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Challenges in the EU

Volkswagen not the only cheater



Foreword:

Compromised



Vladan Žugjić

Council of the Anti-Corruption Agency recently appointed as its director **Sreten Radonjić** - a retired police official and the father in law of the daughter of the deputy president of Democratic Party of Socialists (DPS) and deputy Prime Minister **Duško Marković**. One of the five members of the Council, **Radule Žurić**, also happens to be Marković's best man.

The Council interviewed the candidates in a closed session, on the request of three of four candidates.

Now, Radonjić and Žurić are the people who should be in charge of controlling property records of Marković and his party comrades, checking the finances of the party that has Marković as its second in command, and protecting the potential whistleblowers from the ranks of DPS.

The Agency, which is supposed to be the pillar of the fight against high-level corruption, and whose performance is among the top prerequisites for Montenegro's progress towards the EU, has been compromised at the very start - another "toothless tiger", as **Slobodan Leković**, the head of the Commission for the Conflict of Interests once described his own department.

Radonjić's appointment and the way the parties have decided on the appointment of members to the Council is hardly a surprise, considering that similar procedures have been employed for the appointment of the majority of judges of the Constitutional Court, members of Judicial Council, Prosecutor's Council...

Politics decides on everything. Why should one even apply to a call that had been rigged in advance.

There are two options. One is that ruling coalition changes the practice of placing its minions in all positions and at all costs, undermining the European rules - admittedly a long shot - and the other is to change the ruling coalition.

This change on its own would result in much greater independence of institutions. Proving loyalty to new political masters is a regular occurrence.

After all, it was **Ivan Trudić**, judge of the District court in Zagreb, to convict **Ivo Sanader** to 10 years in jail in the first instance for war profiteering, bribery and abuse of office, even though Sanader first appointed Trudić a judge in 2005, in exchange for Trudić's cooperation in bringing down the then Minister of Justice **Vesna Šakre-Ožbolt**. On the occasion, Trudić even reprimanded him for having "humiliated" the country.

Calendar

- 11 September **Stainacker: The Government sometimes sees NGO as a threat** / German ambassador **Gudrun Stainacker** said the Government and NGOs should strengthen their cooperation, underlining that their dialogue is essential for the development and process of integration. According to her, the concept of NGOs in the Balkans is misunderstood: "Former Yugoslavia had an authoritarian one-party system and every NGO was perceived as a threat. That perception remained in the heads of authorities. Not just in the heads of individuals, but in the structure of government in this region".
- 14 September **Pejović: we planned for 93% and received 78% of IPA funds** / Montenegro has been very effective on drawing on the available funds from the IPA programme so far, **Aleksandar Andrija Pejović**, national IPA coordinator, told the meeting of the IX IPA Monitoring Committee in Podgorica. The meeting was co-chaired by the director for Western Balkans in the EC Directorate General for neighbourhood policy and enlargement, **Jean-Eric Paquet** and Pejović. "The National programme aimed for 93%, and we managed to receive 78% of the funds, while in the programmes for cross border cooperation we agreed on 70.7% and received 63%", Pejović said.
- 16-22 September **We can do without cars** / The EU Delegation to Montenegro organised the *European Mobility Week* in Montenegro, with support of the EU Info centre, and in cooperation with the Ministry of Tourism and Sustainable Development, the City of Podgorica, and municipalities of Bar and Nikšić. As announced by the Delegation, the objective of the campaign was to raise the awareness of European citizens on the importance of the use of public transport, cycling and walking.
- 23 September **Montenegro should accept 120 refugees** / Western Balkan states should be included in the system of quotas for joint allocation of refugees, in exchange for EUR 6 000 in monthly grants paid by the EU per refugee, recommends the think-tank organization European Foreign Relations Council (EFRC). "Until the EU decides on a permanent allocation mechanism, Western Balkan states should participate in the reallocation of 120.000 refugees currently stationed in Greece, Hungary and Italy. According to the current quota system, Bosnia and Herzegovina would have to accept around 700, Kosovo 325, and Montenegro 120 refugees", suggests EFRC.

Balkans - refugee dumping ground



By: Fredrik Wesslau

The author is a senior policy fellow in the think-tank European Council for Foreign Relations (ECFR)

The Western Balkans is turning into a dumping ground for refugees, as EU member states fortify their borders while refugees continue to head towards Europe. This has caused a humanitarian emergency in Serbia and Macedonia and is raising tensions in this fragile region.

As part of the President Juncker's proposal to deal with the refugee crisis, the EU will give money to help the Western Balkans manage refugee flows and provide protection. While this is necessary, it does not solve the problem of what to do with the growing number of refugees in the region. To handle this, the EU should include the Western Balkans in the proposal to set up an institutional mechanism for relocating refugees. And it should do so now.

Macedonia and Serbia are part of the main transit route for refugees heading to northern Europe. About 160,000 have transited through Serbia into Hungary since the beginning of the year. This is a tenfold increase compared with last year. Dealing with this humanitarian emergency has been a major undertaking for Serbia and Macedonia. The other countries of the Western Balkans – Albania, Kosovo, Montenegro, and Bosnia and Herzegovina – have been largely unaffected as they lie outside the main refugee route.

But now, the main route is being shut down. Hungary closed its border on 15 September and has enacted draconian legislation to keep refugees out. The fence along the border with Serbia has been completed, and new fences are being constructed along parts of the border with Romania and Croatia.

The options for entering the EU are disappearing, but the influx of refugees into the Western Balkans continues. The Western Balkans is quickly becoming the EU's de facto holding centre for refugees. This is highly destabilising for a region with weak institutions that are ill-suited to dealing with a major refugee crisis.

The EU is rightly stepping up its humanitarian assistance to help the governments handle the deteriorating situation. But the EU needs to also bring the countries of the Western Balkans into the institutional mechanisms for dealing with the crisis, in particular the proposed scheme to relocate refugees.

A quota system based on population and GDP, along with unemployment rate and number of asylum seekers, is to be used to determine how many

people each member state receives. The mechanism is built on the principle of solidarity and the shared responsibility of all member states. But there is no intrinsic reason why it cannot be extended to the countries of the Western Balkans.

This is not only about moving refugees out of the Balkans. It is also about enlarging the group of countries able to receive refugees. Albania, Bosnia, Kosovo, and Montenegro are poor but still have some capacity to take on refugees; their populations also know from the Yugoslav wars what it means to be a refugee. The prime minister of Albania and president of Kosovo have already said that their countries are ready to accept people fleeing the war in Syria.

Resettlement would decrease pressure on Serbia and Macedonia but also on EU frontline states, notably Hungary and Croatia. While the permanent mechanism has still to be agreed by the EU, the Western Balkans can already now be brought into the institutional set-up by inviting the region to join the resettlement of 120,000 refugees currently in Greece, Hungary, and Italy. Using the formula, Bosnia's quota would be around 700, Albania 530, Kosovo 325, and Montenegro 120.

Everyone would benefit from extending European solidarity to the Western Balkans. Under the quota system, each member state receives 6,000 euros per person. For the Western Balkans, this amount could be increased in light of the countries' relatively low levels of GDP. Although the numbers are not overwhelming, they are still significant and would reduce the overall number of refugees the EU states have to take under the system. There is also important symbolism in the Western Balkans accepting refugees and sharing the responsibility, in particular since the region has been a major source of economic migrants trying to seek asylum in the EU in recent years. In other words, joint cooperation on the resettling of refugees is an excellent opportunity for all – for the Western Balkans to show that it is willing to take on its share of responsibility and be part of Europe's solidarity, and for the EU to demonstrate that it is willing to deal with the refugee crisis in the Western Balkans in a responsible way.

Excerpts from the commentary published on ecfr.eu

New law on food safety and the remaining gap between Montenegrin and EU regulations

A portion closer



By: Svetlana Pešić

The Parliament of Montenegro adopted the new Law on food safety in mid-September, thereby meeting one of the conditions for the opening of chapter 12 – Food safety, veterinary and phytosanitary policy in the negotiations with the European Union (EU). The opposition agree that this was a “solid legal act”, but pointed to the possible problems in its implementation, primarily to poor capacities of the inspection services and the lack of communication between different bodies in charge of this area, both issues that have previously plagued adequate functioning of the already existing laws in this area.

