The Centre for Democratic Transition (CDT), aiming to improve the democratic dialogue between relevant social actors on the future population and housing census (hereinafter: the census), and before the official public debate on the new draft law, extends you the following:

**Initiative**

**To abandon,** during the implementation of the next census, the practice of collecting data on ethnic (national) and religious (non-)affiliation, as well as on the language spoken by the citizens who are defined by the methodology as the subjects of the census.

**Rationale**

This proposal is discontinuous with the current practice, the way in which the underlying principle of the census has been understood so far, the national policies related to it, but above all with the way in which relevant political, and other social actors behaved during its preparation and implementation. The previous practice was not illegitimate, but it is, in our opinion, anachronistic. For that reason, we wish to present an alternative way of thinking in order to arrive at a different understanding of the underlying principle of this important social action.

This initiative is fully in line with the future EU obligations of Montenegro, which imply that censuses are conducted based on the data drawn from various registers, without the field collection of information from the citizens, because the traditional approach used for data collection and processing so far has proved to be out-of-date, obsolete, and less reliable. During its 2016-2020 term, the Government of Montenegro initiated the preparatory activities in this direction, but they were not completed in due time, which is why the census is once again planned to be conducted in the traditional way.

In addition, in the past few years we have taken the time to analyze both the positive and the negative effects of the current approach to the census. Our proposal, aimed at improving the quality of the public discussion, and later the formal public debate ahead of the adoption of the new law, is based on three key lines of reasoning:

**Strengthening respect for the Constitution of Montenegro, its principles and values**

Better-informed citizens have no dilemma that the census is a statistical action aimed at facilitating, supporting, and directing state policies. However, there is a common opinion in Montenegro that the census is conducted so that its citizens may declare their religion, nation, and the language they use.

For this reason, our proposal is aimed at strengthening the civil state principles as proclaimed by the Constitution of Montenegro. The Constitution does not specify majority and minority groups, nor does it link to the ethnicity of the citizens any important constitutional obligation or policy of the state, except for the protection of the identity of minorities (Article 79).

To continue with the current practice would also mean to persist with the policy of breaking the social being of Montenegro apart on religious and national grounds, and would entail a further step away from the civil state principles. An actual civil state implements its policies for better living conditions of citizens, not ethnicities. Citizens are placed at the centre of our Constitution, they are the bearers of sovereignty, and all development must be subordinate to them. Only then, after that, everyone has the right to be what they choose, and express how they feel.

The key motive behind our proposal is an attempt to stop the political trend of Montenegro moving in the direction of the post-Dayton Bosnia and Herzegovina, because it increasingly resembles the multi-ethnic states of peoples who have their own territories and "vital national interests". If we continue this trend, the bizarre educational endeavour of having "two schools under one roof" that exists in the immediate surroundings would become a reality in our country as well.

Understanding the census as a competition of sorts between Montenegrins and Serbs, Bosniaks and Muslims – as a competition between the civil and the national, and the like – would have long-term negative consequences for our society. This has already been evident in the last ten years, when the state of Montenegro, in its political calculations, clearly deviated from the course of the civil state and endangered its own constitutional principles. The elites formerly in power had no interest in turning this policy around after 2006, and in making a turn towards an actual, and not barely formal creation of civil society.

The adoption of our initiative would necessarily raise the question of how the current rights of the groups that are defined by our legislation as minorities will be realized. This refers most of all to the determination of the percentage of minorities required for the implementation of the *Law on the Election of Councillors and Members of Parliament* (Articles 94, 43 et seq.) and the *Law on Minority Rights and Freedoms* (Articles 10-18, 22a, 27 and, indirectly, 33). In order to determine these data, as prescribed by law, data from the previous censuses will be used, and in the case of major demographic changes (which are regularly monitored by official statistics), they can be verified through the conduct of appropriate official surveys. There is wide space here for the unhindered affirmation and protection of national and ethnic specificities of minority nations, but the census as such is not the way to achieve them.

The *Constitution* (Article 13) provides a precise definition of the official language, and the languages in official use. Again, except for the exercise of minority language rights, i.e. the right to use languages ​​that are in official use, this information has no significant practical use inside the legal system, nor in the implementation of state policies. It should be noted here that any changes in this respect are only possible in theory, because this article of the Constitution can be changed only after an eventual referendum vote, which has to be supported by approximately 325,000 voters.

