

Montenegro under the watchful eyes of Đukanović and EU

Summary:

Change is coming to Montenegro slowly, laboriously and unwillingly. The fact that Igor Lukšić is the Prime Minister is still less relevant than the fact that Milo Đukanović, who is not a Prime Minister, remains politically the most important and influential person in the country.

The new Prime Minister introduced the practice of communicating and cooperating with the opposition, non-governmental actors and other representatives of the society. He also demonstrated a new political sensibility in his approach to social problems, his attitude, and his work methods. Yet, his premiership remains in Đukanović's shadow. In this context, it is unclear whether Lukšić is at all trying to achieve a certain degree of autonomy in decision-making, and when could that happen.

The process of European integrations, i.e. the principle of conditionality, is the key factor in accelerating reforms. Without a strong influence of the international community (EU and USA), in synergy with a strengthening role for independent and professional media and NGOs, reforms whose pace would depend on the Government alone would be doomed to stagnate. This much is evident from the intensity of the reform efforts undertaken, albeit mostly in the legal sphere, in an extremely short period under the pressure of living up to the seven recommendations of the European Commission.

With the same people in government for so long, the line separating the leading DPS party from the state itself disappeared. Consequently, regular institutions, norms and practices are not functioning or are doing very poorly in a political context that had been frozen for decades. The most obvious examples of poor results concern the fight against corruption and development of a professional public administration - two areas that are fundamental to the structure of political elite

Major decisions which are crucial for further economic development of Montenegro are delayed or avoided altogether, and the Government failed to rally public support for its proposals and make the citizens believe in transparency and accountability of these processes.

There is much internal struggle within DPS, gradually pitting Đukanović on the one side against Marović and Vujanović on the other. On the surface, the most obvious differences concern identity issues, with Ranko Krivokapić, president of SDP, acting as an explicit interpreter of the politics of the president of DPS. In the meantime, the internal (interest-based) chasms are deepening, threatening to undermine the DPS monolith in the medium term.

While some expect these tensions in DPS' leadership to soon erupt to the surface, it is still too early to talk about divisions and splits from the party, although it is almost certain that some changes are to take place in the near future.

The opposition is still doing little in terms of organisational and strategic moves to improve its capacities. Public opinion trends suggest that DPS' popularity continued to grow, while that of the opposition declined slightly, alongside a growing population of non-voters.

Parliamentary elections could take place in autumn 2012. An earlier date would interfere with the demanding six-month monitoring period of the European Commission in expectation of the final opening of accession talks with EU.

Đukanović's mandate(s)

Regarding continuity of rule in the states arising from the dissolution of the Socialist Federal Republic of Yugoslavia (SFRY), Montenegro is the only one which had not experienced a democratic change of government from the establishment of the multi-party system to date. Milo Đukanović was the central figure of the ruling political structure, with five terms as Prime Minister and one term as President¹. In spite of being often charged with grave accusations of involvement with corruption and organised crime², Đukanović remained in power thanks to his power of rhetorical reinvention, leadership spirit, successful management of the party and undiminished will to power. His absolute power had negative repercussions on the development of democracy and democratic institutions. Besides, the Government in Montenegro still carries the responsibility and a heavy burden of policies it undertook during the wars in former Yugoslavia.

Two decades of Milo Đukanović's presence on the Montenegrin political scene were marked by frequent controversies. A politician who in the early 1990s argued for Montenegro as an "island of communism" in the midst of a general European shift towards open elections, democratic and liberal notions and market economy, "transformed" from a dedicated disciple and follower of Slobodan Milošević first into his fiercest opponent and political enemy (and thus a favourite of the West), and then into a leader of a pro-independence movement in Montenegro. On the eve of the general elections and the referendum for independence, his calls led to a sort of "identification fever" among Montenegrin citizens, to the extent that some came to equate the state with his person.

Đukanović's political turn away from Milošević was to a large extent a consequence of growing isolation of the Serbian leader from the West, and of timely realisation of the dangers of his nationalist politics. In 1997, this shift resulted in important changes as well as deep divisions in the country. Đukanović led the "anti-Milošević camp" in Montenegro, and later on took up the cause of an initially weak independentist movement. This decision led to a conflict and struggle within the most powerful Montenegrin party - the Democratic Party of Socialists (DPS), from which Đukanović emerged as the winner, garnering support of the majority of members and forging new political alliances.

International support for Đukanović lasted until the democratic changes in Serbia in October 2000, when it began to wane. The result of this wavering was the "Belgrade Agreement", which Montenegro joined only half-heartedly. The State Union of Serbia and Montenegro ceased to exist once the "three-year guaranteed period"³ expired, and Montenegro declared independence in June 2006, following the results of the referendum held on 21 May 2006. In October 2006 Đukanović withdrew from the position of Prime Minister. The independence project which he led to fruition allowed him to withdraw from the political scene with as a person responsible for a peaceful and democratic restoration of country's independence. However, his return to office in February 2008⁴ dissuaded many from believing that his second withdrawal could be the final.

