

# Balkans Briefing

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## MONTENEGRO: WHICH WAY NEXT?

The removal of Slobodan Milošević's regime, with its poisonous influence on the entire Balkan region, raises hopes that a host of inter-connected problems may now stand a significantly better chance of being resolved, including the future status of Kosovo and of Montenegro, both notionally still a part of the Yugoslav federation.

The changes in Belgrade have necessarily required both international policy makers and Montenegrin political leaders rapidly to adjust their positions on Montenegro's future status. Since a split in the ruling party in 1997, Montenegro has increasingly distanced itself from Belgrade, and political life in Montenegro has for the last three years been dominated by the question of the republic's relationship with Serbia. As the Montenegrin government adopted a pro-western stance, in opposition to Milošević, the United States and the EU were ready with support, including substantial financial assistance.

The principal aims of western support for Montenegro have been:

- to shore up the pro-western government of Montenegrin President Milo Djukanović in the face of a perceived security threat from Belgrade;
- to dissuade the Montenegrin authorities from provocatively moving towards independence for Montenegro; and
- to provide advice and technical assistance for reforms designed to promote democratisation, the rule of law, efficient administration and a market economy.

Clearly the altered circumstances necessitate a reassessment of the first two of these policy goals.

### Security: Breathing a Sigh of Relief

For Montenegro, the overwhelming benefit arising out of the end of Milošević's rule is that the threat to its security from aggression by Belgrade has probably disappeared. The threat that it might be the next victim of Milošević had hung over Montenegro since it began to distance itself from Belgrade. However, the chances are now greatly increased that Montenegro will be able to decide its fate without the threat of a violent response from Serbia and the Yugoslav Army (VJ). Tension was at its highest point during the NATO bombardment of Yugoslavia in 1999, when the Montenegrin government refused to recognise emergency measures adopted by Belgrade. Despite a number of potentially explosive stand-offs between the VJ and the Montenegrin police, a clash was avoided.

After the bombing campaign, tension subsided, but there were frequent small incidents, any one of which could have spun out of control. The presence of the VJ on Montenegrin territory was a constant source of worry, and repeated threatening statements by senior VJ officers served to maintain the sense that an eventual showdown was possible. In response, the Montenegrin government built up its own large paramilitary police force (perhaps as much as 15,000 strong), ready to meet a VJ challenge. An added worry was that in 2000 Montenegro too experienced the type of political or gangland killings that had plagued Serbia, with the assassination of a key adviser to the president in May, and the attempted assassination in Montenegro of the prominent Serbian political figure Vuk Drašković in June.

The tense atmosphere took on extra bitterness due to the fact that Montenegrins themselves were divided over Montenegro's relationship with Serbia and over the position and role of the VJ in their republic. Identifying as Yugoslav patriots, pro-Belgrade Montenegrins saw it as inconceivable that their army, the VJ, could present a threat to its own people. Rather, they threw back the accusation at the government, pointing to its build up of paramilitary units as representing the greatest threat to peace. Particularly menacing from the perspective of the government and its supporters was the formation of a locally recruited force within the VJ, the so-called Seventh Battalion of the VJ military police, with some 2,000 members. This force was recruited mainly from among supporters of the main pro-Belgrade political party, the Socialist People's Party (SNP), and was regarded by officials of the ruling Montenegrin coalition as a political force whose purpose was to foment trouble in Montenegro prior to a crackdown by Milošević. As long as Milošević was in power, the risk remained that he might unleash a war against Montenegro. His departure brought a great collective sigh of relief.

### **The Federal Constitution: A Relationship in Pieces**

The changes in Serbia and the removal of the threat of a Milošević crackdown have forced Montenegrin political leaders to face the contentious issue of Montenegro's future relationship with Belgrade. After an initial period during which it was unclear as to what stance Djukanović would adopt, the Montenegrin president has taken a clearly pro-independence position, while leaving open the possibility of some as yet undefined, but very loose, form of future association between two fully sovereign states. In arguing for this solution, Djukanović has repeatedly stressed the logic of proceeding from a position that already exists in practice, that Serbia and Montenegro effectively already function as separate states, and that it would make most sense formally to recognise that reality.

