



ÖGfE Policy Brief 25 2023



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Vienna, 28 October 2023
ISSN 2305-2635

Rebuilding democracy from below: A case for local communities in Montenegro

Policy Recommendations

1. Local communities at the outset must have their own working spaces, as well as professionalisation of the individuals working within them, whose work will be remunerated by the municipality.
2. All local communities should open bank accounts, and municipalities should allocate specific funds from the budget for them. Control over fund outflows from the bank accounts of local communities should be carried out by local communities. Official email addresses and dedicated websites should be set up for more efficient communication with citizens, ensuring complete transparency.
3. Local communities should have a compiled population register for their locality on their websites.

Abstract

Montenegro has been experiencing a crisis in democracy for several years now. This Policy Brief explores the role that local communities (LCs) have and/or can have within the context of democratic elections, democratic governing, and institutional reforms in Montenegro. We argue that through the development of local communities and their civil input from below, through giving them space, both physically and legislatively, for local communities to develop as separate governing bodies in relation to local governments, state governments, and the National Assembly,

Montenegro can help accelerate the reforms that are necessary for the country to become a part of the EU, improve the socio-economic position of vulnerable groups in multiple parts of the state, and decrease social and political inequality among different individuals and groups. The democratic potential that lies in local communities, as legally defined governing bodies, needs to be utilised in order to address the ongoing crisis of democratic governing in Montenegro and help the country accelerate key reforms in the EU accession process.



Rebuilding democracy from below: A case for local communities in Montenegro

Context

Tackling the issue of democracy from below on the case of Montenegro, characterised in recent years as a stabilocratic¹ or a hybrid, transitional regime,² with recent shifts in power that haven't occurred in decades, means first addressing the state of play at the central level of governing.

An unstable relationship between two assemblies and two governments in the past three years, after the fall of a 30-year-long regime led by the Democratic Party of Socialists (DPS) regime, has shaped and continues to shape the political situation in Montenegro. The government currently in power is the so-called government with a technical mandate³ and in the last year, several controversial decisions by the National Assembly regarding the Judiciary and Prosecution reforms⁴ are still ongoing as of the moment of writing. Their outcome, though, could potentially be another short-lived government, without support or political will for reforms from the Parliament as well as its constituting actors.

Thus, coming back to the issue of democracy from below in Montenegro means taking a different point of view on the political system in Montenegro and, from a different angle, arguing for a higher degree of decentralisation, dispersion of power, and alternate mechanisms of active citizen participation.

Local communities⁵ (LCs) are a primary and fundamental community for solving local issues.⁶ According to the Montenegrin Law on Local Self-Government⁷, LCs are defined as a starting point for solving the problems of citizens in the most narrow localities (i.e., neighbourhoods, villages, etc.). An LC is thus a legal, governing entity that has the possibility of complete, separate functioning in relation to local self-gov-

- 1 Democracy or stabilocracy: negative democratic trends in Montenegro. Source: <https://www.cedem.me/en/news/demokratija-ili-stabilokratija-negativni-demokratski-trendovi-u-crnoj-gori/>
- 2 Nations in Transit report 2023 - Montenegro. Source: <https://freedomhouse.org/country/montenegro/nations-transit/2023>
- 3 Deputies have been blocking the judiciary for years, and are not taking responsibility: "If there is no agreement, dissolve the parliament". Source: <https://www.vijesti.me/vijesti/drustvo/647169/poslanici-godinama-drze-pravosudje-u-blokadi-a-ne-snose-odgovornost-ako-nema-dogovora-raspustiti-parlament>
- 4 A new convocation of the Parliament of Montenegro was constituted, the president was not elected. Source: <https://www.slobodnaevropa.org/a/konstituisan-novi-saziv-skupstine-crne-gore/32522619.html>
- 5 The term refers to mjesna zajednica, which is the lowest defined level of government in Montenegro.
- 6 Local communities do (not) care about the needs of citizens. Source: <https://www.vijesti.me/vijesti/drustvo/597050/mjesne-zajednice-ne-brinu-za-potrebe-gradjana>
- 7 Law on Local Self-Government in Montenegro: <https://www.paragraf.me/propisi-crne-gore/zakon-o-lokalnoj-samoupravi.html>



ernment (LSG), where the LSG governing a municipality, as a higher authority, has to delegate some of its' jurisdictions to an LC governing a certain locality inside the municipality.

Local communities (LCs) are a primary and fundamental community for solving local issues.

