



# **Developing a Minority Policy for Montenegro Minority Integration in Montenegro: The Next Steps**

## **Meeting Report**

On June 27, 2008, PER organized its concluding activity in the three-year long project titled “Developing a Governmental Minority Policy in Montenegro.” Minority representatives and government officials came together to discuss how the new legislation and government strategies resulting from the PER project (Minority Law, Minority Fund, Roma Strategy, Minority Strategy, Rules on the Formation of Minority Councils) have improved the daily lives of minorities living in Montenegro, how minority communities can utilize the legislative tools now available to them, and what future steps are needed to secure minority integration in the country.

The conversation ranged from congratulatory remarks on how far the Montenegrin government has come along its path towards minority integration and cautionary reminders of how far both the Montenegrin government and minority communities have yet to go. In terms of minority policies in Montenegro, there remains much to debate. Ambiguities persist about already established institutions like minority councils – a consistent vision for their organization, functioning, authority, and influence continues to be a topic of uncertainty. Practical issues such as the constitution of the Minority Fund continue to be a problem. And lastly, the mechanism for permanent minority representation in the Montenegrin parliament and local assemblies continues to be unresolved, and more importantly, increasingly contentious.

The following is a summary of the discussions that took place during the meeting. The event was funded by the Global Opportunities Fund of the British Foreign and Commonwealth Office, and opened by Minister for Human and Minority Rights Protection of Montenegro Fuad Nimani and PER President Livia Plaks.

In order to encourage frank discussions, it is PER’s practice not to attribute remarks in the following report to specific participants unless made in opening statements in the presence of media. PER Program Officer Adrienne Landry is the author of this report, which has not been reviewed by the participants, and for which PER assumes full responsibility.

### **Opening Remarks**

“The events in the past year have shown very clearly the minorities’ belief and trust in the authorities in Montenegro,” stated PER President Livia Plaks in her opening remarks, “and it is this belief that has led to the country’s continued stability.” She praised the government for its accommodation of minorities, especially with regards the ongoing debate about permanent representation of minorities in parliament and concluded by stating, “in Europe today, there is a very important lesson to be learned – namely, that the management of interethnic relations is above all in the national interest.”

Montenegrin Minister for Human and Minority Rights Protection, Fuad Nimani, began his opening remarks by stating, “We’ve stopped counting the activities we’ve held with PER – there are just too many. At the first events, we focused on the states’ relations with the Albanian community. We are in the 4<sup>th</sup> generation of students at the Albanian-language faculty, our border crossings with Albania are working well, the maternity ward in Ulcinj has been open since 2005 – the list of our joint successes continues.” He then went on to say that Montenegro has an additional obligation to raise the level of minority accommodation even higher than that of other democracies – raising minority rights to the level of European standards is only the beginning. “The responsibility for our future is in our hands – regardless of the good intentions of PER and other international organizations – it is up to us if we want to be the role model for good interethnic accord in Europe,” he concluded.

## Ministry for Human and Minority Rights Presentation

Assistant Minister for Human and Minority Rights Protection of Montenegro Sabahudin Delic presented his Ministry's main priorities and achievements over the past year. "Article 33 of the Minority Law states that every minority can select its own minority council, from 17-35 members," he reported. In July 2007, the Ministry began this process by publishing the Rules for the First Formation of Minority Councils, after which they began a publicity campaign to educate the public about what these minority councils are supposed to do and why they are important. "We've published in multiple languages information about these councils on websites, TV, radio – and met with NGOs privately. We went to the localities of minorities and explained the procedures for electing the first councils. The Croatian Council, then Bosnjak, then Roma, then Muslim, and finally Albanian Council (April 19, 2008) have been formed. The establishment of each council was followed by registration by the government – with this registration, the councils have obtained the status of legal entities."

With regards the Minority Fund – financial support for all language, cultural, educational, and other activities of minority communities – the ministry had difficulty engaging the parliament which, according to the ministry, showed a lack of interest in developing a law on the fund. The ministry had to take the initiative and the statutes of the fund were adopted by the government in February 2008 and 0.15% of Montenegro's 2008 budget has been allocated for these activities (approximately 1 million euros). Representatives of minority councils along with government officials are supposed to serve on the board of directors for this fund – this has been delayed because the minority councils have been slow in nominating their representatives. "We still haven't received the names from certain minorities of who will be representing certain councils on this board of directors, and until the board is completely formed, we are unable to disperse the funds."

The official concluded his presentation by announcing that Montenegro's Center for Minority Cultures is fully equipped and up and running – this center's main priority is to protect the cultural identity of all communities living in Montenegro. The Roma Strategy – the government's plan to help the Roma specifically from 2008 – 2012 – has been allocated 400,000 euros in 2008 alone for special projects. And the Minority strategy is in its final revision stage and should be adopted within a matter of months.

