording of similar Bulatovic rallies. The TV station's video engineers refused the request although they seemed happy to provide a copy of the previous evening's debate which, they claimed, demonstrated their client's superiority.

* Although Serbian TV is broadcast all over the republic its news programmes had been removed from the airwaves by Montenegrin TV.

It is somewhat surprising in the light of all this that the European Media Institute (who are usually retained for the purpose) did not monitor Montenegrin TV's election coverage. The possibility of bias had been aired publicly beforehand and should have alerted international observers.

CONDUCT OF THE POLL

* BHHRG representatives visited polling stations in Cetinje, Niksic, Budva, Bijelina Polija and Podgorica. Voting appeared orderly. There were sufficient ballot papers and no sign of multiple voting. Polling booths were adequate although some were not properly curtained and the voter could be seen making his/her choice. The figures given for the turn-out reflected the observers' calculations during the day.

* However, there were serious problems in some places with the electoral roll. While the voters in Niksic were entered on what appeared to be a recently compiled roll the situation in Podgorica was unsatisfactory. People found that they had come to the wrong polling station and, occasionally, that they had already 'voted'. As the electorate is relatively small and the margin of victory is likely to be narrow it is urgent that the Montenegrin authorities address this problem before the second round of voting.

* Most electoral commissions were dominated by Djukanovic supporters, the chairman in particular. In one polling station it was alleged that all members of the commission came from the same family. However, the other candidates were allowed observers in the polling stations. It was notable that a Bulatovic observer was always present - this must have assured as fair a count as possible. Nevertheless, when the results started to appear it was something of a shock to many people, particularly Djukanovic supporters, who had to jettison plans for an enormous party and celebratory bonfires.

Bulatovic won majorities in 14 districts, Djukanovic in 7. Djukanovic also captured overwhelmingly the votes of the Muslim and Albanian minorities. However, the capital Podgorica voted convincingly for Bulatovic. Two districts had a recount but it did not affect the overall result.

Results tallied by the Bulatovic campaign and handed to BHHRG observers did not differ from those issued by the CEC.

CONCLUSION

The next round of the Montenegrin presidential election which takes place on Sunday 19th October will be closely fought. Unfortunately, society is clearly polarized and it is to be hoped that some of the flaws in the first round can be corrected to ensure a peaceful conclusion to this and the wider political divisions in the republic. The overwhelming superiority of the Djukanovic campaign in terms of finance and monopoly of the media did not ultimately damage the democratic process in Montenegro nevertheless such imbalance is always undesirable.

2nd Round, 19th October, 1997

Only two candidates went forward to the decisive second round of the Montenegrin presidential elections from the 8 who stood in the first round on 5th October, 1997. Both candidates _ President Mommy Bulatovic and Premier Milo Djukanovic _ claimed to lead the same party, the Democratic Party of Socialists (DPS). The distinction between Mr Djukanovic's wing of the Montenegrin DPS is that it seems to comprise the majority of the central committee and MPs while Mr Bulatovic's wing appears to enjoy the support of most activists.

The official result of the 2nd Round was that despite his small lead on 5th October Mr Bulatovic was defeated by Mr Djukanovic. Out of 339,870 valid ballot papers the results were:

- Mommy Bulatovic 169,257
- Milo Djukanovic 174,745
- Mr Djukanovic's majority was 5,488

Although the arithmetic of that result has not been conclusively challenged, several features of the election campaign and voting day itself give rise to doubts about the fairness of the election.

Intimidation

Although many Bulatovic supporters alleged intimidation before the 1st round _ e.g. threats to jobs or even persons _ there was little concrete evidence. However, in the run-up to the decisive round, intimidation at various levels against supporters of Bulatovic and others became a serious problem.

There had been a considerable turnover of observers from the Bulatovic camp between the two rounds. Intimidation of first round observers is one explanation of this phenomenon _ noted in Podgorica and Niksic but especially in and around the opposition stronghold of Cetinje, where a particularly strong police presence was also noted on election day.

In Cetinje, at polling station 18, a BHHRG observer witnessed two Bulatovic observers being harassed and physically manhandled by avowed supporters of Mr Djukanovic. Our observers saw evidence of intimidation against their predecessor, whose car had been destroyed a few days earlier.

At the nearby mountain polling station of Ceklic, there were only Djukanovic supporters in the polling station which seemed to confirm an earlier claim by a Bulatovic observer in Njegos that his colleagues going to Ceklic had been prevented from doing so. (According to the Bulatovic observer in Njegos they were detained by the police.)