Indeed, over the past three years, Montenegro has, for all intents and purposes, increasingly come to operate as a separate state. This process was in large part a response to actions by Belgrade that effectively ended meaningful Montenegrin participation in joint, federal institutions.<sup>1</sup> In particular:

- Following Montenegrin parliamentary elections in 1998, in which Djukanović's three-party coalition "For a Better Life" (DŽB) was victorious, Belgrade did not accept the nomination of new Montenegrin representatives to the federal Chamber of Republics so as to reflect the new political reality in Montenegro. In response, DŽB ceased all participation in the federal parliament, in which only the pro-Belgrade Montenegrin opposition continued to participate.

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<sup>1</sup> On the process and legal effects of Montenegro's exclusion from federal institutions and its disassociation from Yugoslavia, see ICG Balkans Report N° 101, *Current Legal Status of the Federal Republic of Yugoslavia (FRY) and of Serbia and Montenegro*, 19 September, 2000.

- The leader of the main pro-Belgrade Montenegrin party, the Socialist People's Party (SNP), Momir Bulatović, following the SNP's split with Djukanović's Democratic Party of Socialists (DPS), was in 1998 appointed as federal prime minister, a post in which he served until the defeat of Milošević in September – October 2000. Bulatović acted as a puppet of Milošević, and under his premiership the ruling coalition in Montenegro was excluded from power at the federal level.
- In 1999 Montenegrin officials were excluded from the work of the Yugoslav central bank. In response, in November of that year Montenegro, against western advice, introduced the D-Mark as a parallel currency and set up a "Monetary Council of the National Bank of Montenegro" to oversee monetary and foreign currency policy for Montenegro. For its part, Belgrade terminated electronic payments between the two republics through the centralised payments system. In November 2000 the dual-currency system was ended, and since then only the D-mark is legal tender in Montenegro.
- From the end of 1998 until after the fall of Milošević, Djukanović was not invited to attend meetings of the federal Security Council (comprising the federal president and the presidents of the two republics), meaning that the Montenegrin authorities had no say in decision making regarding the activities of the Yugoslav army (VJ).

As the institutional ties with the federation were gradually broken, Montenegro took on responsibility for running its own affairs. The Montenegrin government has for some time not recognised the jurisdiction of federal institutions in the republic. It has maintained its own foreign relations, and has explicitly denied the right of Yugoslav diplomatic representatives to speak on behalf of Montenegro. The Montenegrin authorities control Montenegro's borders and collect customs duties on them. In contrast to Serbia, Montenegro does not impose visa requirements on foreign visitors. The only significant federal institution still operating in Montenegro is the VJ, which, under Milošević's rule, increasingly came to be seen as an alien force.

Following changes to the federal constitution pushed through by Milošević in July 2000, which had the effect of undermining Montenegro's constitutionally equal status in the federation,<sup>2</sup> the Montenegrin government opted not to participate in the federal elections in September 2000, in which Milošević was defeated. As a result, while welcoming the defeat of Milošević in Serbia, the Montenegrin government is in the position of recognising neither the new federal president, Vojislav Koštunica, as a legitimate representative of Montenegro nor the federal constitution under which he was elected.

Due to the DŽB boycott, only around 20 per cent of the Montenegrin electorate turned out to vote, but the pro-Belgrade parties in Montenegro, including the SNP, did participate in the September 2000 federal elections. Because of the disproportionate Montenegrin representation in the federal parliament, after the elections the SNP held the balance between the victorious Democratic Opposition of Serbia (DOS) and Milošević's left bloc, made up of his own Socialist Party of Serbia (SPS) and his wife's Yugoslav United Left (JUL). According to the federal constitution, if the president is a Serb, like Koštunica, then the prime minister must be a Montenegrin. Given that the SNP had participated in the elections, and given its numerical strength in the new parliament, Koštunica and the DOS decided to appoint as the new federal prime minister Zoran Žižić, a vice-president of the SNP. This was despite objections from Djukanović and the

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<sup>2</sup> For a detailed analysis of the constitutional changes, see ICG Balkans Report N° 101.

Montenegrin government that the SNP could not legitimately represent Montenegro in federal institutions.

