

## ACCOUNTABILITY OF MONTENEGRIN GOVERNMENT

# Tough job for civil society

In expectation of the European Commission's decision on liberalisation of the visa regime with the West Balkan



by Stevo Muk

countries, international media reported that the Montenegrin ministry of internal affairs and public policy issued a passport to the former prime minister of Thailand **Taksin Shinawatra**, who had been sentenced to two years in prison for corruption by his own country and is currently sought by Interpol.

Democratic, pro-European public in Montenegro expected the head of the Government of Montenegro, **Milo Đukanović**, or deputy prime minister for European Integrations **Gordana Đurović**

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to say "The case of the passport issued to the former Thai prime minister will be urgently and thoroughly investigated and those responsible will have to bear the consequences". Instead, deputy PM Đurović said that too much criticism on the part of some media, non-governmental organisations and representatives of the opposition is directed to cause damage to the citizens of our country and added "to my mind, this is destructive. They don't seem to understand the basics: the report on visa liberalisation is just being written, and their incessant repeating of such accusations will only bring harm to them and their colleagues who are waiting for hours and days in front of European embassies for their visas – not to the Government of Montenegro".

At the beginning of this affair the Minister of Internal Affairs and Public

Administration said he could not give more information on this case because of the Law on Protection of Personal Data, and later categorically refused to "give any further statements in relation to Shinawatra".

Thus in a perverse manner we learned that the Law on Protection of Private Data was not adopted to protect privacy of Montenegrin citizens but to cover up for the lack of responsibility on the part of their politicians and civil servants. Unfortunately for the minister of internal affairs and public policy, the said law, which was adopted late last year did not even come into force yet, and is scheduled for implementation starting with 1 July 2009.

**Aleksandar Saša Zeković**, researcher into violations of human rights supported the motion to make Minister of Internal Affairs and Public Administration **Jusuf Kalamperović** clarify his decision to grant Montenegrin citizenship to the former prime minister of Thailand and thus accept his responsibility for this act.

"Such concrete instances repeatedly confirm that in Montenegro the civil society is the only professionally and democratically fit entity that will insist on opening and closing of public questions and issues. Minister Kalamperović and Government as a whole are professionally and morally responsible to explain to the citizens of Montenegro which scientific, economic, cultural, national or sports interests of Montenegro did they take into account when they decided to give Montenegrin citizenship to the former Thai PM, currently sentenced and sought in his country. Public insistence to receive full information on this process should be understood as well intended and in the best interest of Montenegro. They especially owe a timely and adequate explanation to those few thousands living in Montenegro, sometimes for decades, who

are not able to acquire the citizenship under the terms of the new Law on Montenegrin Citizenship and were thus put in a very unenviable position. One should also allow for the possibility that some ministers or the whole government were simply cheated by self-interested individuals who failed to provide them with objective information. Either way, this issue deserves a more serious, more responsible treatment. In the interest of Montenegro's credibility and maintenance of the rule of law it is essential that the State Prosecutor should investigate whether there are elements of corruption and abuse of office behind this case of granting Montenegrin citizenship, especially by those persons who may have proposed the motion and are in a position to do so by virtue of their office, as specified by the Law. If the prosecution establishes that the interests of Montenegro and its citizens were damaged, the Government should offer a public apology, start the procedure for the withdrawal of citizenship and apply relevant sanctions to those responsible. That would be a clear confirmation of Montenegro's democratic capacities".

NGO "MANS" took up charges before the Administrative Court against the Ministry of Internal Affairs and Public Administration for violating the Law on Free Access to Information, after all legal deadlines expired within which the Ministry was supposed to respond to their request for information about the manner in which Shinawatra acquired Montenegrin citizenship and when and where was his passport issued. Ministry did not even bother to refuse the request and simply ignored them. According to MANS "Shinawatra received the new Montenegrin passport with biometric specifications, and according to the current procedure in order to do that he had to come to Montenegro and supply the data in a prescribed manner at a prescribed place. This suggests that the case is either a case of corruption on a very high level, which allowed circumvention of the entire procedure and all security mechanisms, or of an enormous, systemic

failure on the part of the Ministry.

In the midst of the "Shinawatra affair", prime minister Milo Đukanović first said "Now I see the media and non-governmental organisations discussing whether the decision (to issue the passport) was right or not. My answer is that they should first become ministers of interior affairs and then decide on such issues. As long as Kalamperović is the minister he is the one to decide and, in my opinion, he decided bearing in mind the best interests of Montenegro", Đukanović added.

He also said that those who are so eager to play minister "and would want to decide whether or not to give passports, should run for the elections, win, and then have the right to revise those decisions which, according to the current distribution of democratic forces on the political scene, belong to us".

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In an interview to the daily "Pobjeda" (still state-owned), on the occasion of Independence Day Đukanović called his critics "a filthy basin", "unfulfilled people", "chronically unsatisfied", "frustrated", explaining that such people "do not consider it in the least immoral to slander their own country which gave them everything they ever had in life, including such freedom of public expression", and that "they disguise their activities against the state as defence of human and media rights". He warned the public "not to trust the people who are capable of such slander of their homeland" and that he understands that these are "politically ambitious but unsuccessful, frustrated people, some of whom will, as time goes by, be ever less fit to govern and ever more in need of intensive care by their family in order to keep their aggressive behaviour in personal and professional surroundings at bearable levels".

This kind of discourse against the critics simply continues some earlier statements by Government and party officials who called such people "shameful" and "traitors". We just found out that the



law of silence among the top dogs and solidarity with the culprits; that nothing at all has changed in the Governments' atti-

tude towards arguments and criticism of non-governmental organizations and that we are still classified as patriots or traitors. Finally, we learned that Taksin Shinawatra is interested in buying St Nicholas island in Montenegro, in the vicinity of Budva. The island was put on sale by the "First

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Bank", which is in majority ownership of prime minister's brother, while Đukanović also owns a number of shares.

All these statements by prime minister Đukanović, deputy PM Đurović, Minister of interior affairs and public administration Kalamperović and others throughout the Shinawatra affair question the very rationale for the existence of civil society, non governmental organisations and the media. Civil society is only welcome when it supports the Government, does not ask questions, does not look for

answers and accepts the role granted to it by party officials. Anything else is betrayal of national interests to those who believe themselves to be the state. And we all know how to deal with traitors. Such vocabulary thus comes dangerously close to an open call for disciplining of disobedient critics.

In a country where the editor of one daily was murdered and the perpetrators never found, where the director of another daily was beaten up on the street, the leading researcher of human rights violations threatened with death, followed, recorded and photographed without

authorization, and the perpetrators never found, two journalists who spoke and wrote about organised crime beaten up in the last two years – the perpetrators and commissioners, you guessed, were never found, and where the prime ministers speaks in this manner about those who think differently, chances are that something similar will happen again.

*The author is the president of the Board of Directors of the Institute Alternativa (IA)*