Among the examples that best illustrate these failures is the incident of food poisoning of 120 students in Tivat, which affected 120 students; the case of poisoning of elementary school pupils from Bar during the school excursion to Žabljak, poisonings in Čanj a few years ago... Even though leadership of the institutions in charge argued that they were all doing their jobs, everything pointed to poor coordination among them, and to the absence of timely control and prevention. Montenegrin public was recently shaken by the news that in some stores Veterinary inspection found a forbidden additive – potassium pyrosulfite – mixed into the minced meat to preserve its fresh colour.

By its accession into the EU, each candidate state is obliged adopt the entire EU acquis and implement it effectively. For chapter 12, the principle is “must”. That means that there are no negotiations, and that the key regulations are harmonised and consistently implemented in practice. In this area, EU adheres to the “farm to table” principle, which covers every segment of the food chain: primary production, processing, warehousing, transport and trade. Chapter 12 consists of three parts, each complementing others. Those are food safety, veterinary medicine and phytosanitary sector. The first part – food safety – contains rules on the

hygiene in the production of food as well as the rules for food, official control and mechanisms to ensure food safety, the hygienic aspect of processing and placing the food on the market, with strict rules for food of animal origin. The second part relates to veterinary medicine and contains precise rules on the transportation of animals and animal products, control and eradication of animal diseases, control over import of products from third countries, procedures for reporting animal diseases, as well as monitoring the movement of animals. Import of live animals requires adequate equipment on border crossings for inspection. The third part is the phytosanitary sector which contains the rules on the control of harmful organisms in plants and plant material, use of passports for plant passport during trade, procedures for recognition of new pesticides, quarantine measures.

According to the latest EC Progress Report, Montenegro made “some progress in the area of food safety, veterinary and phytosanitary policy”. It added however that further efforts had to be invested in every aspect of this policy area, especially as regards development of a strategy for alignment with and implementation of the EU acquis. In sum, according to the latest Progress Report, preparations for Montenegro's accession to the EU in this chapter are still at an “early stage”.

MP of Positive Montenegro **Srdan Perić** believes that the new Law on food safety represents a “solid legal act”, but that it also leaves unsolved the question of who should be responsible for implementing all the provisions of this law.

“The previous law on food safety from 2007 also sought to harmonise Montenegrin practices with those derived from the relevant EU regulations. Meanwhile, however, the EC found that the existing method of food control left much room for improvement. It clearly stressed that the present way of coordination, communication and



Srđan Perić

cooperation between the bodies in charge of food safety failed to secure the satisfactory level of effectiveness and efficiency in the area of food safety - incidents that revealed contamination in various types of food in the past years clearly confirmed this", Perić stated.

He underlined that the primary purpose of the new law is to protect consumers from negative occurrences, as well as to prevent the negative consequences caused by food, promote the principle of transparency and establish a system of quick alert and report. He acknowledged that Montenegro is a small economic system that cannot cope with a cumbersome administration, but also warned that the administration appeared to be skimping on all the wrong things - such as oversight. This is why, Perić said, we must find the funds to hire more inspectors, because the damage that they could prevent is significantly greater than the expenses of their salaries.

"In addition to the new Law on food safety, which is obviously necessary to improve the food safety situation, we badly need more effective and efficient coordination and inter-connection of the institutions responsible for this area. Just as a reminder, those institutions are the Ministry of Agriculture and Rural development, Ministry of Health, Ministry of Education, Directorate for Inspection Affairs and the Institute for Public Health. What we don't need is the present back and forth of chucking responsibility at one another", Perić concluded.

Drobnič: you made good progress

Head of the EU Delegation to Montenegro **Mitja**

Drobnič told *European pulse* that the EU had set up several benchmarks for the opening of chapter 12, including the adoption of a new or amendments to the existing legislative framework to align it with the European acquis, presentation of a comprehensive national strategy including the action plan for food safety, as well as the classification of all premises designated



Mitja Drobnič

for the handling of food and management of by-products of animal origin.

"Indeed, Montenegro did make some good progress in this area", Drobnič said. Drobnič explained that once the Commission has analysed all documents relevant to Montenegro's fulfilment of benchmarks for the opening of this chapter, it will prepare a report for the Council notifying it that the benchmarks have been met.

"The final decision on whether or not the country has met the benchmarks lies with the member states. The next step would then be to invite Montenegro to submit its negotiation position. In response, the Commission will prepare a draft joint position, and once this is accepted by the member states, the chapter can be opened at the conference on accession", Drobnič said.

Ivanović: We have met the conditions necessary to open Chapter 12

According to the minister of agriculture and rural development **Predrag Ivanović**, with the adoption of the Law on food safety, Montenegro met all of the conditions necessary to open Chapter 12. More precisely, by adopting the last two laws from the set of 12 - Law on food safety and Law on reproductive wood material, the last out of free benchmarks set by the EC as a condition for the beginning of

It all began with mad cows

Until the end of 20th century, the EU did not have fully developed legislation in this area. After the outburst of mad cow disease in 1996 in the United Kingdom (BSE - Bovine Spongiform Encephalopathy), and the Dioxin affair in 1999 in Belgium (PCB - Polychlorinated Biphenyls), the EC discovered series of omissions, both in the work of the EU bodies, and in the gaps in the legal framework regulating this field. Basically, all measures up until then favoured the industry and trade at the expense of consumer protection and public health. The work on policy reform in this field began in the aftermath of these cases, leading to the *White book on food safety*, which underlies the way the entire system operates today.

How the system works



Petar Ivanović

Minister **Petar Ivanović** used a specific example to explain for the *European pulse* how the food safety system works: “If some dangerous substances are discovered in a hotel, store or market, depending on the type of food in question the inspectors will take a number of necessary precautions and remedying steps to remove the danger to public health. It means that they will collect the facts to identify the cause of suspicion. More precisely, they determine the origin of food (manufacturer, seller), check whether there was any threat of contamination during handling or storage (hygiene of the premises in question, storage temperature, hygiene of the cooling devices, the possibility that forbidden or dangerous substances were stored near the food, the method of processing..). Then they check whether persons who handled the food have the necessary training in the processing methods, whether they were appropriately dressed, whether personal hygiene of the employees is at a satisfactory level, whether they have suffered from any food-transmitted disease or are themselves carriers etc. Furthermore, they can freeze the sales of the product in question, as well as of any further food product that has been used during the preparation of the compromised item. If the subjects involved in the food business do not have the proof of safety of all materials used for the preparation of produce in question, they take samples for laboratory testing, and the produce in question is withdrawn from the market until cleared by the tests; if the results indicate contamination, the inspectors can order the food or other ingredients deemed unsafe destroyed. Finally, they can impose other administrative or punitive measures in line their findings.”

According to him, there are plenty of mechanisms at the disposal of inspectors. “Now, all that is left for us is to ensure that the implementation is as rigorous as possible and that we protect the health of citizens. Moreover, we must strengthen the professional capacities as well as the technical equipment of laboratories, to make the entire system more effective”, Ivanović concluded.

negotiations in this chapter has been met.

“The EC laid three conditions for Montenegro – first, to draft and adopt legislation that would be aligned with the EU acquis. In the area of food safety, the EC asked for a clear definition of responsibilities, with special emphasis on oversight”, Ivanović told *European pulse*. Second, it required adoption of a comprehensive strategy and an action plan on food safety, as a basis for the harmonisation of the legal acquis for the area of food safety, veterinary and phytosanitary policy. “They also requested a special action plan for the control and eradication of the typical swine plague for domestic and wild swine. And finally, they requested categorization of all premises designated for the handling of food and management of animal by-products”, Ivanović said.

