



FOCUS OF THIS ISSUE

Why is MONSTAT lacking
professional independence

Statistics is not politics

INTERVIEW
Head of the
EC Delegation
in Podgorica
Leopold Maurer

ANALYSES
Why has
Brussels gone
"brutal" on the
Montenegrin
Government

EU CHALLENGES
Europeans,
careful with
Obama!



SPINNING

Representatives of the ruling coalition have tried in the last few weeks, successfully it seems, to convince our public that all Montenegrin problems come from Brussels.

It seems the Government will send its application to Prague instead of Paris because of EU's problems with the ratification of the Lisbon Treaty, global financial crisis, burning global problems... Montenegro, they say, is only a hostage to these processes.

There are also few experts on European integrations who would call Montenegro's Progress Report "positive", except perhaps **Javier Solana** and a handful of diplomats (mostly those who own the Government a counter-favour, for instance because of its recognition of Kosovo).

Why would, otherwise, the ruling crew have the need to "explain" that essentially, the European Commission's report is actually positive.

The report is harsher than it should be in order to discourage one country, otherwise perfectly ready for the next phase of integrations, from actually going there (**Gordana Đurović**), we don't need EC to spell out our problems to us (**Milo Đukanović**), the claim that Parliament's decision-making is not transparent is the result of opposition's slandering (**Milan Radović**)...

That's what they call spinning, although, with all due respect to the English language, our own would have a few more vivid synonyms.

Spinning, according to the definition, is a subtle skill of manipulating the public, and a spin doctor is an ironic moniker for those who air messages whose content is obviously disproportionate to reality.

Those who do not believe that the government is spinning can read the progress reports of, say, Macedonia or Albania. They will not find there that "declarative commitment of the government to the fight against corruption lack energetic implementation and clear results" nor that the "overall efficiency of the judicial system is still low"...

Not all of our problems come from Brussels.

V.Ž.

Đurović criticised EU (29 October) – Deputy prime minister of Montenegro for European integrations **Gordana Đurović** criticised European Union because of the messages coming from a part of its members and suggesting that Montenegro should not apply this year. "The EU keeps repeating – our doors are wide open for the Western Balkans. Now we ask them – if they are so keen to discourage one country, which is among the positive examples in the region – does this mean the doors are still open, and is this fair?", asked Đurović.

Germany opposes application (3 November) – Ambassador of the Republic of Germany to Podgorica **Peter Platte** said Brussels is not currently in the position to attend to Montenegro's application for EU membership, having to face its own problems, and that this is the common opinion of the "two pillars of EU – France and Germany". Platte also said that Montenegro "shouldn't try to create fictive dynamism in the process of European integrations".



Peter Platte

European Commission published Progress Report (5 November) – During the presentation of the Report in Brussels, European Enlargement Commissioner **Olli Rehn** said it was possible, in the best case scenario, for Serbia to receive the EU membership candidate status in 2009. He did not mention any deadlines for other countries of the Western Balkans, which caused sharp criticism from the Montenegrin officials. EC did not recommend starting negotiations with Macedonia, while Croatia is expected to close its last chapters in the course of the next year.

Interparliamentary meeting (5 and 6 November) – Delegations of the European Parliament and the Committee for Foreign Relations and European Integrations in the Parliament of Montenegro held their third interparliamentary meeting in Brussels and adopted conclusions which state that corruption and organised crime are the biggest problems in Montenegro, that the recognition of Kosovo has been a positive decision, and that the media in Montenegro must be guaranteed independence and freedom of expression.

Britain supports application (7 November) – UK ambassador in Podgorica **Kevin Lyne** announced that his country will support Montenegro's application for membership in the European Union even in the case the Government decides to apply before the end of the French EU presidency. His statement comes in opposition to the earlier announcements by his colleagues Bernard Guarancher and Platte, who represent France and Germany in Montenegro.