Intimidation was also directed at one of the facilitators of this group. While two observers were in his flat, human excrement was daubed on his front-door. It is difficult to avoid the conclusion that this vandalism was a crude attempt to discourage him from posing awkward questions on behalf of the observers since supporters of Mr Djukanovic in the media had taken vocal exception to their biased statements being reported by observers of round one. (The victim of this attack was un-political and highly professional in his work, virtues not respected by the so-called "Opposition" in Montenegro.)

Media Freedom

Apart from two lengthy television debates with Premier Djukanovic, President Bulatovic was again effectively denied access to domestic Montenegrin broadcast media.

State television and radio, along with the nominally independent radio station Antenna M broadcast pro-Djukanovic material including for instance repeated airings on election day of pop songs and Montenegrin nationalist music performed at rallies in support of Mr Djukanovic and already frequently broadcast in that context.

Although Belgrade newspapers were on sale and generally favourable to Mr Bulatovic (though not entirely so since organs of the Serbian opposition support Mr Djukanovic), the local printed media was unanimously on Mr Djukanovic's side. In fact, nominally independent news magazines like the illustrated Monitor are printed at the same state publishing house as DPS (Djukanovic) papers like Pobeda.

Local news agencies are also controlled either by the Montenegrin state (via the Ministry of Information) or the nominally-independent agencies are actually run by sympathisers of Mr Djukanovic. This means that foreign journalists and media tend to get only a one-sided view of developments in Montenegro.

Our observers who have also monitored the parallel polls in Serbia came to the conclusion that local media pluralism is more in evidence in Serbia than Montenegro. Even in Kosovo where very tight police controls inhibit many expressions of human rights (like free assembly), the Albanian majority has some printed media of its own.

It is to be hoped that whatever the outcome of the disputes about the election results, whoever is finally endorsed as President will use his influence to promote genuine media pluralism.

Illegal Campaigning

After the close of legal campaigning at midnight on Thursday, 16th October, many Montenegrin citizens received letters urging them to vote for Mr Djukanovic. These letters appeared to come by post though they were unstamped. One type of letter was aimed at younger voters, the other at older people. It is alleged that postal workers were instructed to make these deliveries a priority, but we have no confirmation of that. Certainly the letters themselves were widely shown to us.

The Voting

During the 1st round, it was widely noted that the electoral registers especially in the capital, Podgorica, were riddled with errors (dead people still on them, living people, including new 18-year olds, absent). Encouraged by the OSCE and with the approval of the Montenegrin Supreme Court, the registers were revised by 18th October. Although in principle as inclusive a register as possible is desirable, the process of up-dating the registers led to charges that supporters of Mr Djukanovic in the Supreme Court and local government machinery were manipulating the additions to his advantage. The speed with which thousands of extra voters were added in the last few days before the deadline for voting certainly left little time for verification of true identities, ages, etc.

On polling day itself a small number of people voted using certificates provided by the police, usually fewer than 4 per polling station visited. However in a close race even a small number of additional voters whose exact status was unclear could have swung the vote. (Our sample of polling stations, though geographically diverse was necessarily random. Certificated voters may have been more in evidence in other places, or less so. Either way their participation in voting was undesirable.)

The addition of a voters' register requiring signatures to the existing print-out of names and ID numbers seems to have caused considerable delays in the time taken to vote. Large queues built up outside many polling stations. In Podgorica and other population centres many polling stations continued to receive voters until midnight _ in a few cases until 2am.

Although it may be that it was politic to let the queues vote, long delays must have discouraged some people from voting (perhaps especially elderly ones). Furthermore the lack of control over who had been queuing at the 8pm cut off point for voting meant that irregularities cannot be ruled out.

Each of the 5 counts attended by our observers was properly conducted. Observers from both candidates were present and accepted the validity of the ballots as recorded. In general the atmosphere at the counts was good and cooperative despite the high political temperature outside.

However as noted with regard to intimidation, there were polling stations which lacked representatives of Mr Bulatovic, or where his previous observers had withdrawn and had to be replaced. In Cetinje No. 18, these new observers were themselves subject to intimidation by men coming into the polling station from outside.

Although the ballot papers carried an official stamp unlike on 5th October, ballot-security was not absolutely guaranteed. (One member of the Republican Election Commission, Predrag Bulikic _ anti-Bulatovic _ resigned on 17th October claiming that between 9 and 20 ballot papers had been removed from the complete print-run delivered to the REC headquarters earlier that day.)