## Minority Councils

A member of the Croat Minority Council reported that the first problem the Croat community faces in Montenegro is the inability to use the Croatian language in schools, the media, on TV, radio, etc – and the fact that they do not have their own media. "This is something that represents the basic problem in trying to preserve our identity," she stated. The second problem, she acknowledged, is the inability of Croats to participate at the national level in institutions.

A member of the Albanian Minority Council then reported on his council's recent progress. Since the establishment of the Albanian Council (19 April 2008), five sessions have been held and the rules for procedure have been adopted. The council, however, faces an uncertain future since certain members *ex officio* are boycotting and refusing to work with the current council. These members claim the election of the Albanian Council was unfair and does not represent the Albanian minority community. International participants noted that this boycott is symbolic of Montenegro's already acknowledged intra-ethnic Albanian political discord. If this problem is not resolved quickly, it could lead to delegitimization of the Albanian Council, and Montenegro's minority councils in general.

A member of the Bosnjak Minority Council commented that the current problem in the Albanian Council is symbolic of a greater danger – the focus on political identity in Montenegro rather than cultural. "I represent the Bosnjak Council, and what my primary interest is that we have no funds, no offices. Fourteen members *ex officio* have automatically become members of my council and I don't think this is good – it leads to automatic politicization of how the council operates and what it focuses on. We have the opportunity to be the bridge between the east and west, and as the second largest ethnic community in Montenegro, there's no reason why we can't be a leader in this movement. We need to know how to apply for the funds for the councils, for the funds for minority activities. We need to know how to tap into additional funds from international resources," he concluded.

A member of the Muslim Minority Council informed participants that his community faces a different set of problems. Since the Muslim people in Montenegro are not established into political parties, they do not have the same problems with politicization. That said, because the council is mostly composed of intellectuals, they may not wield the same political clout as officials in their fellow councils. The participant then proudly informed the others that the new Muslim Council is one of the few institutions that has prioritized gender equality – 5 out of the 25 of its members are women.

“It is well known in Montenegro that the gap between the guarantee of minority rights and the exercise of minority rights is big,” admitted a member of parliament. “We have laws, but they are not enforced. We have standards, but we fail to meet them.” The participant then said that minority councils will be a good check and balance to make sure that this happens less often. If minority councils are allowed to have greater involvement in the government’s strategies and in the development of new minority policies, minority communities will have greater respect for and belief in those documents and plans.

Another member of parliament agreed that not enough has been done, but that in comparison to other countries in the region, no one can deny that Montenegro has not done more than others. With regards the councils, he stated, “we will never be able to get away from the political role of the council – they will be political entities. This politicization will be greater or smaller depending on the environment they choose to work in.”

A member of the Bosnjak Council suggested establishing a coordination committee responsible for coordinating the activities of minority councils in Montenegro so they can work proactively together. “It is not enough for each council to focus on its own cultural and identity. We must work together for all minorities in Montenegro.”

An international participant advised that the councils work faster to elect members to the Minority Fund’s Board of Directors. Without all five councils doing this, the Ministry will not be able to disperse finances from this fund. The same participant reminded those present that while it may seem like things are moving slowly, Montenegro is moving forward quite quickly with implementation. Just one example of this is the Roma Strategy which was adopted less than a year ago but has already begun financing 17 projects for Roma related activities. What obviously determines whether or not a policy or new institution does well is the political will of the minority community to take advantage of tools already accessible to them.

The same international participant suggested that once the councils are established and representatives appointed that the Ministry host a meeting to discuss what each expects from the other – what the government expects from the councils, and what the councils expect from the government. “Apparently there is some confusion about what the councils are supposed to do,” he noted. “Obviously the government needs to clarify this better. A conversation is what is needed.”

### **Implementing Minority Policies**

In regards to Montenegro’s new policies, one international participant advised, “what is important now is to see that many of these legislative documents and strategies do not just remain window dressing – that they are actually implemented.”

An international participant reminded participants critical of the government that Montenegro is a very tolerant society, despite its flaws. The standards and achievements in Montenegro over the past year are higher than in many other countries. “This doesn’t mean we should stop the development,” she continued. “Standards may be higher, but implementation is the most important.”

### **Permanent Parliamentary Representation**

A minority representative and member of parliament opened his statement with: “what we’ve heard so far is a nice story, and the intentions are definitely on the right track. But the key to all this is how to define the mechanism of political representation of minorities in the parliament. Without this definition, we cannot speak about integrating minorities or improving their access to cultural self-identification. If you’re not present in parliament, you’re not present in politics.”

“Partnership can’t be established without proportionate representation of minorities in the state authorities and institutions in Montenegro,” he continued. “Without this, no one can speak about the peaceful development of democratic principles in Montenegro. If we wish to develop democracy, we need to have a partnership instead of a situation in which one group is subject to the other.” According to this participant, the activities undertaken so far show that Montenegro is only in the first stage of its work with regards minority accommodation. “These minority councils are totally new to Montenegro. In my opinion, minority councils consist so far of mainly politicians and I don’t think this is good. I think there should be more involvement of NGOs and community leaders,” he concluded.