The first to be met was the third benchmark. “Categorisation of premises designated for the handling of food was completed by end 2014. This was very important for all participants in the

food business, as the results of this categorisation will allow us to create plans for improvements and eventually achieve full harmonisation with the EU standards in this area. We were able to agree with the EU to offer IPARD-like and IPARD grants to all subjects in Montenegro. Categorisation made it easier for everybody to plan future investments”, Ivanović said.

As for the second benchmark, the first draft of the strategy was submitted to the EC by the end of 2014, followed by a period of during which Montenegro sought to incorporate the received feedback. The Government adopted the final version of the strategy in October of 2014.

“The most demanding benchmark was the first. Every law was ran by the Commission. It took a lot of patience to incorporate certain novelties into our system. This was one of the most demanding and important areas, because inconsistent measures could impose risks on people's health”, Ivanović concluded.

Agron Bajrami, editor in chief of Kosovo's "Koha Ditore", on the demarcation between Kosovo and Montenegro

Demarcation would be less controversial, if it weren't for the agreements with Serbia



Agron Bajrami

There would be less opposition to the ratification of the Agreement on demarcation between Kosovo and Montenegro if it weren't for the three agreements Kosovo signed with Serbia in Brussels, **Agron Bajrami**, editor in chief of Kosovo's *Koha Ditore*, told *European pulse*.

» *How advanced is the agreement on demarcation that was signed between Montenegro and Kosovo in late August at the EU-Western Balkans conference in Vienna?*

Even though the opposition has rejected this agreement, the problem still lies with the Government which failed to adopt the agreement and submit it to Parliament for ratification.

Moreover, we have still not officially seen the agreement as the Government never published it, and there was no official debate in public institutions. This is partly because the opposition has already claimed that the agreement is unacceptable, as the border was moved at the expense of Kosovo. In order

for the agreement to be valid, it first must be ratified in the Parliament.

» *Will there be enough support for the agreement in the Kosovo's Parliament?*

The problem is that our Parliament is not functioning at the moment, as the opposition boycotts it. You saw the other day that they even threw tear gas to prevent the MPs from coming into the assembly. It is unclear where the Parliament will return to work, but I think that once it happens the ruling coalition has the majority to adopt the agreement on demarcation even if a two-third majority is required.

» *Speak about the opposition's rejection, would you say that the agreement with Montenegro is a sort of collateral damage from other demands that are being placed before the Parliament of Kosovo?*

It is true that this agreement came up just as we were supposed to discuss other agreements that were signed between Kosovo and Serbia in Brussels.

It is not just the opposition - these agreements are unacceptable for most of the public.

In some ways, demarcation with Montenegro is the victim of the circumstances, as I am convinced that this agreement would be far less problematic if it were the only one we were dealing with right now. Agreements with Serbia further complicate the matter as they confirm, among other, the association of Serbian communities which, I repeat, is unacceptable for most of the public, not just for the opposition. The question is whether

The public in Kosovo is critical of the EU because of the visa restrictions

» *The contentious agreements with Serbia seem to have pushed into the background many other issues that trouble Kosovo. What would you say are the key issues Kosovo is facing at this stage of its European integration?*

First, you cannot separate the progress towards European integration of neither Serbia nor Kosovo from the resolution of bilateral issues between the two states, because the because the EU said so.

Second, you must bear in mind that five EU member states did not recognise Kosovo's independence, which causes further complications in the integration process.

Third, the public in Kosovo, which was absolutely in favour of European integration at first, now views this process much more critically, because we failed to make any progress so far towards visa liberalisation or access to the common market. Kosovo is the only Balkan country which is not on the white Schengen list, and this is causing a lot of discontent.



Agron Bajrami

Nationalist tales grow stronger when democracy fails to function

» *Every once in a while, the issue of Greater Albania comes up in one of the countries of the region. What are your views on this?*

There will always be stories about great nations, whether Albanian or Serbian or another, as long as our mutual conflicts remain unsolved. The moment we can stop questioning the integrity and sovereignty of all states in region, and commit to integration without second intentions, those stories will cease.

Nationalism grows stronger whenever democracy fails to function.

this feature will help Kosovo to a function as a normal country, or it would only exacerbate the ethnic division between Serbs and Albanians, rendering the state of Kosovo even more dysfunctional than it already is.

» *Can you predict the outcome of this story regarding the demarcation and agreements with Serbia? We have often seen in the Balkans that, after some huffing and puffing, things eventually still work out the way Brussels and the international community planned it.*

The agreement on demarcation with Montenegro is inevitable, as this is regular

procedure between independent states.

I would stress, however, that the Government of Kosovo has the obligation to explain to its public the content and implications of the agreement with Montenegro. They did not even hold a press conference. We first read about the agreement when Government of Montenegro posted it on its website.

V.Žugić

EU fails to collect 15.2% of VAT



EU loses more than EUR 162 billion every year to uncollected value added tax, of 15.2% of the total potential revenue, according to a report by European Commission. This means that between 2011 and 2013 the amount of uncollected revenue remained the same.

Finland has the most efficient tax collection, with a failure rate of only 4%, while Romania barely collects as much as 41% of the VAT. Among the most efficient member states, with the failure rate below 10%, are the Netherlands (4.2%), Sweden (4.3%), Luxembourg (5.1%), Slovenia (5.8%), Portugal (9%) and Denmark (9.3%). On the other side are the champions of VAT evasion, with more than 30% in uncollected taxes: Slovakia (34.9%), Greece (34%) and Italy (33.6%).

Considering the total amounts, half of the uncollected revenue goes missing in the United Kingdom, France, Italy and Germany.

According to *EunActivi*, thanks to a new VAT system in the pharmaceutical sector, France managed to drastically decrease the amount of uncollected tax from EUR 32 billion in 2013 to EUR 14 billion in 2014. The main causes of tax collection failures are bankruptcies, statistical omissions and evasions.

Another study published by the Commission this summer found that the so-called "carousel fraud" is the most widespread form of VAT fraud, and accounts to between EUR 45 and EUR 53 billion in losses annually. The carousel mechanism has tax evader importing goods to a member states without the value added tax, then charging the VAT to the buyer, or company in that state. The buyer, who may not be involved in the fraud, or is unaware of it, claims the return of the VAT charged by the seller, and the seller disappears without having to pay the VAT.



Juncker to take absences

President of the EC, **Jean-Claude Juncker**, sent letters to all 27 commissioners in which he warned them not to skip the weekly College meetings which the Commission adopts important decisions. And while the commissioners do

not seem to consider these meetings very important, Juncker reminded them that they can only be absent in exceptional circumstances, and will have to submit a request for absence, which can only be approved by him. The College meetings are held every week, usually on Wednesday mornings. Since Juncker took over as Commission President, one or more of the Commissioners, if not the President himself, debrief the press about the decisions made, and answer questions.

Overqualified youth can only find work in bars

In some EU countries, up to one-third of young people aged 18-25 are overqualified for their jobs, a new research project has revealed. Many of them are highly educated and multilingual, with university degrees, but are taking on low-paid jobs to avoid unemployment.

The highest share of young people overqualified for their job was found in Ireland (33%), and the lowest rates are in Slovenia and Slovakia - below 10%.

The research shows that all lower rates of overeducation is to be found within the fields of engineering, mathematics, sciences, law and medicine, while graduates in the arts and social sciences tend to have higher rates of overeducation.



England bans smoking in cars

Drivers in England and Wales will be banned from smoking in their cars if they are carrying children as passengers, and failure to comply will entail a penalty of £50. The move will become law on 1 October in England, following an

earlier ban in Wales, whereas Scotland and Northern Ireland will wait a little longer to introduce similar measures, which the police says cannot be easily implemented. The fine applies to both the drivers and the passengers who smoke inside cars in presence of a child, even with windows open. The only exception will be those driving in convertible cars with the top down, and electronic cigarettes will still be allowed.



25 years since the unification

Germany is responsible for the European project



By: Vladimir Vučković

“German responsibility today – 25 years after the union between Germany and Europe – implies not only responsibility for our own country, but also for the joint European project, for peace and connection in Europe.”