So however much the cause of democracy may be advancing in Serbia, federal institutions lack participation by legitimate Montenegrin representatives with the support of a majority of the Montenegrin electorate. For the Montenegrin government and its supporters, Koštunica and the new federal government, despite the participation of the SNP, can only be regarded as representing the interests of Serbia. The Montenegrin authorities are determined to continue to take responsibility for their own affairs and to represent the interests of Montenegro internationally.

As a basis for setting Montenegro's relationship with Serbia on a new footing, in August 1999 the government adopted a "Platform"<sup>3</sup> which proposed the transformation of Yugoslavia into a loose confederation of two equal partners. According to this document, the two republics would be "sovereign" states,<sup>4</sup> with such matters as foreign policy, defence and security being dealt with at the federal level. However, even in these areas to be left to the federation, powers were to be strictly limited. While they would have joint representation in such international bodies as the UN, the republics would be able to pursue their own foreign policies and the president of each republic would command the military units stationed in that republic and appoint military commanders of them.

As long as the Milošević regime remained in Belgrade, there was no prospect of negotiations with Serbia towards the Platform solution or anything else. The principles laid out in the Platform nonetheless largely reflected the reality that already existed, as both republics had for some time ignored the federal constitution, Milošević only using it when it suited his purposes. Lacking a partner in Belgrade willing seriously to address the issues raised in the Platform, the Montenegrin government patiently bided its time, avoiding any action that might provoke a violent response from Belgrade.

### The Internal Political Debate

Since the Platform's adoption in August 1999, events have moved on. Excluded from participation in federal institutions and subjected to repeated threats from Belgrade and from the VJ, the Montenegrin authorities were forced to rely on their own devices and on international help. They found that Montenegro was able to manage. This has further emboldened them and the public to see independence as a realistic option. Indeed, Djukanović has asserted that no Montenegrin government could win majority public support for a return of powers to Belgrade which Montenegro has become accustomed to exercising itself. Thus the changes in Serbia have prompted Montenegro's governing parties to look afresh at the principles that were adopted in the Platform the previous year.

In November 2000, an expert team comprising representatives of the three parties in the DŽB coalition (which holds 42 out of 78 seats in the parliament) began discussions on a

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<sup>3</sup> *The Basis for Defining the New Relationship between Montenegro and Serbia.*

<sup>4</sup> This should not be taken in the most familiar international sense of recognition as a fully independent international entity, with entitlement to a seat in the UN and the like. "Sovereignty" in the former Yugoslav (SFRY) context refers to the sovereign power which each of the constituent republics had theoretically exercised in freely choosing to enter the Yugoslav federation. The former SFRY constitution, confusingly, also referred to the location of sovereignty in the constituent peoples that made up the SFRY. However, this latter definition was explicitly rejected when the European Community chose to recognise only the right of former Yugoslav republics to exercise their sovereignty, and not peoples.

revised platform, which could form the basis for negotiation with a new Serbian government following Serbian elections on 23 December 2000. Apart from Djukanović's DPS (which holds 30 seats), the coalition includes the pro-independence Social Democratic Party (SDP, with five seats) and the pro-Serb National Party (NS, with seven seats), which speaks for people who consider themselves as Serbs, but who were opposed to Milošević. Developments in Serbia gave them hope that a satisfactory arrangement with Serbia could be reached on the basis of the August 1999 Platform, so as to preserve the common state. The SDP, by contrast, favours independence for Montenegro, only after which could some kind of association of fully sovereign states be negotiated with Serbia.

After initial uncertainty as to which way Djukanović and the DPS would swing, the SDP has found that it is largely in accord with the DPS on the future relationship with Serbia. The NS has found itself in a more uncomfortable position, and there has been much speculation as to the tactics that it may adopt. Threats that it might withdraw from the ruling coalition if the government were to adopt an avowedly pro-independence position were not initially fulfilled. Formally, the government opted to go through the process of discussions in the expert group before adopting an official stance, although Djukanović's and the SDP's position in favour of independence has been repeatedly and clearly stated. It had been suggested that the NS, although it joined the boycott of the federal elections, might join the SNP in the federal administration. While this did not happen, it has been persistently claimed that the NS has co-ordinated its actions with Koštunica, and that the latter urged that the NS remain in the ruling Montenegrin coalition, fearing that otherwise the Montenegrin government would adopt a still more radically pro-independence line. Whatever its reasons, the NS initially stayed in the government, although its stubborn refusal to accept the proposition that Montenegro would be an independent state, with its own UN seat, blocked progress in the discussions of the expert team on the revised platform. By late November there were reports that the DPS and the SDP were tiring of what they saw as the NS's intransigence, and that they had begun to work on their own platform, without the participation of the NS.