Preparations for the European Parliament Resolution (13 November) – EP reporter for Montenegro **Marcello Vernola** met in Podgorica with representatives of the Government, political parties and the civil sector in order to prepare the proposal for EP resolution on Montenegro.

Consultative meeting between EC and civil society (18 November) – Representatives of the European Commission and Montenegrin civil society held a consultative meeting which involved presentation of the structure of IPA programme for 2009. EC representatives have also considered the previous consultations with civil society representatives and incorporated their suggestions in the project framework for civil society assistance for 2009.

Government postpones application again (25 November) – The Government is most seriously considering to submit application for EU membership to the Czech Republic, whose presidency of European Union starts on 1 January 2009 instead to France, report "Vijesti", drawing on the statement of the Czech Foreign Affairs Minister **Karel Schwarzenberg**. After the meeting with his Montenegrin counterpart **Milan Roćen** in Prague, Schwarzenberg said Czech Republic will use its presidency to speed up integration of the West Balkans.

Paris decision (26 November) – Montenegrin ambassador to Paris **Milica Pejanočić-Đurišić** said the conclusions from the EU summit in Paris, on 11 and 12 December, will be of crucial importance for Montenegro in deciding whether or not to apply during French presidency.

Rehn: no time for application (27 November) – European Enlargement Commissioner **Olli Rehn** recommended Montenegro to postpone application. "The December meeting of the European Council is likely to be overburdened with the issues of economic crisis and ratification of the Lisbon Treaty, and it is very unlikely that the enlargement will be on the top of their agenda. There is right time for everything in life", Rehn said.

WHY DOES EUROPEAN COMMISSION BELIEVE THAT MONSTAT LACKS PROFESSIONAL INDEPENDENCE

Statistics is not politics

The first principle of the European Statistics Code of Practice says



by Danilo Mihajlović

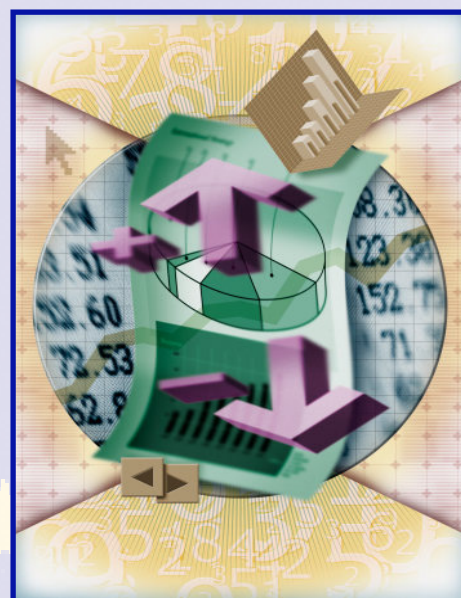
that statistical authorities ought to be independent from policy, regulatory or administrative departments and bodies, as well as from the private sector.

This year, it seems, the Montenegrin Statistical Office (MONSTAT) did not live up to the principle.

In the last report Progress Report for Montenegro European Commission (EC) has reserved the harshest criticism for MONSTAT of all Montenegrin institutions, saying, among other, that this office lacked "professional independence".

Although European Commission published Progress Report on 5 November, and the media shouted key passages from the rooftops, the director of MONSTAT **Radomir Đurović** was unable, twenty days later, to explain to us why is Brussels unhappy with the institution he is heading.

"We only got the report a few days ago from the Secretariat for



European Integrations (SEI). We will hold a meeting, and communicate our conclusions to the public afterwards", said Đurović in response to our request to comment on a few "harsh" statements from the Report on account of MONSTAT.

Except for the lack of independence EC progress report on Montenegro for 2008 also reproached MONSTAT for having achieved "limited progress" in compiling statistics and for continuing to have weak administrative capacities.

EC also states that MONSTAT has serious difficulties fulfilling its obligations and has demonstrated a lack of professional independence.

"Significant efforts are needed in all areas in order to reach the level of standards prescribed by EU", states the document.

The Code of Practice for

WHAT IS INDEPENDENCE?

