

## Power over institutions

By: Daliborka Uljarevic

***“I have absolute political power. I will capture the institutions, and they’ll never be able to hold me accountable for any phase of my government”. This is no quote from Machiavelli’s “Prince”. It is the unwritten rule of governing in the Balkans, and we are all its victims. We should finally start changing them so that the citizens of Montenegro can for once walk proudly with their heads high.***

Last May, **Aleksandar Saša Zeković**, **Tea Gorjanc Prelević** and I submitted an initiative to the Parliament of Montenegro to declare a Memorial Day for the refugees victims of 1992 deportation. Our expectation was that the initiative will soon be put on the agenda so that the 20<sup>th</sup> anniversary of this crime can be commemorate as it befits serious states with responsible governments. The allegedly principled stance of the Social-democratic Party whose leader **Ranko Krivokapić** was the addressee of our initiative as the head of the Parliament, resulted in loud support for the initiative, duly acknowledged by the media, but failed to produce any tangible results.

At the same time, we submitted another initiative for the monument to the refugees victims of deportations in 1992 to be erected in Herceg Novi. It was addressed to the Government of Montenegro, i.e. its president **Igor Lukšić**, Minister of Interior Affairs **Ivan Brajović** and Minister of Culture **Branislav Mićunović**, as well as to the local parliament of Herceg Novi, i.e its president **Dejan Mandić**. Once again, it all began and ended with politically correct rhetorical support.

Both initiatives were based on international principles of human rights and international humanitarian law, especially on the Resolution of the General Assembly of the United Nations 60/147 “Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law”, as well as on the competencies of the Montenegrin legislative and executive bodies.

In May and June 1992, at least 66 refugees of Bosniak nationality from Bosnia and Herzegovina were illegally arrested on the territory of Montenegro, and then delivered to the enemy forces of the Bosnian Serbs in Bosnia and Herzegovina. Only 12 persons deported from Montenegro managed to survive torture in concentration camps. Others were murdered and disappeared, and to this day the remnants of some victims have not been found.

A rare handful of NGOs, media and individuals, together with representatives of the associations of victims’ families, are battling to ensure this crime is not forgotten. The highest decision-making instances are systematically ignoring the need for effective trials and reparations envisaged by the international standards, which include “commemorations and tributes to the victims” and provision, on continuous basis, of “human rights and international humanitarian law education to all sectors of society and training for law enforcement officials as well as military and security forces”.

Although the state of Montenegro practically recognised the existence of this crime through the court settlement with the families of victims in 2008, individual direct and command criminal responsibility has not been ascertained in a legal process and nothing was done by the institutions to pay tribute to the victims. This is neither honourable nor courageous.

Denial of crimes impedes genuine reconciliation and reestablishment of trust in the region. These two initiatives, should they come to life, would make a modest contribution to ensuring that the crime remains recorded as a cruel reminder for the future generations. Genuine, eternal tribute to the victims can only come through Montenegro's readiness to clear up this case entirely in a legal process and demonstrate that the Montenegrin society is sufficiently mature to objectively assess the facts and punish the perpetrators. Otherwise, all tokens of recognition will be signs of shame and hypocrisy towards the victims, covering up the blame with lies that evade justice and harbour some future evil.

If there is will to realistically face the crimes of the 1990s, we can logically expect the system to be on the right track towards full consolidation, with the rule of law enshrined above politics. But, if there is no such will, and if these processes are consciously obstructed for political reasons, it is hard to expect much progress in any other area. Unresolved issues keep returning as a nasty boomerang.

Right now the EU is demanding of Montenegro the same thing CCE has demanded a while ago in its plea for direct broadcast of the war crimes trials. Preparations for EU talks on Chapter 23 are inevitably placing our evasiveness on the agenda, and the bills are piling up.

Serious demands have arrived and will keep arriving from Brussels for many years to come. However, the most serious demand of the future generations is for a genuine, responsible confession that the Montenegrin society and its politicians fell prey to chauvinism and nationalism, which resulted in terrible crimes. Until we honour this demand, we cannot hope to join Europe which is founded on unity in diversity, regardless many technical hoops we jump through.

The fact that after 20 years we still don't know the perpetrators of this crime means that we're unable to overcome national divisions, personality cult, the fear of confronting ourselves and leave the patterns of dealing with politics on Balkan manner. The pattern is based on the premise: "I have absolute political power. I will capture the institutions, and they'll never be able to hold me accountable for any phase of my government". This is no quote from **Machiavelli's** "Prince". It is the unwritten rule of governing in the Balkans, and we are all its victims. We should finally start changing them so that the citizens of Montenegro can for once walk proudly with their heads high.

*The author is the executive director of Centre for Civic Education (CCE)*