The DPS contains within its ranks a wide spread of views - close to those of both the NS and the SDP - which may help explain a certain lack of clarity in its position which has persisted even since Djukanović has come down in favour of independence. The vagueness in the DPS's position has been essentially as to the content of the proposed common functions that Serbia and Montenegro, as fully sovereign states, could nonetheless surrender to common institutions. Proposals that joint functions could extend to such areas as foreign policy, defence and monetary policy might appear to suggest a union with real substance. However, it appears more likely that the common functions envisaged by the DPS and the SDP include little more than what is not unusual between neighbouring states.

To the extent that there is any uncertainty about what is being proposed, this may be deliberate. Given the depth of division in Montenegrin society over the relationship with Serbia, the proposal to have some functions in common with Serbia may in part be intended to reassure those who would like to remain in Yugoslavia. Caution over moves towards independence can be found also among the senior ranks of the DPS, including reportedly both the prime minister, Filip Vujanović, and the speaker of parliament, Svetozar Marović. Both of these are personally popular, and Djukanović would surely prefer to ensure their support for whichever position is adopted.

Probably DPS leaders would prefer to reach an accommodation with the NS, and not to force a break that would destabilise an already fragile political situation. In case of a break-up of the current government, one option would be for the DPS and the SDP to turn for support to the radically pro-independence Liberal Party of Montenegro (LSCG), the one party consistently to advocate Montenegrin independence over the past decade. LSCG leaders have indicated that they would be willing to support the government in case of an unambiguous Djukanović stance in favour of independence. However, the LSCG is widely regarded as an unreliable partner, especially since its withdrawal from coalitions at the local level in Podgorica and Herceg Novi led to elections in June 2000, which opened the door to the SNP to gain power in Herceg Novi. It is also notable that, according to recent public-opinion research, the LSCG is still apparently failing to translate increasing support for independence into support for itself. A second option which has been mooted in case of a break-up of the coalition would be early parliamentary elections.

The evidence of election results and opinion polls suggests that, while a substantial proportion of the population supports Montenegro's continued union with Serbia, over recent years there has been a steady increase in sentiment in favour of either a much looser association than in the past or outright independence. This is in part a reaction to Belgrade's bullying of Montenegro over the past three years, and partly a product of coping so well as the cords binding Montenegro to the federation have been cut. It is also in part a result of a deliberate strategy pursued by some political parties, as well as by independent and, more lately, state media of accustoming a hitherto sceptical Montenegrin public to the idea of an independent state. Over recent years this strategy has stepped up several gears, and since the changes in Belgrade in September 2000 has increasingly taken on the character of a media campaign in favour of independence.

#### Preferred options for the status of Montenegro<sup>5</sup>

Preference	May 1999	April 2000	October 2000
	%	%	%
Continuation of the current Yugoslav federation	38.8	25.3	19.0
Re-defined federation, along the lines of the Platform	20.5 <sup>1</sup>	19.8	26.1
Full independence	28.9	35.7	36.8
Unitary state in place of federation	2.2	4.5	10.2
Undecided	9.6	14.7	7.9

<sup>1</sup> In May 1999, the respondents were given the option of a confederal arrangement, the Platform not yet being on the table.

As shown in the above table, according to data collected in October 2000, some 37 per cent favoured independence, while 26 per cent would opt for the reorganisation of Yugoslavia along the lines of the August 1999 Platform. Some 19 per cent were for the Yugoslavia as envisaged in the constitution of 1992, while 10 per cent were for a unitary Yugoslavia. Also according to this research, if asked to vote in a referendum on independence now, some 48 per cent would vote in favour, with 39 per cent against, 8 per cent undecided and 5 per cent who would not vote.

<sup>5</sup> Data for May 1999 and April 2000 published in *Javno Mnjenje Crne Gore u 2000*. (Centre for Democracy and Human Rights, CEDEM, report no. 2, April). Data for October 2000 provided by CEDEM.