1 President of DPS since 1998. President of the Government of Montenegro 1991-1993, 1993-1996, 2003-2006 and 2008-2010. President of Montenegro 1998-2003.

2 The most famous is the case of cigarette smuggling, which is still in process before Italian courts.

3 The Belgrade Agreement signed in March 2003 stipulated that the State Union of Serbia and Montenegro is established for a period of three years.

4 Between May 2006 and February 2008 Đukanović was replaced in the office of Prime Minister by Željko Šturanović, who later withdrew on account of illness. In 2009 Šturanović was elected vice-president of the Parliament and he still remains in this position.

(Dis)Continuity of rule?

Đukanović's decision to leave the public office for the second time in December 2010 found a variety of explanations with the Montenegrin public. Đukanović himself claimed that his withdrawal "might be beneficial for further political democratisation in Montenegro"⁵, while some opposition parties and analysts believed he withdrew "under pressure from the international community".

The Government of the new Prime Minister was appointed in late 2010, and differs from its predecessor's by six ministerial positions. The freedom of the new Prime Minister in appointing new members of the Government was evident in the fact that some of the new ministers came from his own circles of close collaborators⁶. However, at least two important positions went to Đukanović's long-term associates: Milan Roćen⁷ remained the head of Ministry of Foreign Affairs, which was now merged with the former Ministry for European Integrations. Duško Marković was appointed vice-president of the Government in charge of the political system, interior and foreign policies in Lukšić's cabinet. Careful preparation of the appointment of the former⁸ director of Agency for National Security (ANS), first as a minister without portfolio and later as deputy Prime Minister demonstrated the tendency to strengthen the Government by experienced cadre, together with a few younger ministers.

Given his youth, Igor Lukšić could enter the office without the burden of responsibility for the war crimes in the early 1990s. Nevertheless, he had the necessary experience acquired as Minister of Finance and deputy Prime Minister in the last two Governments. Lukšić's political profile is very different from that of his predecessor, and so are his methods, which are characterised by a lot more openness. Especially openness towards the opposition and moderate, non-confrontational communication with the opposition leaders constitute an important advantage of the new Government and the new Prime Minister. Regardless of the obvious desire to use this as a way to draw Lukšić further away from the influence of Đukanović, opposition leaders Milić⁹, Medojević¹⁰ and Mandić¹¹ contributed to the atmosphere of tolerance and agreement by often initiating meetings with the new Prime Minister. Due to the decades' baggage of bad political and personal relations, something like this would be unimaginable in Đukanović's times.

Lukšić's openness also extended to consultations with representatives of the non-governmental sector, media and religious communities, which took place twice in January and April, but were not subsequently continued.

While the Government more or less maintained greater openness towards different social actors throughout its mandate so far, Đukanović occasionally came out in public with remarkably scathing attacks on political opponents, certain media

⁵ See: <http://www.blic.rs/Vesti/Politika/216343/Milo-Djukanovic-Razmislijam-o-povlacenju-sa-funkcija>

⁶ Milorad Katnić – Minister of Finance; Vladimir Kavarić – Minister of Economy

⁷ Milan Roćen – Advisor for Foreign Affairs to the Prime Minister 1997-1998; Advisor to the President of Montenegro (M.Đukanović) 1998-2003; Main Political Advisor to the Prime Minister of Montenegro 2003 and 2006.

⁸ 1997-2010

⁹ President of the Socialist People's Party (SNP)

¹⁰ President of the Movement for Changes (PZP)

¹¹ President of the New Serbian Democracy (NOVA)

or non-governmental organisations, accusing them of obstructing Montenegro's integration into Europe. "All that together betrays fairly inferior political individuals, I would say political mice, who appear to need deratization, not Sanaderization"¹² he said.

There is no particular reason to believe that in its most important elements the Government of Prime Minister Lukšić represents a discontinuity of rule. As the Prime Minister himself observed, it is a Government of continuity which was predominantly created by DPS and founded upon the same electoral and party programme. In that sense, Lukšić's Government carries an enormous burden of responsibilities and limitations inherited from the previous one. Although transparency and accountability had been trumpeted as the priorities of the new Government, little has been done in that direction. For instance, although the Government initially committed itself to opening up all Government meetings to the public, the recording/transcript of only one session was made available to the citizens. All other sessions in 2011 remained closed to the public.

Improved communication with the national and international actors created expectations that important decisions will be made, solving long-term conflicts and responding to the demands of the local and international audiences. Such expectations were mostly betrayed. Although on several occasions the Prime Minister suggested the possibility of personnel changes in some key positions¹³, nothing happened in that direction, indicating limited power and autonomy of the Prime Minister in key decisions.

