

MONTENEGRO MOVES TOWARD STATEHOOD

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The second Bush administration appears committed to resolving the outstanding issues in the Adriatic zone, including a roadmap for Kosovo's final status, the acceptance of both Montenegro's and Serbia's decision on independence, and the pursuit of NATO inclusion for Albania, Croatia, and Macedonia. Given the changing international climate and in order to bring the Western Balkans into the Euro-Atlantic fold, local leaders will now need to demonstrate their clarity and resolve.

While the Montenegrin authorities have developed a clear position on the future of the union with Serbia and their country's ultimate independent status, the Serbian side appears confused and uncertain. Although Serbian Prime Minister Vojislav Kostunica is opposed to independence for either Serbia or Montenegro, Serbian President Boris Tadic recently declared that his Democratic Party is ready to hold talks on a union of independent states: a proposal issued by Podgorica in February.

Unfortunately, Serbia's foreign policy appears to be in disarray. Vuk Draskovic, the Serbian Foreign Minister in the current union, appears deeply confused about his country's future. In commenting on Montenegro's independence, Draskovic declared that: "Serbia and Montenegro have historically, and in all other senses, confirmed that they are together even when they are not together, so if it happens again that we are not together, we will still be married and together." This seems reminiscent of Russia's neo-imperialist stance toward an independent Ukraine.

Instead of focusing on apprehending the two major indicted war criminals, Radovan Karadzic and Ratko Mladic, and pursuing structural reforms, Belgrade seems preoccupied with regaining control over both Montenegro and Kosovo. Regardless of Serbian intentions, Montenegrin Prime Minister Milo Djukanovic has confirmed that a referendum on independence will be organized after February 2006 when the EU-imposed moratorium expires. The country will also hold local elections in May 2006 and parliamentary elections in September 2006. Opinion polls indicate that pro-independence forces will narrowly win the plebiscite on statehood.

Podgorica is heartened by increasing realism among EU member states and by neighboring capitals who now confirm that they will accept the results of Montenegro's referendum: Djukanovic has announced that he will invite the OSCE to oversee the preparation and organization of the ballot so it would be in full compliance with European democratic standards.

Montenegro's government and parliament have also declared that EU membership is a key goal for the country. Although EU enlargement chief, Olli Rehn, has warned Montenegro against independence, in reality the onus is on the Union to provide a roadmap of membership to all West Balkan aspirants and to dispel rising concerns that the EU's internal crisis over the budget and the constitution will forestall any further enlargement. Brussels has initiated talks on a Stabilization and Association Agreement (SAA) with Serbia and Montenegro, but administrative and legal clarity is needed in the relationship between Belgrade and Podgorica any agreement is signed with the EU on SAA.

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The EU's constitutional crisis has weakened the position of Xavier Solana, the High Representative for Common Foreign and Security and the architect of the Serbia-Montenegro Union. EU states appear to be breaking ranks with Solana, including the Danish Foreign Minister Per Stig Moeller, who in a recent visit to Podgorica underscored that the EU will respect the outcome of an independence referendum.

Growing EU realism has been echoed by Washington. The American ambassador in Belgrade, Michael Polt, has stated that the United States will support any decision made by the citizens of Montenegro in a democratic referendum. Contrary to Belgrade's warnings of doom, the ambassador believes that the plebiscite would not destabilize the region. Polt asserted: "We will support a legal, fair, open and transparent democratic outcome of any kind of choice made by the Montenegrin people." If Washington is truly intent on eliminating ambiguities and achieving lasting solutions in the region, then the final status for both Montenegro and Serbia must also be reached in the coming year.

MEDDLING WITH MONTENEGRO'S REFERENDUM

During a 16 June visit to Brussels, Serbian Prime Minister Vojislav Kostunica submitted to EU officials a list of Montenegrin citizens living in Serbia he believes should be entitled to vote in Montenegro's independence referendum. Although there was no official reaction from the EU, Kostunica's actions generated much controversy in both Belgrade and Podgorica. Montenegrin President Filip Vujanovic sent a letter to his Serbian counterpart Boris Tadic, protesting against the move and called it a violation of both the Belgrade Agreement and Montenegro's referendum law from February 2001.

Union President Svetozar Marovic and Serbia-Montenegro's Foreign Minister Vuk Draskovic confirmed that Kostunica's tactics were "uncalled for." Draskovic told the private Beta news agency that "such a list is to be condemned, especially because it was done in such a secretive, underhanded way." Serbian President Boris Tadic, although supportive of the current state union, stated that Serbia should not be involved in Montenegro's internal affairs. Tadic also asserted that Belgrade and Podgorica should not be communicating via Brussels and Washington on such issues.

In April 2005, the Public International Law and Policy Group (PILPG) in Washington released a legal memorandum reviewing Montenegro's referendum legislation and its compliance with international standards. PILPG provides free legal assistance to developing states and sub-state entities and was nominated for a 2005 Nobel

Peace Prize for its contributions to peace building and post-conflict development. In its legal memorandum entitled "Montenegro: Citizenship and Residency Requirements For Voting In a Referendum," PILPG confirms that the republic has the authority to determine its own laws concerning voter eligibility. The report asserts that Montenegrins residing in Serbia cannot vote in Montenegro's referendum, because otherwise they would have a double franchise within the union state.

The list that the Serbian prime minister handed over to EU Commissioner for Enlargement, Olli Rehn, reportedly includes about 250,000 ethnic Montenegrins who Kostunica claims deserve to be granted voting rights in Montenegro. Those listed were not consulted by Belgrade and should be concerned about the purpose to which such official lists can be put.

The issue has become highly politicized as Montenegro's residents are preparing to exercise their right to hold a referendum on statehood. Incessant pressure from Belgrade for changes in the referendum requirements may be an attempt to scuttle the vote or to negatively influence international opinion. Montenegro's Prime Minister Milo Djukanovic stated that experimenting with conditions for holding a referendum is unacceptable to Podgorica and stressed that the plebiscite will be conducted according to internationally recognized democratic standards. He has also invited the EU and OSCE to monitor and guide the process. The only positive outcome of Kostunica's ethnic lists is that the Serbian prime minister has finally recognized the existence of a Montenegrin nation.

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