From these data it is clear that the issue of Montenegro's future status remains highly divisive. Three options enjoy substantial support, namely outright independence, the reorganisation of Yugoslavia along the lines of a very loose confederation or the resurrection of a federal Yugoslavia along the lines that existed before Montenegro began to distance itself from Belgrade.

Poll evidence suggests that the dynamic of public opinion has moved in the direction of independence, with the recent 37 per cent in favour of independence comparing with 29 per cent in favour in May 1999. Over the same period, those opting for a continuation of the Yugoslav federation have dropped from 39 per cent to 19 per cent. Actual election results would also seem to suggest that the balance of opinion has moved in favour of some form of sovereignty for Montenegro, whether it be full independence or the type of very loose confederation proposed in the August 1999 Platform. Thus, in Podgorica, the combined vote for DŽB and the LSCG rose from 53.8 per cent in the 1998 municipal elections, to 57.5 per cent in 2000, while the combined vote of the SNP and pro-Belgrade parties fell from 43.2 per cent to 39.6 per cent over the same period.

### Next Moves

DPS leaders have said that a referendum on Montenegro's future status will be held in the first half of 2001. Recognising the continuing lack of international sympathy towards the idea of Montenegrin independence, Djukanović has been keen to stress Montenegro's readiness to proceed by negotiation and to avoid, if possible, unilateral moves. Thus the rejection of the idea, advocated among others by the SDP, of a quick referendum before the December Serbian elections, so as to be in a position to present a new Serbian government with a "fait accompli". Instead, the intention is to present a new Serbian government with a new platform, as a basis for negotiation, with the intention that Montenegro, and perhaps Serbia as well, could hold a referendum on a proposition for a future loose association of sovereign, independent states that had already been agreed between Montenegro and Serbia. However, DPS and SDP leaders are adamant that if agreement with Serbia proves difficult to achieve, one way or another a referendum will go ahead, if necessary with a simple question for or against independence. These two parties have also ruled out settling the issue of the relationship with Serbia at the federal level, consistent with their refusal to recognise the legitimacy of the federal authorities for Montenegro.

So far, the DPS and the SDP leaders have not been encouraged by statements emanating from Belgrade to hope that a satisfactory solution can be reached by agreement. Indeed, Montenegrin officials have complained bitterly that Koštunica has set out to tarnish the image of Montenegro and of the Montenegrin leadership abroad. In particular, the apparent efforts of Belgrade to exclude Montenegrin participation at international events such as the EU summit in Zagreb on 24 November 2000 has caused offence and fuelled Montenegrin scepticism regarding Belgrade's goodwill or willingness to negotiate as equal partners. Koštunica may have been encouraged by the unenthusiastic international reception of the idea of Montenegrin independence to believe that Montenegro will have, in the end, to back down from any independence ambitions. For their part, the supporters of Montenegrin independence assert confidence that finally international recognition would follow a referendum which produced a result in favour of independence.

Djukanović has set out, through an energetic round of diplomacy in November 2000, to explain to world leaders the situation as he sees it and what can and cannot be expected of Montenegro. Participating in the commemorative gathering in Dayton, in the United

States, marking the anniversary of the signing of the peace accord for Bosnia and Hercegovina, at the Zagreb summit and in visits to western capitals, Djukanović has stressed that Montenegro already functions as an independent state in all but name, and that it would be unrealistic for it to go back on that. The suggestion is that, in this sense, Montenegro has already in practice, taken on the attributes of full sovereignty. He has reported some encouragement that his message is being understood in many quarters. For example, whereas the US Balkan envoy James O'Brien initially appeared to rule out Montenegrin independence,<sup>6</sup> the US Congress's approval of continued significant aid for Montenegro over the coming year gave Montenegrin authorities confidence that the republic would not be punished for pursuing a course towards independence by a reduction in financial support.