Traditionally, there is practically no political, legal or disciplinary accountability in the Montenegrin society, and none that applies to ministers or other public officials. In late 2011 Vladan Joković resigned from his post as Director of the Agency for National Security (ANS), saying that it was a "personal decision". Soon after the Director of Police Directorate Veselin Veljović was removed from this office and appointed security and defence advisor to President Vujanović. So far there are some insinuations that the resignation of the director of ANS and removal of the director of the Police might be linked to the "Listings" affair¹⁴, but they remain speculations. However, resignations of high officials with little or no explanation, and with the real reasons remaining hidden from the public create an atmosphere of unease, and are not likely to bring solutions to systemic problems saddling the sector of defence and security.

To confirm the suspicion that after Đukanović's resignation the real power is even more concentrated in the party, DPS Congress adopted a decision to establish a new body, a council whose task is to monitor implementation of DPS' electoral programme.

Prime Minister Lukšić rejected all suggestions that the Council was in fact established to monitor the Government. "In any case this has nothing to do with controlling the Government, but with bringing together the people who occupy the most responsible positions in one forum, so that every half a year we can check whether our policies are following the right course and whether the result are satisfactory."¹⁵

¹² Daily "Vijesti", 23.11.2011, available at: <http://www.vijesti.me/vijesti/dukanovic-politickim-misevima-treba-deratizacija-clanak-48353>

¹³ Director of the Prison Administration

¹⁴ Listings of phone calls by Darko Šarić, accused of international illegal trade of over two tons of cocaine. The listings were compiled in the Police Directorate in the course of 2010, and according to the investigation, submitted for the purpose of international investigation in the neighbouring countries. They were later "corrected" to include the names of Prime Minister Igor Lukšić and Minister of Foreign Affairs and European Integrations Milan Ročen. These "corrected" listings were leaked on 4 December 2011 and published in the daily "Dan".

¹⁵ Portal Analitika, 3.12.2011. Available at: <http://portalanalitika.me/region-svijet/svijet/44375-prvasjednica-savjeta-za-praenje-realizacije-izbornog-programa-dps-a.html>

The first meeting of this new body took place in December 2011 in Cetinje. Apart from the ministers, it was also attended by deputy ministers from DPS, who are nominally appointed through public calls. This suggests that little has been done to de-politicise public administration.

Governance in Montenegro suffers from many shortcomings on both the national and local levels. Thus opposition representatives in two Montenegrin municipalities (Podgorica and Andrijevica) switched to DPS, providing this party with the necessary majority. “Changing parties” after the elections makes the elections pointless and begs the question of legitimacy of government in these municipalities.

Reform processes in Montenegro

Gerald Knaus, director of European Stability Initiative says about fight against organised crime: “You can observe everything in detail on the case of Croatia. The biggest arrests on this basis were made in Croatia in the last two years. A similar scenario should be expected also in other countries of the region.”¹⁶ This exactly reflects the logic of the Montenegrin Government - we will do whatever you say, when we really have to. The reforms in Montenegro always took place in the last possible moment, always up to the necessary minimum. This is why the reality of the reform process is in fact a combination of genuine changes and simulations, with the ratio between real and rhetorical set by the amount of pressure from EU.

In its recommendations to Montenegro in October 2010, which constitute the requirements for the country to fulfil before it can begin negotiations for the accession to European Union, the European Commission outlined seven priority areas¹⁷. The fact that the Government channelled all its efforts and activities to reform these areas was a beneficial one in terms of getting the (conditional) date for the beginning of accession talks, but these conditions alone cannot be a measure of the real progress in reforming the society. Montenegro is still a semi-consolidated democracy¹⁹. While it definitely made much progress in adopting strategic documents and legal acts, less attention was given to their quality, and the problems in implementing such solutions are yet to come.

Most efforts were directed to harmonise the electoral law which, after many years of delay, was finally adopted by the Parliament in September. This created the illusion in the public that this law was the only obstacle for starting the accession talks. However, the assessment of the European Council from later in the year suggests the opposite. Thus, the strategic and legislative framework which was partially improved in late 2011 was not enough to declare Montenegro a society governed by the rule of law. European Commission announced that it will employ a new approach in negotiations, starting Montenegro, where the first areas to be tackled are the most difficult ones, i.e. the chapters concerning the rule of law, judiciary and human rights. All this indicates that in the future reforms will be more comprehensive, faster and more effective.

