

## Montenegrin Politicians Seek Constitutional Consensus

**16 08 2007** Both government and opposition would prefer parliamentary approval to the uncertainties of a plebiscite on the country's first constitution.

*By Nedjeljko Rudovic in Podgorica*

Montenegro's political parties entering a final round of talks on the country's first constitution are searching for the broad political consensus that would be needed to avoid holding a national referendum on the document.

Svetozar Marovic, the influential vice-president of the ruling Democrat Party of Socialists, DPS, meets with opposition leaders this week with the intention of ensuring the two-thirds majority needed to get the constitution passed by parliament.

The ruling DPS and its coalition partner the Social Democratic Party, SDP, supported by the small Democratic Union of Albanians and the Liberal Party, together have 43 of the 81 seats in parliament. At least 11 more MPs would be needed to get the two-thirds majority needed to pass the constitution.

On the other side, opposition parties are trying to come up with a common platform for talks with the DPS on the constitution. They include the nationalist Serb List, the moderate reformist Movement for Changes led by Nebojsa Medojevic, the Socialist People's Party, SNP, led by Srdjan Milic, the Albanian Alternative and the Democratic Albanians' Alliance, as well as the moderate pro-Serb People's Party and the Democratic Serb Party.

Each side has its own reasons for avoiding a referendum, which would be called in September.

As a political analyst Svetozar Jovicevic said in an interview with Balkan Insight, the opposition is worried about suffering another defeat at the hands of the DPS and its junior coalition partner. For its part, the government knows that unless it can pull off a two-thirds majority in parliament, foreign observers will not regard it as competent to tackle contentious issues.

Montenegro dissolved the state union with Serbia after a referendum in May 2006 saw a majority of citizens choosing independence.

Parliament began discussing the draft constitution in January 2007. Its committee for constitutional affairs approved a draft document in late July and made plans to schedule a full debate for September.

As much as 90 per cent of the text has been agreed, but the remaining portion deals with the contentious "identity issues" which dog this multi-ethnic country. The country's population of 620,000 is 43 per cent Montenegrin, 32 per cent Serb, 14 per cent Bosniak/Muslim, six per cent Albanian and one per cent Croat.

The term used for Montenegro's official language may be the single most disputed question. The ruling parties would like to have the language set down in the constitution as Montenegrin. This is vehemently opposed by the pro-Serb section of the opposition, led by the Serb List.

The Serb List, which tried to preserve the state union with Serbia, now cites the results of the 2003 census in which 64 per cent of Montenegrin citizens said they spoke the Serbian language, as specified in the constitution now in effect.

Other obstacles to parliamentary approval include complaints by most of the ethnic minority parties, which argue that in its present form, the draft constitution does not contain adequate safeguards for minority rights.

Issues like greater autonomy and powers for local government are also major bones of contention.

If the new constitution goes to a referendum, it will need the approval of at least half of those who turn out to vote. A senior source in the DPS has told Balkan Insight that officials in the party believe such a majority could well be achieved. But they fear that even if this happened, an overall voter turnout of below 50 per cent would mean the legitimacy of the result would always be questioned by its opponents.

"They are of course aware that there would be numerous allegations that the referendum was irregular, and that this would further heighten political tensions," said Jovicevic. "If it were to be passed with 30 per cent support of the [total] electorate, for instance, this wouldn't provide sufficient legitimacy, and would only add fuel to the bitter arguments."

The DPS and SDP are counting on support from the moderate deputies of the Movement for Changes and

the SNP, but the ruling parties know they would also have to make some concessions in exchange.

DPS officials have hinted they would welcome a compromise on the name of the official language. Under such a deal, "Montenegrin" could be used as the official term alongside "Serbian" and "Bosniak".

"How this problem will be solved, no one knows," political analyst Jovicevic said. "The new concept being advanced by the DPS is a good one, but there's the issue that a single name should be used for the language in all official documents, such as school certificates and diplomas."

Leaders of the Movement for Changes and the SNP have expressed willingness to reach an agreement.

Movement for Changes leader Medojevic said his party might drop the condition it has set for an early election to be called after the new constitution is adopted.

"There are big issues in the constitution's draft version which must be discussed first, and then we'll see," Medojevic told Balkan Insight, adding, "We're only just beginning to run our political affairs and problem-resolution processes in a proper European fashion."

SNP leader Milic told Balkan Insight that it would be possible to have the new constitution passed by parliament, as long as there was scope for dialogue on the issue.

"We in the SNP won't tolerate a take-or-leave-it approach," he said. "We want to show south-eastern Europe that there are people who think differently and who are capable of reaching agreement on contentious issues."

Zoran Zizic of the Serb List said his party would like to resolve the outstanding differences on the text of the constitution through further negotiations. "The opposition should act seriously and responsibly because this is an important issue for the state," he said.

Medojevic said the opposition is making real efforts to help get the constitution approved in parliament.

"This is the most important test in the history of the multiparty system, which will show whether the political elite is capable of resolving problems in a European way, by acknowledging the national interest while promoting party-political interests insofar as they are not detrimental to the state," he said.

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