Opinion poll evidence shows that Djukanović is the most popular politician in Montenegro,<sup>7</sup> and his personal authority is very high. His current attachment to either a loose association of sovereign, internationally recognised states, and if that cannot be quickly negotiated, a unilateral move towards independence, is clearly significant. Supporters of independence expect that, aided by the highly partisan coverage of the main media, over the coming months the majority in favour of independence can be strengthened and increased. State media routinely present government officials and their policies in a positive light, and this practice has been employed fully in support of the DPS/ SDP position on Montenegrin statehood. Serbian officials, by contrast, have increasingly been presented in a negative light; Koštunica has been accused of treating Montenegro with the same insensitivity as did Milošević. That Koštunica does not employ the threat of violence and that he has been feted by world leaders is seen as making him more dangerous for Montenegro than his predecessor, as this has resulted in a decline in international support for Montenegro.

From the perspective of both internal and regional stability, the best possible solution would surely be a negotiated arrangement agreed between the Serbian and Montenegrin sides, rather than for Montenegro to go its own way without seriously pursuing such an agreement. For this to be possible will require both sides to negotiate with goodwill in a genuinely free and democratic environment.

As already indicated, opinion-poll evidence would appear to confirm that three options for Montenegro's future status continue to enjoy broad support:

1. Full independence (which might or might not be followed by a form of loose association with Serbia, with very limited functions being carried out jointly).
2. A continuing union with Serbia, but in the form of a loose confederation of the kind envisaged in the August 1999 Platform, with few if any powers being exercised by the federal government.
3. A resurrection of federal Yugoslavia, with significant powers being exercised by the central government.

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<sup>6</sup> Statement by O'Brien after a meeting with Djukanović on 13 October 2000, reported in IWPR report, *New Montenegrin Crisis*, 20 October 2000.

<sup>7</sup> Asked to give an approval rating of 1-5 to a selection of prominent political figures, respondents to a CEDEM poll conducted in October 2000 gave the highest average rating (3.59) to Djukanović. By contrast, Momir Bulatović scored 1.73; Predrag Bulatović – 2.92; Milošević – 1.95; and Koštunica – 3.01.

Given that the dominant political forces in Montenegro, and a substantial majority of Montenegrins, appear to support either a very loose confederal arrangement or outright independence, the future Serbian government will need to adapt to that reality if negotiations are to bear fruit. The appearance of Serbian insensitivity towards Montenegrin concerns is likely only to antagonise Montenegrin leaders and much of the Montenegrin public, and would if anything only drive Montenegro closer to opting for full independence. Belgrade would almost certainly be mistaken in relying on international pressure to force Montenegro to remain within the framework of a federal state which has low and diminishing support among Montenegrins.

On the Montenegrin side, of key importance has been the role of Djukanović in steering a carefully measured course. Djukanović's personal stature in Montenegro is such that he is able to carry a large part of the governing elite and the population with him along whichever course he chooses. However, it seems likely that he is very much aware of the pressure from his own constituency. Public-opinion research shows that, among followers of his party, support for independence is high. In addition, a consultative process within the DPS revealed strong support and even impatience for independence among rank-and-file party members. Thus there are limitations on Djukanović's room for manoeuvre. Nevertheless, in order for negotiations to have a realistic chance of success, the Montenegrin authorities will have to ensure the maintenance of a calm environment within Montenegro, in which patient dialogue can develop. A free media environment, in which alternative options are given an equal opportunity to be aired will be essential in this regard, and has not existed until now.

The SNP and the NS have complained with reason that the option of remaining in a common state with Serbia has not until now received a fair hearing. The evidence of opinion polls as well as of actual elections over the last three years shows that a substantial proportion of the Montenegrin population has remained committed to the maintenance of some form of union with Serbia – currently a majority of over 55 per cent.<sup>8</sup> In such circumstances, the holding of a referendum on such an emotive issue as independence would inevitably be highly divisive. A referendum with limited choices might produce a simple majority in favour of independence. However, if a large minority opposes such an outcome, its views and likely reactions need to be given extra attention. The NS has continued to call for the confederal arrangement envisaged in the August 1999 Platform to be kept open as an option. The DPS and the SDP reject that, insisting that the debate has moved on and that full independence is now the preferred choice. Nevertheless, the confederal option retains substantial public support. Given the lack of a substantial majority for any of the three broad options facing Montenegro, the model envisaged in the August 1999 Platform, or some variation on it that even further reduced the role of a central government, might be seen as a compromise that could enjoy broader acceptance than the two other more radically opposed options.