¹⁶ Interview with Gerald Knaus in Pobjeda. Available at: <http://www.pobjeda.co.me/mobile/citanje.php?id=217908>

¹⁷ Improve the legislative framework for elections, strengthen strengthen the Parliament’s legislative and oversight role; Complete public administration reform including the necessary legal framework, and the strengthening of the Human Resources Management Authority and the State Audit Institution; Strengthen the rule of law; Improve the anti-corruption legal framework and implementation of existing measures; Strengthen the fight against organised crime; Enhance media freedom; Implement the framework on anti-discrimination in line with European and international standards and adopt and implement a sustainable strategy for the closure of the Konik camp.

¹⁸ At the time of writing of this report, end of December 2011

¹⁹ The Democratic Transformation of the Balkans, EPC Issue Paper, November 2011, p. 4

In July the Parliament of Montenegro adopted the changes and amendments to the Law on the Prevention of the Conflict of Interests. The most important novelties are a broader definition of a public official, and the clause that the MPs, i.e. directly elected representatives cannot be members of the managing boards or directors of public enterprises.

Discussion of the Law was postponed several times on account of intensive consultations with representatives of European Union regarding additional changes to some clauses. One of the problems was the Government’s intention to postpone implementation of the Law.

Although the earlier version, just like the new one, contained a range of legal sanctions, in practice they are reduced to fines. The lack of implementation of other sanctions begs the question of effectiveness of the law.

Also, the implementation so far has been problematic, because the MPs who were required to withdraw from one of their offices by 1 November still did not do it.¹⁸

Although Montenegro rose by three places on the ranking of Transparency International perception of corruption index, it still occupies just the 66th place out of 183 countries included in the report²⁰, and corruption remains a major issue.

Asked by the journalists about anti-corruption measures, Deputy Prime Minister Marković said: “Unlike with organised crime, I believe our results in fighting corruption are weaker, and there will be a lot to do in the future”²¹.

The six-month period²² given to the Montenegrin institutions should result in some tangible progress in fighting corruption and organised crime. “Alertness” of the institutions responsible for these cases - Police and Prosecution, should be at least as high as demonstrated in the last two months of 2011 in the case of the “listings affair”.

Government and opposition - foreign policy priorities

One of the basic differences between political parties in Montenegro concerns their views on membership in the North-Atlantic Treaty Organisation (NATO). The ruling coalition DPS-SDP, as well as the Movement for Changes,²³ support NATO membership in their programmes, while the SNP²⁴ and NOVA²⁵ oppose it. Support for membership in NATO is on the rise among the Montenegrin population, and for the first time more citizens support than oppose it (38 vs. 36%)²⁶.

Although there is a general consensus on membership in European Union, while the country was waiting for European Commission to decide whether to recommend the opening of accession negotiations with Montenegro, the opposition began to accuse DPS and the Government of changing the course and of having anti-European, euro-sceptical policies. The Government and DPS will not back away at this point, because it is precisely the process of European integrations and especially their support for NATO that gives the strongest guarantee of international acceptance to this Government and its members. As a politically pragmatic actor, DPS is not likely to risk its fate by opposing the strategic goals of the international community.

20 The report available at: <http://cpi.transparency.org/cpi2011/results/>

21 Interview with the Deputy Prime Minister Duško Marković in daily “Pobjeda”, 28.09.2011. Available at: <http://www.pravda.gov.me/press-centar/intervjui/108715/INTERJVU-POBJEDI.html>

22 At the end of this period, the European Commission will judge whether enough progress was made in fighting corruption and organised crime and decide on whether to begin the accession talks with Montenegro.

23 “The final goal of equipment modernisation and personnel training is to join the NATO structures, through gradual accommodation through the Partnership for Peace”, PZP Programme, p. 71, available at: <http://www.promjene.org>

24 SNP believes that the Partnership for Peace is a sufficient framework for Montenegro’s involvement in international security organisations, initiatives and missions. See: <http://www.snp.co.me/strana.asp?kat=1&id=6157>

25 See: <http://www.nova.org.me/node/20>

26 CEDEM, December 2011.

Internal dynamics in DPS

After the sixth DPS Congress May 2011, everything seemingly remained the same. Đukanović was once again elected the president, and Svetozar Marović and Filip Vujanović as his deputies. Igor Lukšić also became a deputy president of the party.

Nevertheless, throughout the year there was a notable new dynamic between these leaders. First Svetozar Marović allegedly sent a letter to Đukanović in June, at the peak of investigations of the “Zavala affair”²⁷, in which he threatened to withdraw from the party leadership and start a political showdown with Đukanović unless the pressures on him cease²⁸. Without going into the validity of these press reports, it should be said that soon after they appeared the suspects in the Zavala case were released, although just before that the Court of Appeals ruled that they should remain in detention.