Thus spoke the Minister of Foreign Relations of the Federal Republic of Germany **Frank-Walter Steinmeier** during a speech delivered on the Day of German Re-unification, commemorating the reunion of Western and Eastern Germany after the end of the Cold War. It was precisely those principles of lasting peace, stability, democracy and rule of law that drove the unification of the two German states 25 years ago. As a reminder, the Federal Republic of Germany (West Germany) and German Democratic Republic (East Germany) united on 3rd of October 1990, 45 years after the start of the country's occupation by the Allied forces. The division of Germany into 4 occupation sectors (American, British, French and Soviet) after the World War II at once allowed the iron curtain to be lowered between the former allies, and led to the start of the Cold War between the western (democratic) and eastern (communist) forces on the political, economic, military and cultural plains. By the same token, the fall of the Berlin wall on 9 November 1989 precipitated the end of the Cold War, disappearance of ideological rivalries and the possibility for reunification of Germany a year later.

Today, 25 years after the unification, the Federal Republic of Germany has grown into a respectable force characterised by highly developed economic, social and political spheres, and firmly committed to the military containment as laid out in the Basic agreement of 1949. At the time, the German Federal Republic promised to pursue improvements in its armament only through conventional means, eschewing the possibility of developing nuclear weapons. Its membership of NATO ensured that its adherence to the terms of the agreement could be closely monitored.

Although the German military growth was restricted, this did not prevent it from becoming an economic super-force, and thereby the most influential state in the EU. It was the German economic leverage that provided the special contribution not only to its own political and



social development, but also as the stimulant to other countries to integrate into the European structures, hoping to follow in Germany's footsteps. However, although Germany made incredible progress in terms of economic growth, inequalities between East and West Germany are still visible today. The glaring disparities are the consequence of lagging economic development in Eastern Germany, which was under the direct influence of Soviet Union for more than 45 years. This is why to this day the citizens of western Germany still pay a solidarity contribution through utility bills that is channelled to equalize the economic standard in the two parts of the country. A quarter of a century after reunification, Germany is reaching the status of a great or global super-power, that can and should play an important role in international relations. As the most influential EU member state, and one of the main creators of the foreign policy strategies and policies of the Union, Germany's responsibility to take an active approach in the system of international relations is increasing, as evidenced by its leading role in Ukrainian and Greek debt crisis, as well as in the European refugee crisis. Nevertheless, the current level of German participation is not sufficient to resolve the European and international problems. For that, it is essential that the German political establishment should finally accept its role as the great power and take on the issues of European foreign and security policy with greater determination.

Findings of the CDNGO report "Civil society in the design and implementation of public policies"

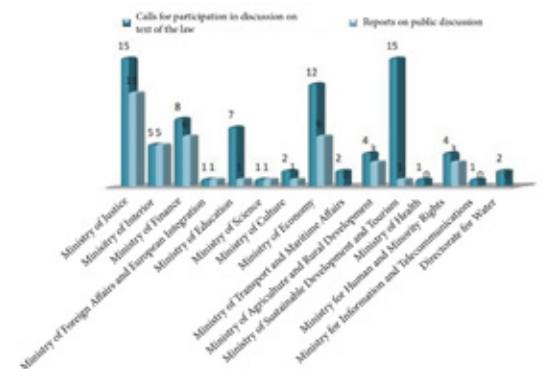
State administration consults the public less and less



By: Radoš Mušović

Centre for Development of Non-Governmental Organisations CDNGO – Resource centre for civil society organisations in Montenegro presented the report "Civil society in the creation and implementation of public policies". The Report contains the results of a research conducted by CDNGO in the past five months for the purpose of monitoring implementation of the Provision on the modes and procedures for cooperation between public administration bodies and non-governmental organisations, and the Provision on the modes and procedures of conducting public debates on draft laws.

The study shows that the implementation of the Provision on the modes and procedures for cooperation between public administration bodies and non-governmental organisations is weakest in the part of that concerns consultations with NGOs in the course of design and adoption of acts from the annual working programmes, and the results are even poorer compared to the ones from 2012. Namely, in 2014, only three out of a total of 32 public bodies consulted NGOs on draft acts from their annual working programmes – Ministry of Interior, Ministry of Labour and Social Welfare and the Agency for the Protection of Environment. The second biggest problem is the failure to publish a report on the consultations with NGOs, which was only done by one institution last year. This raises the question of the willingness



of the leadership of these institutions and other officials to conduct this process, and more generally of their will to consult NGOs during the drafting of acts from their annual working programme.

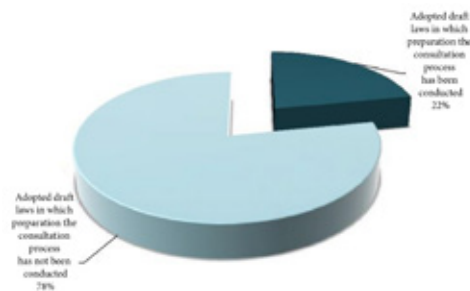
According to the study, 55 NGO representatives participated in the work of 36 working groups and other bodies formed by the public administration institution in the course of 2014. This number does not include NGO representatives in the working groups for the preparation of negotiation chapters. It should be noted that NGO representatives often start off from a disadvantaged position, as they are often in a minority in such groups relative to the representatives of public administration.

In 2014, the Government proposed 73 laws whose

The Government adopted 73 draft laws in 2014, and was supposed to conduct consultations with the interested representatives of the public on each of them. However, this procedure only took place in the preparation of 16 laws, by 8 ministries, while 57 drafts were adopted without prior consultation

In 2014, only three of the total of 32 public bodies consulted with the NGOs while drafting policy acts required by their annual programmes

preparation should have included a debate on the draft versions. This was done in the case of 52 laws, whereas 21 were proposed without debate. The debate on the draft laws



should also have included consultations with the interested representatives of the public. This procedure only took place in the preparation of 16 laws, by 8 ministries. Hence, 57 laws were adopted without previously consulting the public on the proposed solutions. All calls for participation in the consultations were published on the web pages of the ministries, and only two of 22 calls were published on the e-management portal. In view of these findings, CDNGO suggested amending those elements of the regulations on public consultations whose application has consistently failed in the past.

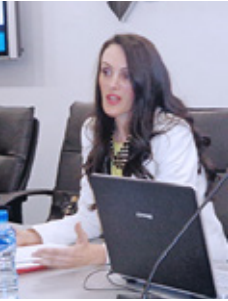
Specifically, in the case of the Provision on the modes and procedures of conducting public debates on draft laws, it is necessary to revise the deadlines set by this regulation due to the intensive legislative agenda, caused by the process of European integration. Also, it is necessary to prescribe additional transparency mechanisms, as well as the possibility of informing the public about ongoing debates.

Conclusions of the research indicate insufficient and unbalanced implementation of provisions, and insufficient transparency in the work of public administration bodies, as well as a partial but still unsatisfactory level of cooperation between public administration bodies and NGO and insufficient participation of civil society in the design and implementation of public policies at the national level.

Key recommendation of the study are targeted towards public officials who are in charge of designing legal norms, and are obliged by law to implement transparency regulations and allow NGOs and other interested representatives of the public to participate in the design of laws that regulate the everyday lives of citizens. Institutional leadership bears the responsibility for implementation of these regulations in the bodies they manage, hence it is necessary to ensure that they are fully aware of these provisions, as well as of the findings of this study, and motivate them to ensure participation of the citizens and NGOs in the design of regulations in their departments.

This Report is one of the activities of the project "Civil society also decides", financed by the European Union through the EU Delegation to Montenegro. The electronic version of the report can be found at <http://www.cmvo.me/vijesti/cmvo-vijesti/9932-izvjetaj-q-civilno-druvo-u-keiranju-i-primjeni-javnih-politika-q.html> (MNE).

Chapter 33: Financial and budget provisions



By: Jelena Žugić

Chapter 33 deals with Financial and budget provisions, which governs the payments of the EU member states into the joint Community budget, as well as the funds they receive back from the Union.

