



Developing a Minority Policy for Montenegro: A Working Visit to Hungary and Romania

Report

Introduction

At the invitation of the Project on Ethnic Relations (PER), Montenegro's Minister for Human and Minority Rights, Fuad Nimani, and Assistant Minister, Sabahudin Delic, accompanied PER staff on a visit to Hungary and Romania.

In the countries' two capitol cities, Budapest and Bucharest, PER and the Montenegrin delegation met with various parliamentary committee chairmen, commissioners, presidents of local minority self-governments, secretaries of state in the governments of both countries, as well as with experts on minority rights. During the trip, Minister Nimani and Assistant Minister Delic discussed best minority related practices in Hungary and Romania, as well as presented Montenegro's significant achievements in creating a comprehensive governmental policy for minorities.

In the past year, Montenegro has moved forward with some of its most important minority rights' legislation. The new Montenegrin Constitution, Roma Strategy, Law on the Minority Fund, and soon to be adopted Minority strategy are just four examples of the Montenegrin government's increasing commitment and attention to minority communities and their rights.

By meeting with government officials from Hungary and Romania, two countries with their own stories of successful minority practices, Minister Nimani and Assistant Minister Delic had the opportunity to exchange ideas on how to capitalize on Montenegro's recent progress. They also discussed how to facilitate and sustain successful administrative bodies capable of addressing minority needs, and learn from the positive practice in Hungary and Romania.

This trip was the second to last activity in PER's current project, "Developing a Governmental Minority Policy in Montenegro," which is funded by the Global Opportunities Fund of the British Foreign and Commonwealth Office.

In order to encourage frank discussions, it is PER's practice not to attribute remarks to specific participants unless made in opening statements or 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.

Budapest, Hungary

On April 7-8, 2008, the Montenegrin delegation met with the Hungarian Office of Ombudsman, Members of the Hungarian and European Parliaments, leaders in the Roma Self-Government, officials from the office of the Prime Minister, and the State Secretary for Minority National Policy of Hungary. During discussions, the Montenegrin delegation was informed about the Ombudsmen's system in Hungary, the structure and prerogatives of minority Self-Governments, and implementation of state policies towards minorities living in Hungary. Special attention was paid to the issue of the Roma.

A leader from the Roma community in Hungary informed the delegation that the Hungarian government insists on implementing Roma policies without Romani participation. The Montenegrin delegation was congratulated for their governments' inclusion of Roman leaders when developing minority policies, despite Montenegro's general lateness in addressing minority issues. The Hungarian Romani Self-

Government offered to jointly cooperate with the newly elected Roma Minority Council in Montenegro. Their experience might be of use to Montenegro's new council as it develops its administration and capacity for implementing community projects.

A common theme during the meetings was Hungary's and Montenegro's ongoing struggle to resolve the issue of permanent parliamentary representation for minorities. It has been fourteen years since the adoption of the Minority Law in Hungary, yet its provisions for permanent parliamentary representation for minorities have still not been implemented. Montenegro, for its part, is currently working on returning the 2006 provisions of its Minority Law that allow for permanent representation in their parliament. A Hungarian representative in the European Parliament commended Montenegro for passing its progressive Minority Law. The majority of EU parliament members agree, he said, that any future EU candidate will have to have such a law as a prerequisite for EU accession.

The President of the Hungarian Parliament remarked that in the year 2011, when Hungary takes on the EU Presidency, minority issues will be its top priority.

After the meetings in Budapest, the Montenegrin delegation remarked to PER staff on their need to develop further steps on how to implement minority policy on the local level. So far, the majority of focus in Montenegro has been in defining and developing the legislation – little thought has been given to how local governments will actually enact it. In this regard, they stated, the Hungarian experience was extremely instructive.