President Vujanović also pointed out the unusual, once unimaginable situation in the party, when he spoke about the attack directed at him by the port-parole of DPS, who said that: “everyone must respect the state symbols, but the “amount of emotion” they employ to do so is their own business”.²⁹

Most of the Montenegrin public believes that the continuing campaign against President Vujanović couldn't go on without support, or at least tacit agreement of those forces in DPS which are loyal to and under control of Đukanović. However, it is still unclear whether the goal of the campaign is to “pacify” Vujanović, to diminish his chances for candidacy in the presidential elections in 2013, or to indirectly undermine the currents which act as a counterweight to Đukanović within DPS, or perhaps all of these at once.

While the campaign is mostly waged by a number of hard-line “Montenegrin” cultural, academic and non-governmental associations, together with the state-owned daily³⁰, according to Vujanović himself the attack is in fact orchestrated by the president of SDP Ranko Krivokapić. The debates between the President of the country and president of the Parliament became very frequent, especially in relation to the state anthem.³¹ Complete silence of the Democratic Party of Socialists with respect to this issue reduced a problem of public interest to the level of individual dispute. Also, it left much space to doubt whether his own party is waging a war on Vujanović in order to undermine his influential position and significant popularity among the citizens.³²

²⁷ In the course of the investigation, Marović's brother and former deputy president of the Municipality was also arrested, alongside the Mayor and his closest associates.

²⁸ Portal Analitika, 30.06.2011. Available at: <http://www.portalanalitika.me/politika/vijesti/30528-maroviu-putio-pismo-ukanoviu-i-zaprijetio-politikim-obraunom.html>

²⁹ B92, 19. 09. 2011, available at: http://www.b92.net/info/vesti/index.php?yyyy=2011&mm=09&dd=19&nav_category=167&nav_id=542971

³⁰ Press and publishing house “Pobjeda”

³¹ The dispute went so far that in November 2011 Vujanović called Krivokapić a “force against all attacks on my person” – see <http://www.portalanalitika.me/politika/vijesti/43127-vujanovikrivokapi-inspirator-politikih- napada-na-mene.html>. The conflict began in mid-2010, with the accusations that the Montenegrin President has frequent secret meetings with the Serbian President Boris Tadić. It continued with publicly expressed disapproval of his meetings with the representatives of the Serbian Orthodox Church (SPC) and culminated in different interpretations of the Constitution regarding whether the current President has the right to run for a third term.

³² The latest polls suggest that Vujanović is the most popular politician in Montenegro, with an average rating of 3.56 (on a scale between 1 and 5). See Centre for Democracy and Human Rights (CEDEM), December 2001, available at: <http://www.cedem.me/index.php?IDSP=1450&jezik=lat>

³³ SIGMA Montenegro Assessment 2011, p. 4

In March 2011, Strategy for the Reform of Public Administration for the period 2011-2016 was adopted, ending a long and intensive period of preparation of this strategic document. The preparation period revealed many coordination problems between different bodies working on the Strategy, and in preparing the contents and measures that should be included in it. It should be said that for this reason the Strategy itself is to a large extent defined by external sources and solutions which are not entirely implementable within the Montenegrin administrative space, and it also suffers from lack of coordination between Ministries. All this makes the sustainability of the document disputable.³³

It should also be noted that over the last year the views of DPS and SDP became much closer, mostly by DPS endorsing those of SDP. This trend suggests a possible split from DPS and development of a new moderate political force in Montenegro, which would also include the second deputy president of DPS Svetozar Marović.

New divisions in the governing party could be linked to the already mentioned pressure by European Union to prosecute corruption and organised crime. Some indications of these tendencies already appeared in late 2010, in what appeared (and was presented as such by deputy DPS president Marović) as an attempt to marginalise one of the leaders of the party. Another sign is that during the sixth DPS Congress two of Marović's closest associates - Dragan Đurović and Tarzan Milošević - were removed from the Presidency.

From one year to the next the distribution of preferences for political parties and their programmes is nearly identical among the Montenegrin citizens, and in 2011 there was even a slight increase in support to DPS, with declining support for the opposition. There is also a notable rise in the number of non-voters.³⁴

State and identity

Five years after its statehood was restored, the so-called identity issues still rank high on the political agenda, in the parliamentary and political debates and public communication Montenegro is a multi-national state where no nation constitutes a dominant majority, with Montenegrins (44.98%) and Serbs (28.73%) being the most numerous.³⁵ Differing views on identity issues come from differing perceptions of the historical links with Serbia and the relations between the Serbian and Montenegrin peoples/nations, an issue which became particularly acute ahead of the referendum on independence.

Part of the population of Christian Orthodox denomination who declare themselves Serbs still wish for a stronger connection to Serbia, and prefer to identify with the state symbols previously used in Montenegro.