Once this chapter is closed, we should know the approximate amount of money Montenegro will receive from the EU Budget, and the amount it will be expected to deposit into the joint cashbox. The precise amounts will only be set once the country becomes a full member of the Union, as the EU budget is set periodically through the Multiannual financial framework (the budget for the 2014-2020 period is currently under way). Each member state has the right to the funds from the common budget, and the obligation to contribute to it. The contributions are set at 1.23% of the gross domestic product (GDP) of each member state.

The EU budget comes from three types of revenues: traditional revenues collected by the member states (such as customs duties), own resources from a portion of 1.4% of value added tax (VAT), and contributions from the member states based on their GDP. It is the latter, GDP-based resources, that make up the largest chunk of EU income, almost three quarters of its total income. They are directly related to economic power of a member state - at the moment, Germany pays the largest amount of money into the joint pot of 27 member states.

The revenue side of the budget, as well as the distribution of the financial burden among the member states, is determined by jointly adopted annual budgets. The annual budget is planned within the Financial perspective - a five-year long financial framework that defines budget priorities in the medium term - which primarily deals with the expenditure side of the budget, or with the programmes financed from the joint Community budget.

At the moment, the difference between the way Montenegro collects the public revenues and the way they are accounted by the EU lies in the fact that our system includes traditional as well as the VAT-based sources but not those based on GDP. Apart from that, there is no significant difference between Montenegro and the EU with regard to the basic principles and institutions governing the collection and distribution of public resources.

Related policies that determine the application of rules regarding public revenues include taxation, statistics, customs union and financial control, and are the focus of negotiations in chapters 16, 18, 29 and 32. The course of negotiations on Chapter 33 thus greatly depends on the negotiations on these four chapters. Croatia, for example, only closed chapter 33 once the negotiations on chapters 16 - Taxation, 18 - Statistics, 29 - Customs union and 32 - Financial control have been completed.

Montenegro established the necessary institutions to administer the policies in these areas that directly affect the management of public resources. However, in addition to further strengthening these institutions, this will require a fully functional coordination structure that would ensure adequate accounting, forecasts, billing, payment and control of state resources and reporting to the EU on the management of public resources.

That effectively means that the Ministry of Finance will face the biggest challenges during negotiations on Chapter 33, alongside a few other key institutions, such as the Montenegro's Statistical Office (MONSTAT), Customs Administration and Tax Administration. The Ministry of Finances is also responsible for the financial discipline of publicly funded entities, as well as for establishing a centralised system for the management of public finances.

Montenegro will also have to invest considerable efforts to align its policy framework with the *acquis* in Chapter 33 and implement it effectively.



Regarding statistics, European Commission's progress reports on Montenegro point to the important challenges that should be met before the country can reach a satisfactory level of harmonisation with the *acquis*. MONSTAT is expected to change its methodology as soon as possible so as to produce adequate accounts of the gross domestic product (GDP) instead of the gross domestic income (GDI). Montenegrin national accounts are also not harmonised with regard to the way in which they incorporate estimates of the informal sector. Adoption of a revised Law on statistics will be necessary to create a favourable framework for the development of a strong statistical system in Montenegro.

Lack of human resources in the area of statistics, weaknesses in the area of agricultural statistics, business statistics and macroeconomic statistic need to be addressed as a matter of priority before the start of negotiations, or they will jeopardize successful completion of Chapter 33. The statistical infrastructure also requires urgent improvement, including appropriate human and financial resources.

Regarding financial control goes, the primary area of concern during negotiations on EU membership will be the fact that Montenegro still lacks properly trained auditors. Consequently, although the regulatory framework for the introduction of public internal financial control (PFIC) has been

laid out, its implementation is lagging behind. As highlighted in the European Commission 2011 Progress Report on Montenegro, both state and local administrations face difficulties in finding auditors, and the number of currently appointed auditors is low. There was some progress in the area of external audit, but the State Audit Institution (SAI) has only managed to fill 30% of vacancies.

Chapter 32, which is of relevance for the Chapter on budget and financial provisions, contains instructions on the ways in which Montenegro needs to act to protect the financial interests of EU - including the requirement of closer cooperation with the European Anti-Fraud Office (OLAF), and the establishment of a body inside the Montenegrin administration which could act as OLAF's counterpart in the country.

Regarding policies related to the customs union, which affects state resources, Montenegro made some progress in customs legislation, harmonising its goods nomenclature with the Combined nomenclature of EU and abolishing all customs duties that were not in line with the Agreement on Stabilisation and Association and the *acquis*. Nonetheless, additional efforts are needed in areas such as quota management, provisions related to security and harmonisation with customs regulation of the EU, as well as the control of border checkpoints and the prevention and detection of corruption in customs administration.



In the field of taxation policy, another area that has direct bearing on the public revenue system, Montenegro has already made some progress. However, the capacity of the Tax Administration is limited, among other things due to the lack of personnel for its IT activities, and that is an issue that must be resolved as soon as possible. Additional efforts are also needed to increase the efficiency of the data exchange system for administrative cooperation and internal control.

The Financial package for Montenegro's accession to the EU will be presented at the end of the membership negotiations, and it will determine the dynamics of Montenegro's access to the EU's resources, as well as its contributions to the Community budget. During its first years of membership, Montenegro will have the provisional financial aid of the Union at its disposal, used to improve the national budget position, as well as to further strengthen administrative and institutional capacities for the implementation of the *acquis*.

With accession to the EU, Montenegro will find itself in a considerably more favourable position compared to the pre-accession period, as the amount of pre-accession assistance is usually several times lower than the resources available to the full members. As a small country, Montenegro is likely to be a net recipient of EU budget resources, i.e. it is likely to receive more

It is sometimes claimed that, given its own resources, with a fair and competent government Montenegro would not need the EU, and could instead choose to occupy the same position as Switzerland, Norway or Liechtenstein.

Putting aside the many differences among these states, such as Norway's oil wealth, all these countries are also bound to the EU through numerous agreements. Norway and Liechtenstein, as members of the European Economic Area (EEA), contribute considerable financial resources to the EU, while Switzerland pays into the cohesion fund destined to help the new EU member states. Meanwhile, these countries cannot access the EU budget funds.

from the Community budget than it contributes. Croatia, for example, is expecting to receive EUR 2.6 for each euro it contributes to the EU budget in the first years of its membership.

Fraud of the biggest European carmaker and consequences for the EU market

Volkswagen not the only cheater



By: Vera Šćepanović

The biggest European car manufacturer and one of the most competitive European companies, German Volkswagen, was caught red handed. In late September, the US Justice Department launched an investigation against the automotive giant, and the management of Volkswagen admitted that around 11 million of its vehicles had been fitted with a software capable of rigging the test that estimates the amount of harmful emissions from each car model.

The software used a combination of indicators - such as the position of the steering wheel, engine speed and other parameters - to determine when the car was likely to be in the test mode, and adjust the performance so as to emit the lowest possible amount of gasses and particles. As soon as it noticed that the car was moving again, it would switch the controls off, allowing the engine to reach the full performance but emitting 10 to 40 times greater amount of pollutants into the air.

Volkswagen was, of course, immediately thrown into the eye of the storm, its shares dropped by almost 40% on the Frankfurt stock market in just two days, the chief operating officer was dismissed and the management estimates that the German firm is likely to face around EUR 6.5 billion in compensation claims over the next year. Yet there has been no gloating by the competition, and that in itself is already a warning that things are likely to get more serious.

The reason is simple - the damning study that led to the investigation in the USA is only the latest in the long line of research that has been pointing for years at the discrepancies between the amount of pollution estimated during the standard tests and those measured 'on the road'. Four years ago, another team of researchers from King's College London measured the roadside emissions from over 84 000 vehicles in London, and found that nearly all car models produce more harmful emissions than is stated in their producers' certificates.

EC is determined to switch to the "street" testing of vehicles from 2017 and that there will be no more frauds. This leaves European companies with another two years to come up with new solutions to meet strict standards. If they fail to come up with new solutions, Volkswagen's reputation will not be the only thing at stake, but the future of entire European automobile industry as well.