A member of the Albanian Minority Council reminded participants that minority rights have always depended on the ruling party. “When they need us, they are very accommodating. When they don’t need us, they set us aside,” he stated. Because of this perceived discrimination, the participant insisted on the need to focus on parliamentary representation. Without permanent political representation, this participant said, there can be no agreement on harmonious interethnic relations in Montenegro.

A minority member of parliament stated, “We are being held back by the lack of resolution on the representation in parliament issue. The Albanian community has tried to cooperate with the majority party, and we will continue to cooperate, but we are tired of the continued delay. Move forward with what we’ve already agreed so we can move to the next stage.” The participant then spoke about the domination of the Albanian Minority Council by one political party, a political party openly in opposition to the current government. “The council is not only one – but a combination of all forms of minority organization,” he said. “It should not be in opposition to the majority but a willing partner.”

## **Conclusion**

An official of the Ministry for Human and Minority Rights Protection stated that, “for the first time, we have not heard criticism regarding what else the ministry could have done – we have been working and moving forward. When it comes to minority rights – the focus is continuously on political rights. But there are many more issues. Language, education, employment, etc – these are all aspects of minority rights that just seem ignored.” He then continued, “I think some participants at the roundtable just need to take the time to read the laws. Reading the laws will help you understand better the role of the councils – please do this before criticizing the work of the government.”

“As a member of the ruling party, I can admit that some of the things we agreed, we have not been able to fulfill,” said one parliamentarian at the roundtable. “But we have achieved a great deal of many things that were agreed to. The process has been long, but we have not lost our way.” The participant then spoke about Montenegro’s EU accession process and how the country has been treated the same as Bosnia, Serbia and Macedonia. According to this participant this treatment is unfair. “No one has ever shot a gun or killed anyone during elections in Montenegro,” he said. “We’re on a much higher level of interethnic accord than the countries in our surrounding region. It is our joint achievement that we have a majority tolerant society willing to negotiate with minority communities. I am proud of that.”

One minority representative stated, “Today is better than it was yesterday, and it is worse than it will be tomorrow. We are constantly improving. If we have learned one thing from PER, it was to ‘take it step by step, please.’ We can’t do it all. We need to go one step at a time and continue with dialogue.”

At the conclusion of the meeting, future steps were outlined for further improvement of minority issues in Montenegro. These include:

- Financing of minority councils
- Minority council capacity building
- Implementation of the Minority strategy
- Creation of a minority council coordination committee

## List of Participants

*English Language Alphabetical Order*

**Paraschiva Badescu**, Ambassador; Head, Mission in Montenegro, Office for Security and Cooperation in Europe

**Mehmet Bardhi**, Member, Parliament of Montenegro; President, Democratic League in Montenegro

**Gazmend Cuca**, Senior Legal Adviser, Ministry for Human and Minority Rights Protection of Montenegro

**Sabahudin Delic**, Assistant Minister, Ministry for Human and Minority Rights Protection of Montenegro

**Ferhat Dinosa**, Member, Parliament of Montenegro; President, Democratic League of Albanians

**Isen Gashi**, President, Roma National Council

**Alex Grigor'ev**, Executive Director, Project on Ethnic Relations (USA)

**Amer Halilovic**, Member, Parliament of Montenegro (Bosnjak Party)

**Zlatko Ivanovic**, Political Specialist, US Embassy Podgorica

**Avdul Kurpejovic**, Muslim National Council

**Adrienne Landry**, Program Officer, Project on Ethnic Relations (USA)

**Miroslav Maric**, Croat National Council

**Bozo Nikolic**, Member, Parliament of Montenegro (Croat Civic Initiative)

**Fuad Nimani**, Minister for Human and Minority Rights Protection of Montenegro

**Mevludin Nuhondzic**, Member, Parliament of Montenegro (Democratic Party of Socialists)

**Livia Plaks**, President, Project on Ethnic Relations (USA)

**Serbo Rastoder**, Bosnjak National Council

**Dani Sahiti**, Member, Roma National Council

**Orhan Sahmanovic**, Secretary, Ministry for Human and Minority Rights Protection of Montenegro

**Vuksan Simonovic**, Member, Parliament of Montenegro (Socialist People's Party)

**Lianne Stephens**, Charge d'Affaires, British Embassy Podgorica

**Tahir Tahiri**, President, Albanian National Council

**Marija Vucinovic**, President, Croat Civic Initiative

**Ivan Vukcevic**, Political Officer, British Embassy Podgorica

**Miodrag Vukovic**, Chairman, Committee on Foreign Relations and European Integration; Chairman, Club of Deputies of the Democratic Party of Socialists, Parliament of Montenegro

**Gina Werth**, Human Rights Officer, US Embassy Podgorica

**Rafaella Zoratti**, Senior Democratization Officer, Mission in Montenegro, Office for Security and Cooperation in Europe

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