The current state symbols - the anthem,³⁶ the coat of arms and the flag, official languages and languages in official use have been defined by the Constitution, adopted in 2007. The necessary two-third majority for the adoption of the Constitution was secured by votes from the ruling DPS-SDP, as well as from the Movement for Changes (PzP) and the Bosnian Party. The opposition parties³⁷ which supported the continuation of the state union with Serbia did not support the Constitution, and continued to challenge some of its provisions pertaining to the state symbols.³⁸ The position of those who identify with other state flags and other symbols is further complicated by the Law on public peace and order, adopted by the Parliament in December 2011. The law stipulates large fines for the use of these symbols in public places. The law had

34 DPS has the support of almost 45.8% of the citizens, SDP 8.6%, SNP 17.2%, NOVA 9.1%, PzP 6.8% CEDEM, December 2011.

35 Followed by Bosniaks (8.65%), Muslims (3.31%), Albanians (4.91%), Roma (1.01%) and Croats (0.97%). Monstat, Census 2011.

36 Traditional folk song "Oh the bright dawn of May"

37 New Serbian Democracy and Socialist People's Party

38 For instance, a number of political actors in Montenegro argue for the official use of red-blue-white tricolour which was replaced by the red military flag from 1916, with a coat of arms of the house of Petrović. The latter was declared the official Montenegrin flag by the 2004 Law on state symbols.

angered the representatives of the Serbian, Albanian and Bosniak communities, to the extent that the Albanian minority threatened to organise protests against the law.

Complex relations between the political parties and the population with the identity and state symbols are further complicated by the fact that there is no real consensus on these issues in the Government itself, nor indeed within the Democratic Party of Socialists. The public confession of the President of Montenegro Filip Vujanović that he listens to two stanzas of the anthem with pleasure, and to the other two because he has to is a good illustration of the problem. The “problematic” stanzas of the anthem were added to the original song by Sekula Drljević, the founder of the Montenegrin Federalist Movement in 1925. Vujanović’s objection does not refer to the content of the verses, but to their author, whose collaboration with the Ustasha movement he considers incompatible with the anti-fascist tradition of the state. After the World War II Drljević was declared a war criminal, and Vujanović’s discomfort with the anthem is shared also by other political actors in Montenegro.³⁹

Montenegrin Constitution proclaims the Montenegrin language the official language of the state, while Serbian, Bosnian, Albanian and Croatian are “languages in official use”. Relying on the practice of other countries in the region which named their language after the state, the authors of the Constitution did the same in Montenegro. Montenegrin language was to replace “the mother tongue”⁴⁰ in the educational programmes as of September 2011. However, the population census conducted in April of the same year revealed that the Montenegrin population does not widely identify with the Montenegrin language: 36.97% of the population said they spoke Montenegrin, while 42.88% said their language was Serbian.⁴¹

Just before the Montenegrin language was to become the official language of instruction, the Government and the opposition were locked in an intensive political negotiation over harmonization of the electoral law, which created a possibility for the opposition to return the question of language on the agenda. Representatives of the opposition - Socialist People’s Party and New Serbian Democracy (NOVA) justified the initiative to equalise the status of Serbian and Montenegrin languages in public education by the fact that most citizens of Montenegro appeared to prefer Serbian. Also, there was the question of citizenship for those who have been enlisted as voters but did not acquire Montenegrin citizenship in the meantime.⁴² Although part of the ruling coalition objected to these demands as “questioning of what five years ago was defined as the basis of legitimacy of the Montenegrin state”⁴³, a compromise was found in September 2011, during the process of intensive negotiations over the electoral law. The official language in public education was thus defined as “Montenegrin-Serbian, Bosnian and Croatian language”.

Although Montenegro is a secular state, the relationship between different political parties and churches has a significant impact on political processes, and 2011 was no exception. SNP and NOVA are fervent supporters of the Serbian Orthodox Church (SPC), i.e. the Montenegrin and Coastal Bishopric of this Church. SDP

³⁹ *Socialist People’s Party, New Serbian Democracy*

⁴⁰ *In use since 2000*

⁴¹ *Albanian language is used by 5.27% of the population, Bosnian by 5.33, Croatian by 0.45% and Serbo-Croatian by 2.63%*

⁴² *This proposal was rejected*

⁴³ *Statement by Miodrag Vuković, president of the Committee for Foreign Affairs and European Integrations, 03.09.2011. <http://www.vijesti.me/vijesti/vukovic-nerijesena-identitetska-pitanja-kocnica-putu-ka-eu-clanak-36241>*

supports the Montenegrin Orthodox Church (CPC),⁴⁴ while the DPS political programme, presented at the sixth party Congress on 21 May 2011 advocates unification of the Orthodox churches in Montenegro, i.e. a unique, organisationally independent Orthodox religious community in the country that would overcome religious divisions.⁴⁵

However, the most important progress in 2011 in resolving church-related disputes was made by Prime Minister Lukšić. Residents of Sveti Stefan and some representatives of the Serbian Orthodox Church (SPC) began an illegal construction of a church of Alexander Nevski on the island. Following an escalation of tensions between them and the representatives of the Montenegrin police, in April 2011 the Prime Minister made an agreement with the Bishop of Montenegro and the Coast Amfilohije Radović⁴⁶, which was “precipitated” by a boycott⁴⁷ of the Government of all Ministers from the Social-Democratic Party until the illegal construction was removed.