European advocacy group Transport and Environment warns that while it is unclear whether other firms have also been using sophisticated cheating softwares, there are plenty of standard, 'legal' ways to improve a car's performance in laboratory conditions - from stripping the vehicle of internal components to make them lighter, to over-inflating tyres and using special surfaces and lubricants to reduce friction.

This is also why all the hand-wringing by European politicians over Volkswagen's fraud and the European Commission's threats of a thorough investigation ring not a little hypocritical. The fraud, it seems, has been an open secret for a while now.

Already in 2007 European Parliament had called on the Commission to move to a new testing system in order to reduce the gap between laboratory findings and on-the-road pollution, and the even the Commission had been fighting for more realistic tests for years. Meanwhile, however, documents leaked to the European press show that Germany, France and the UK did everything to preserve the outdated testing method that allows producers to meet the European emission reduction requirements only on paper.

The EU leaders are clearly afraid that more rigorous testing would reveal that without such tricks the European automotive industry is simply not up to the task of fulfilling the exacting new standards. The problems date back

to 1990, when the European Commission, fearing that the European industry was unable to cope with the cheap Asian competition, used a more rigorous environmental policy to push European companies back to the forefront of technological innovation and out of reach of their rivals. The Commission hoped that a radical reduction in the amount of CO₂ emissions each car was allowed to produce would force the carmakers to invent new, 'cleaner' technologies that would completely change the rules of the game and leave competition far behind. Various solutions have been tried since, including natural gas, biofuels, hydrogen and electric engines, but as none of these new technologies was met with commercial success, the European carmakers sought refuge in a much older technology - diesel.

Diesel fuel is more concentrated than regular petrol, resulting in lower consumption, and therefore lower CO₂ emissions per kilometre. At the same time, diesel is much 'dirtier' insofar as its combustion releases a much larger amount of nitrogen-oxides and dust particles that might be somewhat less detrimental to the ozone layer, but are far more dangerous to human health. That, and diesel's bad reputation for loud engines and worse acceleration nearly threw diesel completely out of the game: in the early 1990s, only 10% of vehicles on the European roads were fitted with a diesel engine. Things were to change drastically in the next twenty years, as the European producers placed all their bets on perfecting the old technology instead of developing new ones. Diesel engines became quieter and even more efficient, and thanks to new filters even somewhat cleaner, and very soon they overtook the petrol-engine vehicles in terms of sales. In 2014, more than half of all newly registered vehicles in Europe had a diesel engine. Now, however, it appears that this was just a temporary respite. The shift to diesel helped the European producers to easily meet the original targets for the reduction of CO₂. However, as the EC continued to lower the ceilings on the allowed amount of emissions, old solutions are proving to be insufficient.

The first 1992 directive on the reduction of emissions from motor vehicles only concerned

CO₂. Already in 2000, the rules also included ceilings for nitrogen-oxides and other particles. The allowed amount of carbon-dioxide has been lowered from almost 300 g/km in 1992 to 130 today, and are to be reduced further to 95g/km in 2020. From September 2015, newly produced cars will be allowed to emit only 80mg of nitrogen-oxides per kilometre, instead of 180 mg/km as until now.

It is obvious that despite all improvements the diesel engines are incapable of keeping up, but it is also equally obvious that the European producers are reluctant to embrace radically new solutions. In that light, the Volkswagen scandal may yet turn out to be a blessing in disguise. French Peugeot already announced that it will cease to fit its new models with diesel engines, and will instead focus all energies on the development of electric cars. The EC is now adamant that from 2017 onwards all vehicles will be 'road tested', cutting out the space for fraud. This gives the European firms some two years to find their bearings and devise a new way to meet the rigorous environmental standards. What is at stake here is not merely Volkswagen's reputation, but the future of the entire European automotive industry.

Faking fuel consumption data

Not only do the results of standard tests falsify the pollution indicators, they also give a skewed picture of consumption. This February, the Italian branch of the European Consumer Protection Organisation, Altroconsumo, published the results of its own analysis of the two most popular car models in Europe - Volkswagen Golf and Fiat Panda - which showed that consumption during regular usage is 20% to 50% higher than the figure suggested by the standard tests. For the owners of these cars this means that they annually spend EUR 250 to 500 more on fuel than they expected.

Review and proposal of the European Stability Initiative (ESI) for the resolution of migrant crisis in Europe

Agreement between Germany and Turkey is necessary



The situation on the European Union's external borders in the Eastern Mediterranean is out of control. In the first eight months of 2015, an estimated 433,000 migrants and refugees have reached the EU by sea, most of them – 310,000 – via Greece. The island of Lesbos alone, lying

a scant 15 kilometres off the Turkish coast and with population of 86,000, received 114,000 people between January and August. And the numbers keep rising. The vast majority of people arriving in Greece during this period were Syrians (175,000). They are all likely to be given refugee status in the EU if they reach it; in 2014, the recognition rate of Syrian asylum applications was above 95 percent. But to claim asylum in the EU, they need to undertake a perilous journey by land and sea. In the face of this massive movement of people – the largest in Europe since the end of the Second World War – there have been two diametrically opposed responses.

Germany has responded with open arms to the tide of Syrian refugees pouring into its train stations. At the beginning of the year, Germany anticipated some 300,000 asylum claims. By May, this prediction had been revised to 450,000. The German ministries of interior and social affairs are now making preparations for 800,000 this year. The German vice chancellor and Social Democrat Party leader has stated that Germany can cope with a half a million refugees a year for the coming years. **Angela Merkel**, the German chancellor, has become the face of this generous asylum policy. She has been widely hailed for her moral leadership; but she has also been accused by other EU leaders of making the situation worse, by luring ever more refugees into the EU.

A radically opposed agenda has been pushed by **Viktor Orbán**, the Hungarian prime minister. In early 2015, Orbán vowed that Hungary would not let any Muslim refugees enter, making this promise in the wake of the Charlie Hebdo massacre in Paris. He repeated this pledge in May, when the EU discussed quotas for sharing the

Rather than waiting for 500,000 people to make their way to Germany, Berlin should commit to taking 500,000 Syrian refugees directly from Turkey. As a quid pro quo, it is also essential that Turkey agrees to take back all the refugees that reach Greece, from the moment the deal is signed

refugee burden among member states. He warned in a speech in July that Europe was facing "an existential crisis." He blames the refugees themselves, whom he labels economic migrants, and EU migration policy for the current crisis. And he does not mince his words: quotas for refugees are "madness"; "people in Europe are full of fear because we see that the European leaders, among them the prime ministers, are not able to control the situation"; European leaders live in a dream world, failing to recognise that the very "survival of European values and nations" is at stake. Orbán declared the issue a matter of national security; ordered a fence to be built, deployed the military, used teargas and passed legislation to criminalize irregular migration. He has also taken this message to the country at the core of the refugee debate, Germany, convinced that before long German public opinion will force Merkel and her allies around to his way of thinking.

In reality, neither the German nor the Hungarian approaches offer a solution to the ever-increasing numbers of Syrian refugees crossing into Greece and on through the Balkans. Neither a liberal asylum policy nor a wire fence will prevent people from drowning in the Aegean. Although they are diametrically opposed in their views of the Syrian refugee crisis, neither approach is sustainable. This is because it is not the EU but Turkey that determines what happens at Europe's southeastern borders. Without the active support of the Turkish authorities, the EU has only two options – to welcome the refugees or try – futilely – to stop them.

ESI proposes an agreement between the EU and Turkey to restore control of the EU's external border while simultaneously addressing the vast humanitarian crisis. Rather than waiting for 500,000 people to make their way to Germany, Berlin should commit to taking 500,000 Syrian refugees directly from Turkey in the coming twelve months. While this would be an extraordinary measure, it is a recognition that the Syrian crisis is genuinely unique, creating a humanitarian crisis on a scale not seen in Europe

Finnish lessons

Two years ago, in August 2013, an ESI team went to Finland to learn about best practices in border management. Within the EU, the Finnish border management system is widely seen as state of the art. Finland has the longest external land border of all members of the Schengen zone. At the time, Finnish experts were advising the Turkish authorities in Ankara, and a Finnish border guard was head of Frontex, the EU border agency in Warsaw.