In its Code of Practice EUROSTAT lists the following indicators of professional independence, which was found wanting in the case of MONSTAT:

- The independence of the statistical authority from political and other external interference in producing and disseminating official statistics is specified in law.
- The head of the statistical authority has sufficiently high hierarchical standing to ensure senior-level access to policy authorities and administrative public bodies. He/she should be of the highest professional calibre.
- The head of the statistical authority and, where appropriate, the heads of its statistical bodies have responsibility for ensuring that European statistics are produced and disseminated in an independent manner.
- The head of the statistical authority has the sole responsibility for deciding on statistical methods, standards and procedures, and on the content and timing of statistical releases.
- The statistical work programmes are published, and periodic reports describe progress made.
- Statistical releases are clearly distinguished and issued separately from political/policy statements.
- The statistical authority, when appropriate, comments publicly on statistical issues, including criticisms and misuses of official statistics

European Statistics is based on 15 principles. All administrative bodies and statistics authorities in the European Community are bound by the principles set in this Code, which encompasses institutional environment, statistical processes and data collection. It provides a set of indicators of good practice for each of the 15 principles, ensuring a common reference for the measure of implementation of the Code.

The Code states that European and other international standards, guidelines and good practices must be fully observed in the processes used by the statistical authorities to organise, collect, process and disseminate official statistics.

It further says that the credibility of the statistics is enhanced by a reputation for good management and efficiency. The relevant aspects are sound methodology, appropriate statistical procedures, non-excessive burden on respondents and cost effectiveness.

For **Predrag Bošković**, pro-



fessor at the Faculty of Economics of the University of Montenegro and an expert in statistics the problem of the Statistical Office of Montenegro is not so much its lack of independence of administrative capacities, but the negative image of this institution.

"I believe MONSTAT's biggest problem is not in the lack of expert staff, or in the independence or lack thereof of this insti-

tution. MONSTAT has been using EUROSTAT's methodology since 2003. It applies the same scientific methods in processing its data", says Bošković in the interview for *European Pulse*.

He says he is aware of the problems in the size of staff and technical equipment of the Office, but that these problems are "more easily remedied".

"MONSTAT is also quite careful to make its data available to all interested parties. The biggest shortcoming of MONSTAT, in my opinion, is its inability to shed the bad image it inherited from the past and its poor media and public relations policy. This leads to reluctance on the part of the public to trust MONSTAT's data which is, however, processed with the same tested methodology that is being used by EUROSTAT, says Bošković, who is also a high official in the Democratic Party of Socialists (DPS).

Asked what could be done to change this perception and prevent similar evaluations in the forthcoming Reports, Bošković said:

"It is, first of all, unclear to me what "limited progress" should mean. On the one hand, it implies the existence of some progress, in spite of the criticism. I believe it is more important to find a way of helping MONSTAT to overcome its problems and become an institution that enjoys trust of the widest public. In my opinion, the biggest problem of MONSTAT is its failure to present itself as an institution whose data is beyond every shade of doubt".

Government's representatives, however, either completely disagree with EC or were surprised by the reprimands of the European bureaucrats, because

NO RIGHT TO ERROR

According to the European principles, statistical authorities must produce and disseminate statistics respecting scientific independence and in an objective, professional and transparent manner in which all users are treated equitably.

The Code stipulates that all data must be compiled on an objective basis determined by statistical considerations.

- Choices of sources and statistical techniques are informed by statistical considerations.
- Errors discovered in published statistics are corrected at the earliest possible date and publicised.
- Information on the methods and procedures used by the statistical authority are publicly available.
- Statistical release dates and times are pre-announced.
- All users have equal access to statistical releases at the same time and any privileged pre-release access to any outside user is limited, controlled and publicised. In the event that leaks occur, pre-release arrangements should be revised so as to ensure impartiality.
- Statistical releases and statements made in press conferences are objective and non-partisan.



their National Programme for Integrations (NPI), in its list of steps to be taken on the road to EU, fails to make any mention of the "illness" called independence.