The *General Law on Education* (Article 11) stipulates the circumstances in which the languages ​in official use may be used, and therefore the information on the percentage of citizens who speak one language or another is not required. The bylaws and practices of the Ministry of Education specify the procedures for the use of languages ​​in official use in the education system. In case of additional need, students / parents can directly express their desire to attend classes in one of the languages in official use, if they wish to do so.

The *Constitution* (Article 46) guarantees the right to freedom of religion, and it does not in any way establish the relevance of the information on the number/percentage of believers of any particular religious community, atheists, or agnostics. In addition, even during the long and intense debate on the *Law on Freedom of Religion or Belief and the Legal Status of Religious Communities*, there was no indication that any of the relevant actors advocated for the introduction of census-based benefits or restrictions for the establishment and/or functioning of these communities. The data on religious (non)affiliation are simply not relevant for the implementation of state policies.

This brief overview of the need for information clearly suggests that data on ethnic, religious or linguistic affiliation do not have a particularly significant statistical value. Consequently, the key goal of their collection is political – not in terms of policy implementation, but in terms of conducting ethno-nationalist party policies, and continuing to manipulate the national and religious affiliations of citizens.

**Adoption of up-to-date statistical practices of enlightened countries and societies**

The objective of our initiative is for Montenegro to follow the modern statistical practices of the vast majority of enlightened countries and societies, the ones that have achieved the greatest development of democratic values ​​and practices so far. The discontinuation of the current practice would mean the adoption of the mindset shared by a significant number of countries that have similar internal and foreign policy priorities as Montenegro.

Data on **national affiliation** are not collected by: Germany, France, Italy, Denmark, Sweden, Norway, Finland, Belgium, the Netherlands, Switzerland, Luxembourg, Spain, Portugal, Greece, Austria, Slovenia, Iceland… Data on **religious affiliation** are not collected by: France, Italy, Denmark, Sweden, Norway, Finland, Belgium, the Netherlands, Luxembourg, Austria, Poland, Spain, Slovenia, Iceland, the United States, Canada, Russia… Date on **linguistic affiliation** are not collected by: Germany, France, Italy, Denmark, Sweden, Norway, Finland, Belgium, the Netherlands, Spain, Portugal, Greece, Austria, Slovenia, Iceland, the United States.

The census, by definition, should provide comprehensive, high-quality, and internationally comparable statistics, which are then used to plan social and economic development.

*Regulation (EC) No. 736/2008 of the European Parliament and of the Council on the Population and Housing Census* (hereinafter: the Regulation) emphasizes the importance of periodically collecting statistics on the population, and the social, economic, and housing characteristics of individuals in order to determine regional, social and environmental policies. It is also important to collect detailed information on housing in order to promote social inclusion and monitor social cohesion at the regional level, as well as for environmental protection and the promotion of energy efficiency.

Our proposal is fully in line with the Regulation, as Article 4 lists the mandatory topics of censuses, and religion, nation, or language are not among the non-derived or derived mandatory features of an EU census.

**Shifting the focus of politics from national to other important social issues**

With this proposal, we also want to influence the way, i.e. the direction of political conduct. We fully understand that there are citizens and political forces on different sides, to whom religious and national affiliations are crucial. We respect that, although we deeply disagree with it. We want politics to be conducted differently, so that it focuses on issues that, in our opinion, are much more important for citizens: legal state, wage rates, housing conditions, quality of state services, a fairer distribution of goods, gender equality – in short, on the quality of life for all.

The continuation of the current census practices would significantly use up the energy and the reform capacity of the future government, both during and after the census. This could also have the effect of narrowing its room for manoeuvre, and result in the decreased support of the more progressive part of the public in the implementation of more painful reform measures. In the current political circumstances, we firmly believe that even a hint of the general air that had characterized the previous census would negatively affect social processes in the long run. Once again, such waste of resources, increased tensions, and the deepening of social division, aimed exclusively at achieving someone’s ethno-nationalist projects, is bound to cost our community dearly. We would also run the risk of being one of the countries that had to stop the census process due to national or other tensions.

Finally, please note that due to limited space, we have provided only the basic arguments to substantiate our initiative, and we remain open to additional information and explanations that may be needed to better understand it.

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