As discussed earlier, a major concern of the government and of the international community in the past concerned the behaviour of the pro-Belgrade population in Montenegro, especially in areas in which they form a local majority, such as in much of the north. With the fall of Milošević, the risk that they might fall prey to manipulation by Belgrade and threaten the stability of Montenegro has clearly receded. In the new environment, the possibility that the VJ might seek to stir up and exploit unrest in Montenegro also seems unlikely. In particular, it has been notable that senior SNP

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<sup>8</sup> As recorded in the CEDEM poll of October 2000, those in favour of a continuation of the Yugoslav federation, a re-defined federation along the lines of the August 1999 Platform or a unitary state, amount to 55.3 per cent of respondents.

figures based in Montenegro, including the vice-president Predrag Bulatović (no relation to Momir), have in general played a constructive role on the Montenegrin political scene.<sup>9</sup> They oppose the government and object in particular to unfair media coverage, but they have avoided any indication that their political participation would be other than through the legally constituted institutions. The SNP in Montenegro has been careful to adopt positions on a range of issues, including the economy and organised crime. In the event of Montenegro's separation from Serbia, SNP figures such as Momir Bulatović, who is unpopular in Montenegro, would probably find that their political careers were over. For others, such as Predrag Bulatović, whose stature in Montenegro is high, it is most likely that they would seek, and find, a place in the new political reality. Predrag Bulatović and many other SNP figures would probably adapt to the reality of an independent Montenegro.

### **Role of the International Community**

In the context of the very real threat posed by the Milošević regime to the reformist government of Djukanović, the international stress on stabilising his position without too many strings attached was understandable, and the bulk of international assistance was in the form of direct budget support.<sup>10</sup> The priority was explicitly short term, to stabilise the position of the government and ensure its survival. Nevertheless, a secondary international aim from the beginning was to promote and nurture the reform process in Montenegro, through technical assistance as well as financial aid. Given the fraught atmosphere during the past two years, due to the threat from Belgrade, it is unsurprising that progress in implementing reforms has been limited. Simply, the government had other, more pressing priorities. Following the changes in Belgrade and the diminution of the threat to Montenegro, it is likely and quite correct that the emphases of the international community in its dealings with Montenegro will shift.

It is important in this respect that greater attention be given than hitherto to supporting sustainable reform, including a thorough overhaul of the party-state apparatus, together with all the networks of cronyism, nepotism and corruption that go with it. The conditionality attached to Western assistance should be applied more rigorously in the new environment, in which the expectations of real progress in reform can legitimately be greater. Moreover, the open Western support for just one political option in Montenegro, the government of Djukanović, is simply no longer appropriate in the light of the much reduced threat to the republic's security. Express western preferences for one political side is likely to be counter-productive in the long term, building resentment among other parties and undermining progress toward genuine democracy.

An explicit priority of Western policy towards Montenegro has been to dissuade the Montenegrin authorities from moving towards independence. One reason for this, which is really no longer applicable, has been the desire to avoid any action that might elicit a violent response from Belgrade. Another factor, which has become relevant since the fall of Milošević, has been the desire to provide a stable environment in which democratic reform in Serbia can proceed. Early independence for Montenegro, implying no continuing role for Koštunica as President of a Federal Republic of Yugoslavia, has been

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<sup>9</sup> On the SNP, see the ICG report *Montenegro's Socialist People's Party: a Loyal Opposition?* (28 April, 2000).

<sup>10</sup> ICG strongly argued for support of the Djukanovic government, in the form not only of economic and political assistance, but an explicit NATO security guarantee. See ICG Balkans Report N° 89, *Montenegro: In the Shadow of the Volcano*, 21 March 2000.

thought by many to be not a good place to start in this respect, whatever the outcome of the Serbian elections in December 2000.

There are also wider regional considerations driving continuing Western concerns about too precipitate a declaration of independence by Montenegro. The argument has been, in particular, about the further impetus this could be expected to give to Albanian nationalist aspirations in Kosovo, with possible flow on consequences from that in turn for Serb aspirations in Republika Srpska.