NPI does, however, say that following Montenegro's independence from Serbia the expert staff of the once Federal Statistics Bureau remained the Statistical Office of Serbia, whereby the new country remained with few, and, they admit, insufficiently expert capacities.

The EU code, however, insists that the resources available to statistical authorities must be sufficient to meet European statistics requirements.

It says that staff, financial, and computing resources, adequate both in magnitude and in quality, ought to be available to meet current European statistics needs.

"Procedures exist to assess and justify demands for new European statistics against their

cost. Procedures exist to assess the continuing need for all European statistics, to see if any can be discontinued or curtailed to free up resources", states the third principle of the European Code.

In the NPI the Government explains that before Montenegro's independence the division of labour in the Federal Statistics Bureau was such that all methodologies and data forms would be set at the federal level, while the offices of the republics would do fieldwork data collection or at most enter the data into the system.

"Data processing with all logical controls was performed by the Federal Bureau. Consequently, for many researches we lack the data for the earlier periods, because they haven't been processed in Montenegro", NPI states.

The same document says that the Stabilisation and Association

Agreement (SAA) put additional pressure on MONSTAT to produce statistics in line with the standards of the European statistical system. It adds that the current legal framework allows for the creation of objective, reliable, relevant and useful statistics and reminds that in order to enhance statistical knowledge and culture a special Council of the Statistical System has been formed as an advisory body.

If we are to believe the Government and its NPI, new systematisation will be put forward in a bit more than a month, accompanied by a programme of statistical researches to be conducted in the next five-year period and a strategy for development of statistics.

The government also promised to provide MONSTAT with adequate working space next year and to amend the Law on statistics and statistical system.

In 2009 there will also be an increase in the number of employees, in line with the increase in the number of researches, and special trainings for the statisticians in the use of software packages for data analysis.

The same programme provides several medium term goals: adoption of the Law on census (end of 2010), development of WEB applications for on-line data management (by 2010), development of a dynamic web-site (by 2010), creation of a MetaData base for statistical research (by 2011), move to data entry via optical readers (by 2011).

The author is a journalist of the daily newspaper "Vijesti"

WHY IS BRUSSELS BECOMING "BRUTAL" TOWARDS MONTENEGRIN GOVERNMENT

The bill for unfulfilled promises

Why is the Montenegrin Government on the defensive in trying to out-smart Brussels on whether to



by Neđeljko Rudović

leap onto the next step of EU integrations? Why are the counterarguments from Đukanović's cabinet feeble, and why have they at some point turned into spitefulness? Why is Podgorica crying out to Brussels that EU isn't fair?

The answers to these questions are in fact elements of an analytical portrait of Montenegro today, revealing all weaknesses of the Montenegrin administration whose one side is struggling to prepare as many legal proposals harmonized with European standards as they can, while the other side does not even consider implementing them.

Which is when we really come to the crucial question – is there enough political will in Montenegro to really transform the system, or do we only make half-hearted steps that both safeguard the position of the ruling party, while allowing us to loudly announce the application for EU membership, thus explaining to the local public that the Government has scored another tremendous success and that they only critics left are the envious Balkaners?

If the European Commission has to repeat for three years, year after year, that the government of Montenegro is not implementing the laws, the conclusion is clear – there is no political will. If there were any, the Government would focus on implementing what it prescribed and would

move on. Like this, it seems that they only want to keep churning out new regulations, hoping that this will be just enough to earn Brussels' welcome.

Which is perhaps the answer to our first question. If Montenegro was really making true on its leaders' proclamations, neither Paris nor Berlin would be so brusque and dismissive in telling Podgorica not to apply for the membership and that, even if it applies before the end of the year, its application will disappear in some dusty drawer.

In other words, if Montenegro was really displaying tangible results, Brussels would probably also have more appreciation for its efforts and would not turn a blind eye on the "successful European story" in the Western Balkans.