Meetings in Hungary:

English Language Alphabetical Order

Laszlo Biro, Senior Researcher, Institute of History, Hungarian Academy of Sciences

Zoltan Sz. Biro, Senior Researcher, Institute of History, Hungarian Academy of Sciences: Foreign Policy Advisor

Ferenc Gemesi, State Secretary, Minority and National Policy, Government of Hungary

Jozsef Juhasz, Senior Researcher, Institute of History, Hungarian Academy of Sciences: Foreign Policy Advisor

Orban Kolompar, President, National Roma Self-Government

Antal Paulik, Deputy Director General, Department for National and Ethnic Minorities, Prime Minister's Office

Attila Pok, Director, Europa Institute, Hungarian Academy of Sciences; Member, Council for Ethnic Accord, Project on Ethnic Relations

Judith Toth, Legal Advisor to Commissioner for National and Ethnic Minority Rights, Professor of Constitutional Law

Csaba Tabajdi, Member, European Parliament; Chairman, Intergroup for Traditional National Minorities, Constitutional Regions and Regional Languages, Parliament of Hungary

Laszlo Teleki, Member of Parliament (Hungarian Socialist Party), Parliament of Hungary

Erika Torzsok, Director General, Department for National and Ethnic Minorities, Prime Minister's Office

Zoltan Szasz, former Director, Institute of History, Hungarian Academy of Sciences

Katalin Szili, President, Parliament of Hungary

Bucharest, Romania

On April 9, 2008, the Montenegrin delegation met with officials from the Romanian Prime Minister's office, various State Secretaries, the Romanian government's Department for Interethnic Relations, officials from the Ministry for Foreign Affairs, and various Parliament members.

The visit to the Romanian Parliament was particularly instructive for the Montenegrin delegation. Romania is one of the few countries that has actually implemented the policy of reserved permanent parliamentary seats for minorities. During meetings it was remarked that minority representation in parliament is crucial when promoting minority interests. It was also stated, however, that permanent parliamentary representation should not be the only vehicle for ensuring minority presence in the parliament. In Romania, leaders from large minority communities struggle with being equated with

numerically insignificant groups. They suggested that a policy that equates someone who receives 150,000 votes and someone who receives a few thousand votes is flawed – instead of receiving 3 or 4 representatives, they are limited to just one. For example, even though only 50,000 votes are required for a seat in Parliament and the Roma party receives 150,000, they are limited to one seat because their party does not receive a 5% political threshold and qualifies for only one minority reserved seat. Plus, the political weight of one seat is hardly sufficient for successfully passing legislation for the minorities that one seat represents.

Officials at the Romanian government's Department for Interethnic Relations (DIR) informed the Montenegrin delegation about their programs and projects. They stressed the importance of working not only with minorities but also with majorities – this dual approach is the only way to alleviate the country of prejudice. For example, extreme right wing groups recruit mostly from the majority's youth population – if not educated and made aware about minorities, these youth will become tomorrow's neo-Nazi movement. With regards educational programs, the department focused on the need to produce textbooks in minority languages and a textbook on multiculturalism (mandatory for second grade students in Romania). DIR officials stressed the need for minority participation in government and said that only through such participation it is possible to resolve minority needs effectively.

It seems that the most important conclusion drawn from the meetings in Bucharest was the Romanian officials' stress on the importance of political will when resolving minority issues. Even the most perfect laws and regulations serve only as a mechanism for establishing a working dialogue between majority and minority communities. It is through this dialogue and not the legal framework, minority policy achieves sustainable results.

Meetings in Romania:

English Language Alphabetical Order

Mihnea Constantinescu, State Advisor, Head of the Prime Minister Office, Government of Romania

Victor Giosan, State Secretary, Secretariat General of the Government, Government of Romania

Attila Marko, State Secretary, Department for Interethnic Relations, Government of Romania

Nicolae Paun, Member of Parliament, President of the Commission for Human Rights and Minorities Issues, Parliament of Romania

Valentin Platon, Undersecretary of State, Department of Interethnic Relations, Government of Romania

Rodica Precupetu, Head of Unit, Programmes and Relations with Civil Society and International Bodies, Department for Interethnic Relations, Government of Romania

Gheorghe Magheru, Director General, Directorate General for Extended Europe, Ministry of Foreign Affairs, Government of Romania

Raduta Matache, State Secretary, European Affairs, Government of Romania

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