From Helsinki, we were taken around the country by a team of border guards. Our guides explained the future of 'smart borders' at busy crossing points with Russia; showed us new face recognition technology at Helsinki airport; proudly presented their system of maritime surveillance in the Baltic sea, which, we were told, made Finland "the only country in the EU where every agency – border guard, police, military – knows where all boats, and the patrols of all agencies, are at any given moment." At each point, the importance of Finland's cooperation with its neighbouring countries was stressed. It was only on the last day of our trip, however, that we understood the single most important fact about European border

management. All along the Finnish side of its long land border with Russia, there is just a low fence. Its main purpose is to keep animals from crossing and to mark the border. Only in a few, high-risk areas have the Finns put up electronic surveillance systems with cameras and sensors. We asked our hosts how often this rather low-key border management system was actually tested by migrants trying to cross into the EU illegally. We were told that there were 80 cases in 2011; 67 cases in 2012 and just 18 in the first half of 2013. In fact, of those 18 border violations, only one had turned out to be an illegal migrant trying to make his way into the EU. When we enquired as to why the numbers were so low, the answer was both simple and obvious: Russia. On the Russian side, a few kilometres in, there are two sets of four-meter-high fences that were once part of the Soviet cold war border installations. There is a clearing between these two fences where any tracks can be seen by Russia's approximately 5,000 border guards (down from 13,500 in 2001). They are part of the FSB, the successor of the Soviet KGB.

It became clear why Finland had the most secure border in Europe. For all the impressive competence of the Finnish border services, it is mainly the result of the legacy of Soviet borders and the Iron Curtain. This Finnish lesson is relevant whenever people discuss border security in Europe. In the end, border control depends most of all on the EU's neighbours, and whether these are willing and able to stop irregular migrants from reaching the EU's borders.

Russia's two border fences, built in the 1960s, a few kilometres from the border with Finland

since the Second World War. It is essential that these 500,000 asylum seekers are accepted from Turkey, before they take to boats to cross the Aegean. As a quid pro quo, it is also essential that Turkey agrees to take back all the refugees that reach Greece, from the moment the deal is signed. It is the combination of these measures that will cut the ground from under the feet of the people smugglers. If Syrian refugees have a safe and realistic option for claiming asylum in the EU in Turkey, and if they face certain return back to Turkey if they cross illegally, the incentive to risk their lives on the Aegean will disappear. These two measures would restore the European Union's control over its borders. It would provide much-needed relief and support to Syrian refugees. And by closing off a main illegal migration route

into the EU, it would reduce the flood of people now trying to reach Turkey from as far away as Central Asia. This would help to manage the huge burden currently faced by Turkey. This proposal would take Germany's readiness to welcome hundreds of thousands of refugees and redirect it into an orderly process where refugees no longer have to take their lives into their hands in order to claim asylum. At the same time, it would stop the uncontrolled flood of people across Europe, something Orbán's fence can never do. If this agreement could be put in place quickly, before the seas get even rougher and the cold season closes in on the Balkans, it could save untold lives.

Solution lies in Turkey

The key to stopping the uncontrolled arrival of hundreds of thousands of migrants and asylum seekers in the European Union in the Eastern Mediterranean in recent months is held by Turkey. And it is only a strategy acknowledging this fact that can end the vast humanitarian crisis that is shaking the foundations of the Schengen compact and the European asylum system. In fact, Turkey has been doing the EU an enormous favour by hosting almost 2 million refugees from Syria, some since 2011, to the polite applause of the rest of Europe. They are looked after by the Turks; indeed, the generosity that many European cities are showing today for refugees has been more than equalled in recent years by Turkish communities. Turkey says it has spent €6 billion on Syrian refugees to date. The Turkish authorities no doubt hoped and expected that the Syrians would stay for only a short time. But as the Syrian conflict drags on with no foreseeable end, many Syrians are searching durable solutions.

At the end of the day, only the Turks have any prospect of stopping the exodus of Syrians from their territory. They are already making an effort to do so. So far in 2015, the Turkish coast guard has arrested 59 people smugglers and rescued over 45,000 refugees on the Aegean, taking them back to Turkey. But the numbers making the crossing continue to grow. And it is hard to see how Turkey has much incentive to devote even more resources to stopping the exodus of Syrians. Indeed, how can Europe credibly ask it to do so, when Turkey is already bearing the lion's share of the refugee burden? The only way this crisis can be resolved is with Turkish cooperation. But it would have to be cooperation on quite different terms.

What might work: a two-pronged strategy

We therefore propose the following two-pronged strategy for addressing the refugee crisis.

First, Germany should commit to taking 500,000 Syrians over the next 12 months, with asylum applications made in an orderly way from Turkey. The German government is already anticipating and preparing for this number of arrivals. But instead of waiting for them to make the sea and land journey, with all its hazards, they should accept claims from Turkey and bring successful claimants to Germany by air. Of course, Germany cannot, and should not, bear the whole refugee burden. Germany's offer must be matched by other European nations – ideally through a burden-sharing arrangement agreed at EU level. It may make sense for the EU itself to manage the asylum application process. But such agreements take time to achieve.

Second, from the date that the new asylum claims process is announced, any refugees reaching Lesbos, Samos, Kos or other Greek islands should be returned back to Turkey based on a new Turkey-EU agreement. Initially, there would be huge numbers of readmissions – tens of thousands – presenting a major logistical challenge. But once it is clear that (i) the route through Greece is closed, and (ii) there is a real and immediate prospect of gaining asylum from Turkey, the incentives for the vast majority of people to pay smugglers and risk their lives at sea would disappear. Within a few months, the numbers passing through Greece would fall dramatically.

There are many reasons why this two-pronged strategy is the most credible solution to the crisis. It would place a cap on the number of Syrian refugees accepted into Germany. While amounting to an extremely generous response, it would not be the open-ended commitment that Merkel's critics fear. It would enable the German government to assure the public that the crisis is under control, helping to prevent public support from being eroded. It would provide Merkel with a ready answer to Orban's criticism. The asylum process, while generous and humane, would no longer be generating incentives for desperate people to risk their lives at sea. Hungary and other transit countries would be relieved of the security challenge – and the political pressure – created by the mass movement of refugees, taking the heat out of the debate. It would destroy the business model of the whole criminal underworld of human traffickers.

Finally, it would relieve Turkey of a major part of its refugee burden. Furthermore, with the route into Greece closed, Turkey would cease to be a magnet for migrants from as far away as Central Asia. This would relieve the pressure building up on Turkey's eastern borders. With Europe finally making a genuine effort to share the burden with Turkey, it can legitimately ask for more cooperation on managing the remaining migration flows. In the interim, the solution is in the hands of Germany and Turkey. And a quick solution is sorely needed, before the seas grow even rougher and the cold season closes in on hundreds of thousands of desperate refugees seeking a route across the Balkans.

Isle of Mamula should have a memorial centre



A delegation of the Centre for Civic Education (CCE) paid a visit to the isle Lastavica on 14 September 2015 and laid flowers to pay homage to the victims and prisoners held in that camp during World War II. The majority of prisoners originally came from the Boka Bay. The camp on isle Lastavica, better known as Mamula, was disbanded after Italy surrendered on 14 September 1943, 72 years ago, and each September a commemoration is held in the memory of crimes committed on the island.

CCE reminded that the state of Montenegro has an obligation to honour the victims and remember the achievements of the antifascist struggle, and thus to protect this location in an adequate manner and mark the place of suffering. To that end, CCE proposed setting up

a Memorial centre Mamula as a genuine landmark and permanent commemoration to victims, but also as a reminder to all future generations of the crimes that took place there.