It was not unexpected that the European capitals should discourage the new potential candidates to approach them too quickly – not only because the EU is at the moment trying to find a way to reorganise itself and become more efficient, but also because the public in the founding EU members visibly lost appetite for further enlargements. It is true that the EU is living a difficult, self-searching moment, trying to reconcile the attitudes of its 27 members. It is, however, also true that the EU wouldn't just slam the doors in the face of Podgorica if they considered our application serious enough. This, however, does not seem to be the general impression, at least judging by the reactions of the French and German ambassadors to Montenegro in the last few months. The latest message by the German ambassador **Peter Platte** is that "Montenegro still has to do so much on its road to European Union that any discussion about deadlines for the submission of application is just a

waste of time".

"Ongoing discussion about the deadlines creates the atmosphere of a certain pressure with regard to the dates, the impression that something is moving. From EU's standpoint, this is absolutely not the case. They do not have deadlines for the accession of new members, i.e. the dynamic imposed here runs in vain", Platte said.

The latest statement by the Deputy Prime Minister **Gordana Đurović** is that Montenegro and EU have to agree on a date to submit application, while in mid-November she accused Brussels that it does not take into account all the good things that have been done in Montenegro, and that some parts of the Progress report for 2008 have been "harsher than they should have been, in order to discourage once country, which is entirely ready for the next phase of the integration process, from actually getting there.

"Because of a clear European preference to see the Balkan caravan move more evenly and equally, Montenegro is getting the message from some European addresses to wait. For EU, this is just a short-term and not very fair strategy", Đurović said.

It is no secret that Brussels is favouring Serbia, trying, among other things, to give her something in exchange for the lost Kosovo. It is also no secret that Belgrade has a much better administration, more prepared to respond to the challenges of EU accession. Belgrade has also arrested several dozen members of criminal organisations – in universities, infrastructure, customs...some of whom have been on important positions within public administration. In the meanwhile, Podgorica has been writing reports, strategies, action plans and agendas to fight corruption. And the years go by...

IN THE INTERVIEW FOR THE EUROPEAN PULSE MAURER WARNS THOSE WHO INSIST THAT THE CORRUPTION PROBLEM IN MONTENEGRO IS EXAGGERATED

Read the EC Report carefully

Head of the European Commission Delegation in Podgorica **Leopold Maurer** suggested to all those who do not consider corruption to be a serious problem in Montenegro on its road of European integrations to "read carefully" the Progress Report prepared by the European Commission. Asked to comment on the level of corruption in Montenegro and DPS' insistence that there is not enough evidence to prove that there is more corruption in Montenegro than in some European Union member states – in spite of the fact that here everybody talks about it – in the interview for the *European Pulse* Maurer said:

"The report is very clear on this. I would recommend to read carefully pages 12 and 13. European Commission welcomes the establishment of the strategic and administrative framework but we ask for rigorous implementation with clear results.

- If you were a Montenegrin official, which institution would you choose first in order to start or to continue reforms, based on Montenegro's Progress Report for 2008?

The report includes nearly all



institutions. This is not only about continuing reforms, but also about the need to prepare for membership by creating the necessary bodies and mechanism.

- How do you comment on the reactions by some Montenegrin politicians from the ruling coalition who challenge the conclusions of

the Progress Report? We would remind you that the spokesman of the Montenegrin Parliament Ranko Krivokapić said that European parliament has a better picture of the functioning of Montenegrin Parliament than European Commission, or that political director of DPS Predrag Sekulić said that EC's claims about the lack of independence and efficiency in the judiciary are not based on sound arguments...?

Similar reactions appear in all candidate and potential candidate countries. It only shows that the report is taken seriously.

- Now that the Progress Report is published, could you say something more about the announced

THERE ARE NO DOUBLE STANDARDS

- How would you comment on the objections that EC has double standards when it comes to the Western Balkans, because it only gave a concrete date of possible candidacy for Serbia, but not for other countries?