During March, the non-governmental organisation The Center for Civil Liberties (CEGAS) and media outlet Vijesti conducted a four-day online survey on the topic of the role and activities of local communities⁸ in Montenegro. On a sample of 682 citizens from 22 municipalities,⁹ 76.7% of citizens responded that they never had contact with the LC governing the locality where they live, while only 6% responded that their LC helped them achieve some of their rights at some point. 97% of citizens responded that they don't know anything about the finances managed by their LC.

According to the additional research from 2023, 23 LCs¹⁰ in the capital, Podgorica, do not have secured internet access or email addresses. The situation is mostly the same in other municipalities. Field research,¹¹ conducted in the form of visits to LCs in the area of Podgorica municipality has shown that almost none of them were functional during their working hours or held meetings with citizens. Furthermore, LCs are not stationed in their designated and legally defined spaces, but rather they are using spaces that LSGs provide without any specific compensation. As a consequence, this results in various misuses of spaces designated for LCs.¹² A recent report on market inspection resulted in the shutdown of three such facilities and the processing of three owners.¹³

Thus, legally enabled mechanisms for citizens' participation are not being utilised at all.

According to the information acquired through requests for free access to information sent out to all municipalities in Montenegro, since 2016, not a single civil referendum has been held, citizens' assemblies have been held around ten times, and there have been no civil initiatives at all. Citizens' assemblies, however, have been held only at times when it was required to elect a council as the body of their government. Thus, legally enabled mechanisms for citizens' participation are not being utilised at all.

8 Questionnaire: What do you know about the role and affairs of your local community? Source: <https://www.vijesti.me/vijesti/drustvo/648843/upitnik-sta-znate-o-ulozi-i-poslovima-vase-mjesne-zajednice>

9 Out of 24 municipalities in Montenegro.

10 Out of 50 LCs in Podgorica.

11 Control all spaces given for use by local communities. Source: <https://cegas.me/2023/08/18/kontrolisati-sve-prostore-date-na-koriscenje-mjesnim-zajednicama/>

12 Control all spaces given for use by local communities. Source: <https://cegas.me/2023/08/18/kontrolisati-sve-prostore-date-na-koriscenje-mjesnim-zajednicama/>

13 Control all spaces given for use by local communities. Source: <https://cegas.me/2023/08/18/kontrolisati-sve-prostore-date-na-koriscenje-mjesnim-zajednicama/>



The principle of decentralisation, as a key principle of local governance, as well as the legal solution defining the work of local communities in Montenegro, thus do not exist.

LCs do not function in practice, and they do not fulfill their designated role as such. In the past, they were usually most visible during electoral campaigns, when they usually served as a space of gathering for those supporting the structures in power.¹⁴ Without knowledge about LCs, as can be seen from the survey results, citizens are often forced to address the immediate local issues to the National Assembly or the central government, which is not in charge of solving the immediate issues in specific localities. The principle of decentralisation, as a key principle of local governance, as well as the legal solution defining the work of local communities in Montenegro, thus do not exist.

These examples from Montenegro alone can help us understand better why LCs, their activities and practices, as well as active citizen participation on the ground, can be catalysts for social change.

Circling back to the role that LCs can have in the democratic transformation of Montenegro, we can look at several examples of LCs from Montenegro that have been able to establish themselves as functional through citizens' initiatives and actions that transformed the communities in which they were active. Through juxtaposing several examples of positive and negative practices of LCs in Montenegro, we will expose the issues LCs are facing as separate governing bodies, as well as citizens as bearers of rights, and address the need to improve the position of LCs in Montenegro. These examples from Montenegro alone can help us understand better why LCs, their activities and practices, as well as active citizen participation on the ground, can be catalysts for social change.

Different places, different problems

Župa is a rural local community inside the municipality of Nikšić. It consists of twelve villages and neighbourhoods, and according to the most recent population census held in 2011, it numbers around 3,700 residents.¹⁵ The area belonging to LC Župa is characterised by fertile land and the presence of minerals. Since 2016, LC Župa has been under the management of a council whose president is Dragoljub Radulović. He is often affirmed as the main actor initiating change in this locality.