Montenegrin society as a whole, and especially its institutions, must keep the memory of the crimes committed against innocent civilians during all the wars that took place on the territory of Montenegro, and should therefore work to develop a culture of remembrance and respect, recognition and compassion with all victims, so that the past crimes are never forgotten and never repeated. CCE will continue to contribute through its own activities to the development of a culture of remembrance, commemoration and strengthening of the peace, both by itself and as the referent organisation of the Coalition for REKOM in Montenegro. The visit to isle of Mamula was organised precisely in this context.

As in previous years, the visit to the isle Mamula and the commemoration was organised by the Organisation of veterans of the NLS 1941-1945 from Herceg Novi.

Regional evaluation of IPA 1 programme

A team of experts in charge of the IPA 1 programme held a meeting with civil society representatives in Podgorica on 17 September 2015 in the premises of the EU Delegation. The aim of the meeting was to improve the performance, monitoring and reporting on the management of IPA funds, while the meeting itself was part of a larger regional evaluation of IPA 1 programme, recently launched by the General Directorate for neighbourhood policy and enlargement. There was talk about the influence of the IPA programme, its quality, relevance, monitoring and other areas of potential improvement. There was also some discussion on the support to civil society through the instrument for the civil sector (Civil Society Facility). **Nikola Đonović**, programme coordinator, attended the meeting on behalf of the Centre for Civic Education (CCE).

“Second autumn” programme is opened

A round table titled “Wars, political violence and the resistance in Yugoslavia and post-Yugoslav states in the 20th century” was organised in Zagreb on 27 September 2015, in the House of Human Rights, by Centre for dealing with the past – Documenta. Speakers at the round table were: **Dragan Markovina**, historian and publicist, **Kaja Širok**, director of Museum of Contemporary History, **Martina Bitunjac**, historian, **Moses Mendelssohn** from the Centre for Jewish studies, **Nataša Mataušić**, acting director of the Croatian history museum and **Borka Pavićević**, director of the Centre for cultural decontamination. With the organisation of the round table in the House of Human Rights and presentation of artistic intervention “Heirs” in Dotrščina, Zagreb, Documenta – Centre for dealing with the past and its partners from the region and Europe, including Centre for Civic Education (CCE), opened the programme **Second autumn**, dedicated to dialogue on the remembrance of war events and political violence and their reflection in the present times. **Tamara Milaš**, programme associate at CCE, attended the gathering on behalf of CCE.

How to fight corruption in public procurement

Institute Alternative (IA), in cooperation with the embassy of the Kingdom of Netherlands, organised a panel discussion on the subject of “How to fight corruption in public procurement” on 16 September 2015. Speakers were **Stevo Muk**, president of the Managing board of Institute Alternative, **Mara Bogavac**, assistant director of Public Procurement Authority, **Suzana Pribilović**, president of the State commission for the control of public procurement procedure, and **Aleksandar Damjanović**, president of the Committee for economy, finances and budget in the Parliament of Montenegro. The event was the last of a year-long project, and in addition to the findings of IA's monitoring in the area of public procurement, it featured presentations of the results of a public opinion poll on the citizens' views of corruption in this field, commissioned by IA from the ISOS Strategic marketing. The panel discussion was part of the project “Civil society and citizens against corruption in public procurement”, implemented by Institute Alternative with support of the embassy of the Kingdom of Netherlands. Project activities focused on the strengthening of cooperation between state and non-state actors in the investigation of irregularities in the area of public procurement and formulation of recommendations for improvement. **Boris Marić**, senior legal advisor at Centre for Civic Education (CCE), attended the panel.

From education to employment

Association of Youth with Disabilities (AYDM) organised a focus group on 30 September, as part of the project Trans2work – “From education to employment”, with the aim of increasing employment opportunities of persons with disabilities who hold a university degree, and providing support for their easier access to open labour market. The group was organised for representatives of Montenegrin NGOs in order to learn more about the needs, considerations, plans and possibilities of engaging and hiring persons with disabilities through an open discussion from employers' perspective, and to exchange opinions on the workforce needs, expectations of the persons with disabilities, and potentially good practices and experiences. During the focus group, the organisers presented different options of support and subsidies available to the employers who hire a person with disability, as well as the experience of AYDM regarding employment. **Petar Đukanović**, coordinator of the human rights programme in the Centre for Civic Education, participated in the focus group on the behalf of CCE. The focus group also gathered representatives of Juventas, MANS, Queer Montenegro, SOS Hotline for women and children victims of violence from Podgorica, Institute Alternative, CDNGO and CEMI.

New initiatives for stability and prosperity in the Balkans

Centre for Civic Education (CCE) and Friedrich Ebert Stiftung (FES) organised an 29 September 2015 a panel discussion on the topic *“New initiatives for the stability and prosperity in the Balkans”*. Among other, the discussion featured a presentation of the FES brief *“Social cohesion in the focus – new initiative for stability and prosperity in the Western Balkans”*, co-authored by experts from the region - **Svetlana Cenić** (BiH), **Ardian Hackaj** (Albania), **Amer Kapetanović** (BiH), **Gazmend Qorraj** (Kosovo), **Dušan Spasojević** (Serbia), **Dragan Tevdovski** (Macedonia), **Daliborka Uljarević** (Montenegro), and the former member of the European Parliament **Maria Eleni Koppa** (Greece).

Ivana Račić of FES opened the panel with some background information on the FES initiative to develop public policies that could improve the economic and political situation in the Western Balkan states, as a contribution to the Berlin process. Dušan Spasojević from the Faculty of political sciences in Belgrade explained that the basic idea was to re-launch the talk of democratisation and its relationship to the process of European integration because “we feel that there was a delay on these issues both in the Western Balkan states, and in the European Union”.

Speaking about the role of the civil sector in the design of public policies, **Zlatko Vujović** from the Faculty of political sciences at the University of Montenegro said that the “influence of NGOs in the design of public policies in Montenegro varies from extremely high to poor, depending primarily on the political situation, and on whether the ruling structures are looking for a way to boost legitimacy”.

Daliborka Uljarević, executive director of CCE, reminded that «civil society organisations provide significant contribution to the process of erecting public institutions that could be free of political influence. By advocating for specific public policies, addressing the “forbidden” topics, and by investigating abuse of office, conflict of interests, appropriation of public property, severe violations of human rights and freedoms, civil society organisations contribute to the achievement of new democratic standards and encourage citizens to state their demands more freely, stand up for their rights, and hold the decision-makers accountable for the poor results or damage made.»

Around 40 representatives of NGOs, political party activists and media, students and other interested citizens attended the panel. **Ana Vujošević**, programme coordinator at CCE, moderated the meeting.

A.V



Centre for Civic Education (CCE)

announces an OPEN CALL for participants of the STUDENT LEADERSHIP PROGRAMME

Selected students will attend an intensive training programme, consisted of combination of lectures, workshops, movie screenings, exercises and simulations. Objective of the *Student Leadership Programme* is to strengthen leadership and activism potentials of students, who would later contribute in resolving of the existing problems in higher education system in Montenegro, with the focus on the areas of *corruption in education, active citizenship, implementation of Bologna declaration, European values and concepts in the system of higher education.*

Student leadership programme is opened to students of University of Montenegro, University of Mediterranean, University Donja Gorica and Faculty of Administrative and European studies. The Programme is free of charge since the CCE, with the support of donors and partners, covers all the expenses of travel, food, accommodation, organisation of sessions and other activities related to the programme, with the obligation of selected participants of the Programme to attend the minimum of 80% of classes.

If you are ambitious, diligent and ready to use your knowledge, energy and leadership potential to help overcoming some of the key challenges of higher education system in Montenegro, apply!

Interested candidates can submit their application with short biography (CV) and motivation letter no later than **20 October 2015** via e-mail address info@cgo-cce.org with the subject **"For the Student Leadership Programme"**. For any additional information, please call **020/665 112** or visit the CCE in Njegoševa 36/I, floor, Podgorica.



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Komisija za raspodjelu
djela prihoda od igara na sreću

HEINRICH
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