Repeated emphasis on identity issues, which reinforce the image of a deeply divided society, is in itself a confirmation that they mostly serve to detract attention from socio-economic problems in the country. However, if these issues aren’t resolved, the integration of the “referendum minority” in the framework of the state will remain extremely weak. The best indicator of this lack of integration is the fact that the proportion of citizens for and against independence is the same today as it was five years ago.⁴⁸

44 SDP representatives often engage in public confrontations with the Bishop of Montenegro and the Coast, Amfilohije Radović

45 DPS programme, p.17. Available at: http://www.dps.me/images/stories/Kongres/VI_KONGRES_Program.pdf

46 Illegal construction on the preserved remnants of the XV century church of Holy Lady was interrupted with a government’s promise to reconstruct the original XV century church instead of the 1938 one dedicated to Aleksandar Nevski which the locals planned to rebuild.

47 SDP ministers left the Government meeting on 28 April 2011 and did not participate in the Government until 12 May

48 Today, 56% of the citizens would vote for independence, 44% against. See opinion poll by “DeFacto” agency, http://www.defacto.me/ispitivanje_javnog_mnjenja.htm

Political and social dialogue - civil society, media and University

A recent opinion poll, “Balkan Monitor”⁴⁹, indicates a worrying trend regarding freedom of expression in Montenegro. As many as 64% of the respondents said that many or most people are afraid to freely express their political opinions, more than anywhere else in the Western Balkans. In an earlier poll conducted by the same agency this view was endorsed by “only” 50%. It would appear that the process of European integrations, democratic consolidation and economic development are doing nothing to increase individual freedom, just the opposite. Earlier polls conducted by CEDEM also confirmed that discrimination on grounds of political beliefs is the most common form of discrimination, especially when seeking employment. The authoritarian approach to politics and government is evident in the fact that more than 60%⁵⁰ of the citizens think that “a nation without a leader is like a man without a head”.

In these circumstances it is hard to expect much civic activism, responsibility or initiative.

For a long time, the non-governmental sector was the strongest segment of the civil society. In the last few years, however, the trade unions are also becoming more visible. Among the NGOs whose work focuses on promoting the rule of law, accountability and transparency of public administration and anti-corruption there is about a dozen professional organisations in Podgorica, but very few are active in these areas on the local level. In the last few years there is a certain degree of pluralisation and a presence of more critical spirit in some domains, such as trade unions and student organisations. In 2007, a new trade union was created - Union of Free Trade Unions of Montenegro (USSCG), which contributed to internal destabilisation/transformation of a formerly monopolistic Confederation of Trade Unions of Montenegro (SSCG), which was known to be much less militant and closer to the Government.

In 2011, trade union initiatives in the army and the police were subject to various, implicit and explicit pressures from the Government. In late December, however, the Government and the trade unions agreed to cooperate on reducing the number of employees in the public sector. Trade Union representatives agreed not to strike, in exchange for being allowed to participate in the redistribution of the public funds.⁵¹

The middle of November saw the first large student protest in Podgorica. In spite of the fact that their demands were not fully and precisely articulated, they revealed a certain dynamic inside the student population. The announcement of a joint protest of students and workers shook up the public, unaccustomed to such public gatherings and alliances between different social groups. The organisers spoke publicly about the pressures and blackmails they got from the Government circles to force them to give up on the protest.

The media in Montenegro have contributed a great deal to reforms in the society. Still, their work remains subject to various pressures. Self-censorship is a common problem, as the views of individual journalists are conditioned and defined by the editorial policy of their employer. Daily papers “Vijesti” and “Dan”, as well as the

49 Conducted in the West Balkan countries by Gallup Europe in organisation of Europe Balkan Fund

50 31.9% of the respondents agree completely, and 28.7% “mostly agree” with the above claim

51 The agreement is valid until 2015

weekly “Monitor” are the most outspoken critics of the government. Media freedoms are, however, limited: according to the media representatives, the most common problems are pressures from political parties and withholding information of public interest.⁵² Pressures and attacks on journalists and media representatives still exist.⁵³

In view of the above, it can be said that the “triangle” consisting of the civil society, media and EU is an important engine of change in all areas of social life in Montenegro.