This LC does not get any funds from concessions made between the governing LSG Nikšić and the mine "Boksiti", located on the territory of LC Župa, which are worth around 700,000 EUR a year. He also emphasises that through other channels, around

14 Questionnaire "Vijesti" and NGO CEGAS on the role and affairs of local communities: On paper the closest, in practice almost foreign. Source: <https://www.vijesti.me/vijesti/drustvo/650622/upitnik-vijesti-i-nvo-cegas-o-ulozu-i-poslovima-mjesnih-zajednica-na-papiru-najblize-u-praksi-gotovo-strane>

15 <https://zupa.today/zupa.html>



800,000 EUR a year are “flowing” into the LSG Nikšić budget, out of which none are directed to the LCs budget.¹⁶

Yet, through continuous participatory initiatives and actions, since 2016, among other things, on the territory of this LC 40 kilometres of village roads have been constructed or reconstructed; reconstruction of the main road has been initiated; a central kindergarten with two separate local departments has been built, alongside three sport fields for the local elementary school; an active participation in the renewal of the museum of fiddles has been initiated; a pharmacy has been opened, six youth homes have been reconstructed and financial and material educational support has been provided to children.¹⁷ Also, the website “Župa u srcu”,¹⁸ registered as a local NGO, serves as a media outlet and a communication channel for this local community through which citizens can voice their concerns and engage with their community.

Another example of citizen initiatives from below that manage and continue to be institutionalised through their respective LCs is the example of LC Vražegrmci. LC Vražegrmci is located in the rural part of the municipality of Danilovgrad and numbers ten villages. The total population living on the territory of this LC is around 300 people.

In May 2023, a new council was elected to govern the LC. This new council, led by Milan Mijailović, presented several future development plans for this local community and has initiated several actions on the ground. An official LC Vražegrmci¹⁹ website has been set up, as well as a corresponding Facebook page.²⁰ Their activities in this part lead to better cooperation with LSG Danilovgrad, which intends to set up websites and online platforms for all LCs in this municipality.

Some of their main goals are concerned with solving immediate local infrastructure issues. Additionally, the touristic and economic development potential of this local community is another priority. Agricultural development is at the centre of this potential. The LC plans to set up online and physical shops for local products, as well as improve tourist capacities. Furthermore, in May, the government announced that the Ministry of Agriculture, Forestry, and Water Management is working on establishing a legal framework that will enable the formation of local action groups in Montenegro. This is supposed to create a prerequisite for implementing the LEADER approach through the EU’s IPARD programme for agriculture and rural development.²¹

In May, the government announced that the Ministry of Agriculture, Forestry, and Water Management is working on establishing a legal framework that will enable the formation of local action groups in Montenegro.

16 Radulović: MZ Župa Nikšićka does not have a single euro of bauxite, only abandoned mines. Source: <https://cegas.me/2023/08/23/radulovic-mz-zupa-niksicka-nema-ni-jedan-euro-od-boksita-vec-samo-napustene-rudokope/>

17 The voice of Župljani is now taken seriously. Source: <https://www.vijesti.me/vijesti/drustvo/637440/glas-zupljana-se-sada-ozbiljno-shvata>

18 <https://zupa.today/>

19 <https://mzvrazegrmci.me/>

20 <https://www.facebook.com/profile.php?id=100092455046806>

21 News from ten villages resonate on the web. Source: <https://www.vijesti.me/vijesti/drustvo/659681/vijesti-iz-deset-sela-odjekuju-na-vebu?fbclid=IwAR0D-FxcDpiUSs5P-Wzf9tlobnXIXwoydrDdB2PIJQH9X68zwTs6G7o4Dt8s>



In contrast to LC Župa and LC Vražegrmci, LC Zabjelo and LC Ljubović are located in the neighbourhood of Zabjelo, in the urban part of the capital, Podgorica. A recent controversy around spaces of LC Ljubović being used for personal gain has been negated by LSG Podgorica but has shown up in the media.²² An overbearing price of rent for the space of LC Ljubović was an issue raised by the citizens living in Zabjelo, which is almost certainly going to result in its relocation to a more accessible location.²³

This concern was made visible in engagement with some established local initiatives. Namely, the website “Glas Zabjela”²⁴ was one of the media outlets communicating this issue. This local media outlet was established on a voluntary basis in 2016. Thus far, they and other actors have engaged with the local community on different levels and in different areas on multiple occasions. This resulted in engagements with the cultural organisation Zabjelo Festival, a local football club, Zabjelo, local self-government in Podgorica, government and EU-funded initiatives, private businesses, and citizens. But still, as it seems, most of these activities and practices have not been institutionalised through the LCs or have been conducted in cooperation with LCs at this locality.

Some of the problems reflected at the local level are indicators of the state at the central level: concessions to natural resources that are inaccessible to the local population living in those localities, lack of infrastructure, and misuse of public resources. Zabjelo, an urban neighbourhood, in comparison to Župa, village in the rural part of Nikšić and Vražegrmci, a small rural local community in Danilovgrad, are examples of how people utilised in different ways different resources and shaped the way citizens engage with their LCs.