There are no double standards. The language on Serbia is old and goes back to Council conclusions of spring 2008. Third chapter of the strategy paper – "Enlargement agenda 2008–2009" states that "potential candidates in the Western Balkans should achieve candidate status, according to their own merits, with EU membership as the ultimate goal".

intention of the Montenegrin officials to apply for EU membership until the end of the year? Do you think Podgorica should submit this application?

On application, the Commission repeats in the strategy paper that a satisfactory track record is essential. The role of the Commission would be, upon request from the Council, to produce an opinion assessing the country's readiness and a study on the impact of accession. Afterwards, it is up to the Member States to decide on the opening of the negotiations. This is the procedure.

The most important thing, however, is to continue with the preparations for membership, because everything which is done beforehand speeds up the process and will benefit citizens.

- NGO sector, or rather the National Council for European Integrations (NCEI), has criticized EC saying that Report contains technical errors. For instance, the name of the NCEI has not been properly (that the name of the NCEI has not been



From the opening of EC building in Podgorica

written properly, Bukovica has not been mentioned as a site of ethnic cleansing.....What is your reaction to this?

NCEI was just a typing error, we wrote Council for European Integration instead of National Council for European Integration. With regard to Bukovica we have

referred to this case already in last years' report.

- Soon the EC will publish the report on Montenegro's progress with regard to the commitments set out in the Roadmap on visa-free regime. When will the report be published? Could you give us your assessment as to how ready Montenegro is to fulfil these objectives?

Visa liberalisation is probably the most important goal for 2009 in all countries of the region. In my contacts with the people here visa free travelling is a common wish, and would allow people to get to know the EU better. We have started the visa dialogue at the beginning of this year and a first assessment report of the European Commission will be ready by end of November. After that there will be assessment missions for the four main chapters of the road map during the first months of next year. Commissioner Rehn already said that the most advanced countries could achieve visa liberalisation in the course of next year.

V. ŽUGIĆ

YOU UNDERESTIMATE TECHNICAL ISSUES

- Are you satisfied with your cooperation with Montenegrin institutions, parties, and the civil sector? Do you have any objections?

I am very satisfied with the high motivation of the Montenegrin institutions, politicians and representatives of the civil society. Consensus on the common goal which is EU membership is very important to move the process quickly forward.

From my own experience I could say that the biggest problem, apart from the full implementation of the rule of law, will be technical issues, which are underestimated. This for example refers to mechanisms in the field of structural policies including agriculture. It requires long preparation and reorganisation for something which will have merits – in considerable amounts of financial support of the EU – only at the date of accession. We hear very often the stereotype reaction – but Montenegro is a small country! These systems have to be established to guarantee sound financial management of EU funds which will allow you to absorb the available money which can go up to 4% of the GDP. Also, once you have such a system in place you will get also a higher ranking which means attract more foreign direct investment which is so important for a country like Montenegro. Unfortunately the issue is so technical that it is difficult to convince political decision makers to deal with it. There was a target date for a first step by middle of next year which was already postponed for end of next year.

Supranationality principle in the functioning of European Union

• • • • •

The integration process of the European peoples, began, essentially, in the second half



by Vladimir Pavićević

of the 20th century, when the leaders of six European countries (Belgium, France, Italy, Netherlands, Luxembourg and Germany) decided to sign the agreement on common exploitation of coal and steel and later the Treaty on European Economic Community. What followed was even more intensive cooperation among European states, which, at the beginning of the 21st century, resulted in a tight network of common interests and policies covering a variety of fields: from economy to industry, social policy, citizens' rights and foreign policy.

The term European Union was introduced by the 1993 Treaty of Maastricht to denote an entity that has been in the process of permanent evolution for more than half a century. The Treaty of Maastricht defines three "pillars" of the European Union: European Community, Common Foreign and Security Policy and Home and Justice Affairs. At the same time, giving a new name to an entity whose roots date back to the European Coal and Steel Community and European Economic Community begs the question of the character of an organisation which, in the first decade of the 21st century, grew to encompass 27 members.