⁵² “Media, media freedoms and democracy in Montenegro”, study by OSCE and CEDEM, Podgorica, October 2011, p.30

⁵³ For instance, in July 2011 in Podgorica two vehicles owned by independent daily “Vijesti” were set on fire, and in November a team of journalists from TV “Vijesti” was attacked in Nikšić

Concluding remarks

Democratisation of the Montenegrin society is contingent on a number of factors. The Prime Minister and his Government are “torn” between the demands coming from Brussels, from their coalition partner, and even from the leader of their own party. In these circumstances the Prime Minister’s scope for autonomous decision-making is quite limited.

DPS is still the most trusted political party. Although the opposition demonstrated on several occasions the capacity to push through certain demands, it is still far from united. Structural and organisational capacities of opposition parties in Montenegro remain fairly weak, without any concrete initiatives to strengthen them.

The scope for reforms is limited. All capacities have been directed to preparing and adopting the new legislative framework, while its implementation had been all but neglected. With the reforms lagging, the European Union should push Montenegro, during the accession talks, to focus more on the implementation of new laws. It is inevitable that the simulacrum of reform which the Government has been putting up for the EU officials will become impossible during the negotiations. Without a real progress in reforms and without awareness that a democratic society is not compatible with authoritarian approaches, unilateral decisions, unclear procedures and criteria, and without full understanding that only a democratic society can join the “elite European club”, there will be no integration into EU.

Finally, a new person at the helm of the Government changed some things in the way this body works, but the changes have mostly been superficial. The core remains the same. For many years, Đukanović was a leader whose decisions and political tactics were the only lever of political and economic changes in the country. It would appear that his associates still follow the same logic. Although formally without public office, Milo Đukanović is still the most influential political figure in Montenegro, wielding indisputable political influence from his position as the president of DPS. It should therefore not be entirely unexpected if Đukanović appears as a DPS candidate in the 2013 presidential elections. That would be his second return to public office, and second term as the President of the country in his political career.

About Institute Alternative

Institute Alternative is a non-governmental organization, established in September 2007 by a group of young, educated citizens, with experience in the civil society, public administration and business sectors.

The mission of Institute Alternative is to strengthen the democratic processes in Montenegro by identifying and analyzing public policy options.

The strategic Aims of Institute Alternative are to: increase the quality of development of public policy, contribute to the development of democracy and the rule of law, and to the protection of human rights in Montenegro.

The values we follow in our work are dedication to our mission, independence, constant learning, networking, cooperation and teamwork.

The Board of Managers of Institute Alternative consists of five members: Daliborka Uljarević, Vera Šćepanović, Maja Vujašković, Stevo Muk, Aleksandar Saša Zeković and Stevo Muk as the President of the Board.

Institute alternative acts as a think tank and a research centre, and its activities focus on the domains of good governance, transparency and accountability. IA is concerned with and exercises influence by providing own recommendations on the following research topics: parliamentary oversight of security and defence services, oversight role of the Parliament and its impact on the process of European integrations, reform of public administration, public procurement, public-private partnerships, state audit and control of the budget of local authorities.

To date, Institute Alternative published the following reports/studies:

- Control of the local self-governments' budget
- The State Audit Institution in Montenegro - strengthening its influence
- Report on democratic oversight of security services
- Think Tank - The role of Independent Research institutes in Public Policy Development
- Public-Private Partnerships in Montenegro - Accountability and Transparency
- Public Procurements in Montenegro - Transparency and liability
- The Assessment of Legal Framework and Practice in the Implementation of Certain Control Mechanisms of the Parliament of Montenegro: Consultative hearing, control hearing and parliamentary inquiry
- Parliamentary oversight of the defence and security sector: What next?
- The Lipci Case: How not to repeat it

-The Case of the First Bank - Lessons for the supervisor and other decision makers

-Public Administration in Montenegro: Salary schemes, reward system and opportunities for professional advancement in law and in practice

IA is the co-publisher of “Political Criteria for the Accession to the European Union” by Aleksandar Saša Zeković. It also published a number of comments on draft laws or proposals, as well as a short brief containing recommendations for greater financial transparency of the Parliament of Montenegro (June 2008).

All publications and materials are available on the Institute Alternative website: www.institute-alternativa.org

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IA also cooperates with a great number of organisations in Montenegro, as well as with numerous institutions and administrative bodies, such as the State Audit Institution, Directorate for Public Procurement, Parliament of Montenegro (especially its work committees, Committee for Economy, Finance and Budget and Committee for Security and Defence), Ministry of Finance, Commission for Concessions etc.

Institute Alternative is a member of the self-regulatory body of NGOs, and has disclosed full details on its financial affairs in line with the Activity Code for NGOs, to which Institute Alternative is a party.

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Institute Alternative was founded by a group of people with experience in civil society and public administration, with the aim of contributing to the development of democracy, rule of law and human rights, by analysing public policies, and monitoring and reporting on the work of public institutions in Montenegro. The aim of Institute Alternative is to contribute to analysis and oversight of public policies and public institutions in Montenegro

To learn more about Institute Alternative please visit

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