The legal framework in Montenegro allows for LCs in all municipalities for citizens to decide and participate in the decision-making processes such as urban and rural development, housing, consumer protection, culture, education, environmental protection, etc. Bylaws concerning LCs, which are decisions on the work of LCs,²⁵ are different for each municipality individually. Some of them date back to 2005, when Montenegro was a part of a state union with Serbia, while others were adopted by the 43rd government in 2021, essentially in such a way that the old ones were only rewritten.²⁶

Local democracy at the level of LCs became a direct concern of citizens, which resulted in initiatives from below, such as those described above. This motivates citizens and stimulates democracy in general.

22 City office space turned into a bar and apartment (PHOTO). Source: <https://www.vijesti.me/vijesti/drustvo/670023/gradski-poslovni-prostor-pretvorili-u-kafanu-i-stan-fotohttps://>

23 LC “Ljubović” roasteries cost citizens 1,594 euros per month, planned return to Vampirica. Source: <http://glaszabjela.me/prostorije-mz-ljubovic-kostaju-gradane-1594-eu-ra-mjesecno-planiran-povratak-u-vampiricu/>

24 Voice of Zabjelo. Source: <https://glaszabjela.me/>

25 CEGAS: Control all spaces given for use by local communities and make new decisions. Source: <https://www.aktuelno.me/crna-gora/cegas-uraditi-kontrolu-svih-prostora-datih-na-koriscenje-mjesnim-zajednicama-i-donijeti-nove-odluke/>

26 Local communities do (not) care about the needs of citizens. Source: <https://www.vijesti.me/vijesti/drustvo/597050/mjesne-zajednice-ne-brinu-za-potrebe-gradjana>



Local democracy at the level of LCs became a direct concern of citizens, which resulted in initiatives from below, such as those described above.

Commonalities and particular differences in these examples highlight the issues that our recommendations are tackling. LCs should have designated working spaces as well as public servants operating them. This will also foster additional citizen participation, as the need for functional LCs is expressed through these often independent and voluntary initiatives. Effective communication channels between LCs and citizens have to be set up in order to improve engagement between them.

Additionally, LCs should have secured funding from the local government. They should also engage with government and EU-funded projects, as they will enable direct implementation on the ground according to the population's needs and the creation of more meaningful and practical initiatives. This implies the more active participation of citizens in the decision-making process.

All LCs should also have citizen registers. Some good practices from the region²⁷ show usage of such registers in order to have an overview of minority and vulnerable groups, such as in the north region of the country, where poverty rates of children are on average 40% and unemployment rates are at 30% on average in eleven northern municipalities. In the case of Montenegro, this could also be helpful with the register of voters,²⁸ an issue important for the electoral reforms,²⁹ as well as the creation of better social and economic policies.

Conclusions

Examples of three different LCs in three different Montenegrin municipalities have used alternate, innovative, and active citizen participation initiatives, mechanisms to promote change, sustainable development, environmental, educational, and cultural practices, community building, etc. However, they also showcase how a lack of institutional channelling of such practices through LCs and local engagement presents a challenge for establishing such practices as norms rather than exceptions.

Yet, drawing from these examples can help draft better solutions from the individual local governments and the central government in relation to LCs, as the lowest-defined governing bodies. Examining the LCs in the context of democratic transformation in Montenegro is a case worth further exploring, given its potential as on-ground case studies of democracy, democratic institutions, and democratic governing in practice, but also for the development of social and economic policies and strategies that are more inclusive and sustainable.

27 The New Recommendations Are the Minimum for the Work of Local Communities. Source: <https://cegas.me/2023/06/16/nove-preporuke-su-minimum-za-rad-mjesnih-za-jednica/>

28 Unregulated voter list before the presidential elections in Montenegro. Source: <https://www.slobodnaevropa.org/a/izbori-predsjednik-crna-gora-spisak/32254432.html>

29 The elections in Montenegro were well conducted, legal reform is necessary, say international observers. Source: <https://www.slobodnaevropa.org/a/izbori-crna-gora-misi-ja-oeps-posmatraci/32455839.html>



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The Policy Brief is published in the framework of the [WB2EU](#) project. The project is co-funded by the European Commission under its Erasmus+ Jean Monnet programme. The European Commission support for the production of this publication does not constitute an endorsement of the contents which reflects the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein.

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ISSN 2305-2635

The views expressed in this publication are those of the authors and not necessarily those of the Austrian Society for European Politics or the organisation the authors are working.

Keywords

Montenegro, local communities, democracy, citizens, municipalities, European Union

Citation

Mumin, N., Popović Kalezić, M. (2023). Rebuilding democracy from below: A case for local communities in Montenegro. Vienna. ÖGfE Policy Brief, 25/2023

Imprint

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