The most precise answer to the question: what is European Union – is

that European Union is an international organisation with supranational elements. This definition excludes the possibility of treating the EU as a state, but suggests that it does embody some characteristics of the modern state. This definition also tells us that the EU is not a traditional international organisation such as the UN or the Council of Europe, as its competences and structure exceed the framework of such organisations. Complete understanding of the functioning of EU would involve, then, analysing the meaning of the principle of supranationality which makes European Union so special in international relations.

The supranationality principle as a characteristic of the functioning of European Communities is reflected in the character of the fundamental EU institutions, and in the type and manner of decisions made by these institutions. The connection between EU and this principle is also recognised and further strengthened by the European Court of Justice through its practice, opinions and verdicts. Bearing in mind the content of the fundamental EU treaties and practice of the European Court of Justice, we can infer five key elements of the principle of supranationality in the functioning of EU:

1. Primacy of the Community Law
2. Binding decisions, regardless of the voting position of the state in question
3. The existence of institutions whose primary task is to guard Community interests, and not the interests of the member states
4. Decisions are equally binding for legal and natural persons
5. Binding judicial competence over disputes in the domain of Communities

1. PRIMACY OF THE COMMUNITY LAW

Community Law is the law of EU. It consists of the basic EU treaties as the primary sources of law and the instruments adopted by the Council of Ministers which have the character of legal acts. There are two types of instruments whose content is binding for the member states: regulations and directives. Unlike these two, recommendations, decisions and opinions do not have a binding character.

Primacy of the Community Law means that the legal rules of the EU are superior to the legal system of the member states. If a national law happens to be in conflict with a regulation, directive, or a fundamental treaty of European Union, the EU rules would apply in the case of a court case. European Court of Justice issues opinions on the primacy of one or the other source of law and it can be addressed to formulate an opinion on specific cases either by an EU institution (mostly European Commission), a state or the highest court in a member state which is responsible for resolving the case, when it feels that it requires assistance in deciding upon the hierarchy of the sources of law.

2. DECISIONS ARE BINDING, REGARDLESS OF HOW THE COUNTRY VOTED

The supremacy of the community law only holds for the first pillar of the EU – European Community. Within this pillar, most of the decisions are made by majority or qualified majority vote in the Council of Ministers. Since the number of votes allocated to each state differs and depends mostly on the size of its population, disagreement and overruling of smaller states is not rare.

The principle that states that all

decisions are binding, regardless of how a country voted, means that the EU members accept in advance that their representatives might be outvoted in the Council of Ministers. The country is thus reconciled with the possibility that it may have to implement a law or a decision on its territory in spite of having voted against it.

3. SOME EU INSTITUTIONS GUARD COMMUNITY INTERESTS, NOT THE INTERESTS OF THE MEMBER STATES

Development of European integrations in the second half of the 20th century opened up the dilemma between inter-governmental and supra-national principles in the functioning of the European Communities. While the European Council and the Council of Ministers clearly embody the former, i.e. the principle by which decision-makers primarily advocate interests of the member states, other EU institutions focus on the interests of the Union.

The strongest community-oriented body in the EU is the European Commission (EC). Although president of the EC nominates members of the Commission with an eye on equal representation of all member states, the selected members of the EC are supposed to forget about the interests of their respective countries and give EU priority over all other interests. This is why people nominated to the European Commission usually already have the record and reputation of persons dedicated to the European integration process, and whose efforts are expected to contribute to the strengthening of this process. EC drafts law proposals and monitors their implementation by the member states and other EU institutions, which earned it the title "guardian of the Treaties".

In addition to EC, European Court of Justice is considered to be an important Community body. ECJ rules based on the primary and secondary sources of the Community Law, and seeks to maintain harmony between



policies and laws adopted by the member states and the legal system of the EU. ECJ's rulings and opinions have contributed enormously to the definition of supranationality as a principle that sets EU apart from other international organisations.