The issues behind Montenegrins' questioning of their future in Yugoslavia go much deeper than dissatisfaction with Milošević's rule, although undoubtedly the experience of Milošević has acted as a catalyst in bringing to the surface older and deeper controversies over Montenegrin identity. Montenegro has already gone a long way in establishing its de facto independence. Until now, with western encouragement, it has done this by ignoring the Yugoslav constitution, or treating it – not without justification<sup>11</sup> - as effectively dissolved. However, the altered circumstances, in which Yugoslavia (or Serbia) is being welcomed back into the international fold, are forcing Montenegro now to decide whether to legitimise the steps that it has already taken and, through a referendum, firmly establish itself as a sovereign state, or to return to the Yugoslav fold, either along the lines of the August 1999 Platform or to a resurrected federation. The last two options are currently being rejected by the Montenegrin authorities. However, the flexibility that they have shown, in their declared willingness to negotiate with Belgrade on future common arrangements, should provide the basis for a compromise which can satisfy Montenegrins' conflicting aspirations.

Despite initial international reserve towards the idea of Montenegrin independence, there may, in the final event, be little to prevent Montenegro from attaining that goal, as was the case with Slovenia and Croatia in 1991 – and the consequences of that happening need not be anything like as destructive. While there is some possibility that Russia, fearing the possible precedent for Chechnya, might block any steps towards international recognition of independence for Kosovo (in particular UN membership, where the Security Council must support admission), that would appear less likely in the case of Montenegro. As a former Yugoslav republic, rather than a province within a republic, Montenegro's case is more analogous to that of Slovenia or, say, Lithuania, than to that of Chechnya. All that said, the international community – and particularly the Western donor countries - are not without influence or the capacity to exercise leverage, and it would be wise for the Djukanović government not to reject out of hand the various concerns that are being articulated.

But Western policy towards the Balkans, so often in the past determined by short-term considerations and the desire for "quick fixes", should not now make Montenegro a hostage to the fate of others. Crude pressure in the present environment would be counterproductive. What is required is a long-term solution with which Montenegrins, as with other peoples in the region, can live. Both Serbia and Montenegro, equally, should be encouraged to find a settlement through negotiation which can be acceptable to both.

In the course of that negotiation the Montenegrin authorities should certainly be encouraged, in the interests of both domestic and regional harmony, to keep all realistic options open. That means, for example, keeping open the option of maintaining a sovereign FRY as a loose confederation, albeit with few or no substantial powers being

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<sup>11</sup> See ICG Balkans Report No 101.

exercised by the central government, and both Serbia and Montenegro acting for all practical purposes as de facto independent states. To increase its acceptability, such a new constitutional arrangement could also possibly have built into it an option for withdrawal from the union, following a referendum after some minimum time period, perhaps three years. Buying a little time for a new relationship to evolve might be in everyone's interest.

There are a number of variations on these themes that can readily be envisaged. The present formal constitutional arrangements are untenable, if not already defunct. But the point is to manage the process of creating a new relationship between the two republics that will not have seriously negative consequences for either of them or their neighbours. In order to achieve this, continued international support and understanding, rather than bullying, is the strategy most likely to succeed.

## **Recommendations**

- Serbia and Montenegro should approach negotiations on their future relationship on the basis of mutual respect and good will, in a fully democratic environment. For its part, Serbia should recognise that insensitivity towards Montenegrin concerns or attempts at bullying are likely to prove counter-productive. The Montenegrin authorities and opponents of independence should ensure that debate over the republic's future is conducted in a free, fair and calm environment, in which different sides have genuinely equal chances of being aired.
- The international community should recognise that excessive pressure is likely to be counterproductive, and avoid seeking to impose particular solutions. It should encourage both Montenegro and Serbia to redefine their relationship in ways genuinely acceptable to them both, and by negotiation rather than unilateral action.
- Montenegro should be encouraged to keep all realistic options on the table, including a form of confederation with Serbia falling short of complete sovereign independence.
- In providing international support for Montenegro, the international priority should be shifted from straight support for the Montenegrin government to support for sustainable reform. The conditionality of international support on progress with reforms should be more strictly applied.
- The international community, in its approach to Montenegro, should discontinue the policy of supporting the current administration in Montenegro. While this was appropriate when the government faced a real threat from Belgrade, this is no longer the case. Rather, the focus should be on promoting democratisation in Montenegro, under whichever government emerges.

**Podgorica/Brussels, 30 November 2000**