Inter-ethnic relations

Despite the mayhem in neighbouring Bosnia between 1992 and 1995 and the continuing tensions there between Muslims and Serbs as well as the tense situation in Serb-controlled Kosovo, inter-communal relations in Montenegro have so far avoided the violent confrontations seen elsewhere in former Yugoslavia.

A regrettable feature of the 2nd Round of the Montenegrin Presidential Elections was the instrumentalisation of religious and ethnic minorities in the political battle between the rival wings of the DPS.

Despite his past as a supporter of the war against Croatia in 1991 and a major organiser of the sanctions-busting operations which kept both New Yugoslavia and the Bosnian Serb Republic afloat during the war against the Muslim-led Sarajevo government after 1992, Mr Djukanovic has recently reinvented his political profile as the defender of the Albanian, Muslim and Croatian minorities inside Montenegro. A lot of his campaigning was devoted to turning out the previously passive minorities' vote.

Although in general it is to be welcomed when more people participate in elections, if voting is polarised along religious/ethnic lines even well-intentioned campaigning to get minority-votes can backfire to their disadvantage. The erection of a statue of the recently-deceased Mother Theresa of Calcutta (a ceremony attended by the Papal legate along with 2 ministers and broadcast on the eve of election) might herald a new chapter in inter-ethnic relations in Montenegro where minorities moved from a position outside politics, but it could equally be seen as a cynical exploitation of people previously marginalised by the Djukanovic wing of the DPS as much as by Mr Bulatovic's supporters.

During the two week interval between voting rounds, the tone of the Bulatovic camp became more stridently anti-minority than it had been to start with. During the television debate on 16th October, Mr Bulatovic pointedly referred to minorities turning out to vote for the first time in living memory.

On the streets after 19th October, one of the complaints by Bulatovic supporters about the elections was that unprecedented numbers of Albanians in particular had voted. It seemed that they were often confusing the question of whether illicit votes had been fraudulently cast in the names of Albanians or just that Albanians had exercised the franchise for the first time in large numbers on what Bulatovic supporters regarded as the wrong sided.

Our observers in Tuzi and Albanian areas in south-west Montenegro noted a high turnout with long queues. Whether multiple voters were infiltrated into their number as alleged can only be verified/refuted by a detailed analysis of all the relevant voters' registers which was not possible on election day.

The aggressive anti-minority rhetoric of some of Mr Bulatovic's supporters taking part in protests after polling day is a dangerous development. Leaving aside the unproven allegations of fraud, it is clear that a large majority of the ethnic Montenegrin/Serb voted for Mr Bulatovic and that Mr Djukanovic's majority was dependent on Albanian/Muslim votes. The exacerbation of inter-communal relations ought to be avoided at all costs and in particular Mr Bulatovic should call on his supporters to stop stigmatising the legitimate use of the vote by Albanians and others and to concentrate on any concrete allegations of malpractice which they may possess.

Conclusion

The British Helsinki Human Rights Group observers concluded that though the counts which they observed were properly conducted serious flaws were evident in the election process:

- 1) Intimidation up to and on polling day may have influenced the turn-around in the vote
- 2) Unequal media coverage may have distorted the outcome _ though it should be remembered that it was a factor in the first round when Mr Bulatovic came first
- 3) Although it was desirable that all eligible persons had the right to vote and that the flaws in the electoral registers noted on 5th October should be corrected, it remains possible that in addition to genuine extra voters, cheating took place using police-issued certificates and other means of adding unqualified persons to electoral lists.

4) The long delays in completing the voting and the failure to control who was in line at 8pm on 19th October opens the possibility of fraud under the cover of darkness.

The lack of unimpeachable transparency in the 2nd round voting and tallying of results is deeply deplorable because it contributes to an already bitter political divide.

Whatever the final verdict on the outcome of the Montenegrin presidential elections, it seems clear that they fell short of genuine democratic standards of fairness. It may be that allegations of multiple voting and fraudulent registers will be disproved, but the climate of political polarisation and distrust fostered by the bitter internal split of the Montenegrin DPS is unlikely to dissipate soon. The absence of media pluralism and the atmosphere of thinly veiled intimidation on behalf of Mr Djukanovic before the vote has been compounded by the radicalisation of much of the opposition to his power-base ("The Opposition") since 19th October.

All parties should seek to avoid making inflammatory or unfounded allegations against their opponents since the situation is very delicate.

It is regrettable that international institutions like the OSCE have squandered any claim to impartiality by issuing a premature endorsement of the electoral process in Montenegro. Instead of being able to play a mediating or mollifying role, the OSCE is regarded by many opponents of Mr Djukanovic as one-sided.

