



**Report of the
Canadian parliamentary delegation of the
OSCE – Canada-Europe parliamentary association
to the
Observation Mission to the Referendum of the OSCE
Parliamentary Assembly,
Serbia and Montenegro
May 19 - 22, 2006**

On May 21, 2006, Senator Jerahmiel S. Grafstein participated in the International Referendum Observation Mission to Montenegro. The mission deployed over 365 observers from 35 countries and was a joint undertaking of the OSCE PA, the Council of Europe PA, and the European Parliament, with the support of the OSCE/ODIHR.

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The referendum on the future state-status of the Republic of Montenegro (Serbia and Montenegro) on 21 May was conducted overall in line with OSCE and Council of Europe commitments and other international standards for democratic electoral processes. It provided the voters a genuine opportunity to decide the future status through a process of direct democracy, concluded the International Referendum Observation Mission.

“In a demonstration of direct democracy, the people of Montenegro conducted a genuine and transparent referendum, and should be congratulated for their constructive approach in making this historic decision,” said Professor Nevzat Yalcintas, Head of the OSCE Parliamentary Assembly delegation, and appointed by the OSCE Chairman-in-Office as the Special Co-ordinator for the OSCE short-term observers. He also stressed that “This referendum was a unique event in a unique historical situation. Montenegrins undertook this process in a consensual manner, demonstrating to the world how such differences of opinion can be resolved peacefully.”

In addition to leading the overall OSCE mission of 365 observers, Professor Yalcintas, who is a member of the Parliament of Turkey, along with Deputy-Head Senator Jerahmiel S. Grafstein, led the OSCE PA delegation of some 50 members.

Mr. Jean-Charles Gardetto, Head of the delegation of the Parliamentary Assembly of the Council of Europe and also a member of the OSCE Parliamentary Assembly, said: “The high turnout showed the importance given by the people of Montenegro in deciding their future by democratic and peaceful means. They expressed their free will in a fully democratic and civil manner, something they can be proud of and that sets an example for the region. The Assembly stands ready to accompany Montenegro on the path its people have chosen.”

The observation mission noted the high interest, reflected in voter turnout of over 86% of the population, and the active and competitive campaign. The media provided voters with diverse views, enabling them to make informed choices between the alternatives. Political parties had been offered the opportunity to inspect the voter register and to cross-check it with other data in advance, significantly contributing to the transparency of the voter list. Similarly, equal participation by both sides in the referendum administration at all levels contributed to confidence in the process.

The legal framework for the referendum largely meets international standards for electoral processes. The 2006 special referendum law was a result of the consensus that followed political party negotiations in early 2006, and was able to maintain cross-party political support for its full implementation, including on contentious issues such as

the majority requirement for the decision to be made. The referendum question was clear.

The 21 May referendum on the future state-status of the Republic of Montenegro provided a genuine opportunity for the citizens of Montenegro to decide whether their country should be an independent state or remain in the State Union with Serbia. The question of independence has long characterised – and polarised – the political landscape in Montenegro and thus it is notable that there has been wide, cross-party support to the issue being resolved legitimately and with certainty through a referendum.

The State Union of Serbia and Montenegro was established in 2002 by the “Belgrade Agreement” that placed *inter alia* a three-year moratorium on the holding of any referendum on independence by either member of the State Union. Following the expiry of that moratorium, the Government of Montenegro indicated its intention to hold this referendum. A lack of consensus between political actors on the conditions for the conduct of the referendum led to the participation of the European Union (EU) Special Envoy, Ambassador Miroslav Lajcak, in negotiations to reach an agreement.

A framework on the conditions for the referendum was agreed in February 2006, with a compromise found on the particularly contentious issue of what majority would be required to decide on the state-status. For the current referendum to be considered as having been passed, 55 per cent of the valid votes had to be cast for the “yes” option, and a voter turnout had to be over 50 per cent of the total number of registered voters.

The Law on the Referendum on State Legal Status (LRSL) which was adopted by the Parliament of Montenegro on 1 March, 2006, contained many provisions that ensured cross-party participation in the referendum and enabled both sides to compete with each other on a generally equal basis. These provisions included equal representation on referendum administration bodies, the allocation of equal amounts of public funds for each side’s campaign, a restriction on the role of public bodies or the use of state resources in support of a campaign, and a requirement for Montenegrin media to be informative, objective and neutral.

The referendum question – *Do you want the Republic of Montenegro to be an independent state with full international and legal personality?* – was clear, ensuring that all voters were able to express their choice without ambiguity.

Respectfully submitted,

The Honourable Senator Consiglio Di Nino
Director, OSCE
Canada – Europe
Parliamentary Association - OSCE

Travel Costs

ASSOCIATION	OSCE - Canada-Europe Parliamentary Association	
ACTIVITY	International Referendum Observation Mission	
DESTINATION	Montenegro	
DATES	May 17-23, 2006	
SENATORS	Hon. Jerahmiel S. Grafstein, Senator	
MEMBERS		
STAFF		
TRANSPORTATION	AIR	\$ 8,150.53
	GROUND	\$ 62.48
ACCOMMODATION	\$ 346.48	
HOSPITALITY	\$ 0	
PER DIEMS	\$ 278.86	
OFFICIAL GIFTS	\$ 0	
MISCELLANEOUS/REGISTRATION FEES	\$ 0	
TOTAL	\$ 8,838.35	