European Parliament is the only body whose members are voted in direct popular elections by the citizens of EU member states. The elected MEPs form parliamentary groups not on the basis of their origin, i.e. nationality, but on the basis of the ideological kinship with representatives from other member states. This type of organisation leads us to recognise EP as a body functioning relies primarily on the principle of supranationality.

4. DECISIONS ARE EQUALLY BINDING FOR LEGAL AND NATURAL PERSONS

As in any other state ruled by law, the citizens of the EU are directly subject to its laws. This means that every person enjoying citizenship of one of the 27 EU member states is subject to the Community Law and should therefore be aware of its provisions.

Practice of the European Court of Justice shows that, in the greatest number of cases, individuals seek justice against their own or another state when the state failed to implement

one of EU laws. Since the EU wishes to enhance free movement of people, goods, capital and services, and the member states sometimes try to limit these freedoms, individuals can find themselves in a situation that is legally different under national and EU laws, i.e. their competences have not been harmonised. Applicability of the community law to natural persons is most obvious precisely in these situations, when the subsequent action by ECJ or the state itself is called upon to reassert the primacy of community over national laws.

5. BINDING EU JURISDICTION OVER DISPUTES THAT REGARD COMMUNITIES

The Treaty of EU defines European Court of Justice as the body competent for all disputes that may arise within the first pillar of the EU. These disputes mostly relate to the question of division of authority between EU and the member states or the failures on the part of the member states to implement rules devised by EU. The court embodies the principle of supranationality in its highest sense, since no national body can contest or revise a decision of the European Court of Justice. ECJ is thus the court of highest instance in the EU.

Verdicts of the European Court of Justice should be distinguished from the opinions that ECJ issues upon request by the highest court of a member state, with regard to a dispute related to the question of the primacy of national or community law. ECJ's opinion is usually accepted, but it does not automatically become a verdict, until the national court formulates the decision itself. This decision may, but does not have to, follow the opinion of the European Court of Justice. In both cases, however, the ECJ is viewed as the highest instance responsible for interpreting the community law.

The author is teaching at the at the Faculty of Political Sciences of the University of Belgrade

Who is gobbling up the dates?

by Brano Mandić

There are issues of burning importance at the moment: should Montenegro apply for EU membership by the end of this year, and second – Who is leading the drug business in our young democracy?

Many wise words have been written about the application. Allow me to use this short article as a public address to the head of the police and the director of the National Security Agency (NSA).

Dear gentlemen, no date is as sweet as the evasion of VAT. Since the drug business is not subject to this hateful regulation, we can safely say it qualifies as one delicious profit.

Here's your market barometer: one match of Her Majesty weed, ganja, swag, pod, marijuana – costs 10 euros. Cocaine, also known as coke or snow, goes from 60 to 120

There are experts in the European Commission too, and afterwards we also had the German ambassador airing the same message: we are not doped, people, we know very well that in Montenegro knows who sells the marbles, let alone intoxicant substances

euros to infinity per gram – depending on how "high" it gets you and how much fertiliser it contains.

Word by word, we come to that notorious yellow powder which, to the great chagrin of the recipient's family, is also sold in packets of one quarter (quarter, man!), one half or a whole gram – for a few dozen euros.

Let's skip ecstasy, LSD, acid and mushroom, for we are really not such junkies, and besides that's some hallucinogen stuff for artists and "emancipated bards".

The question is – if the NSA managed to locate some wahhabi cells in Montenegro and busted their internal hierarchy and structure – is there any such operative insight into which pot, which sack, bank or chest



is the ultimate destination of profits from the selling of our daily artificial heavens.

It is true that Montenegro is a wretched market and that our TV news mostly catch a few sellotape

packets here and there on the border crossings, among the tomato paste tins. Nevertheless, however tiny the earnings of our local businessmen by

It would be no big deal, after all, Montenegro would only rid itself off the laws nobody obeys anyway

measures of the global market, it must still be some form of organised market. Once again, we are not talking tugboats from Venezuela, but the local retail section.

Officially, the police have no clue as to who could reign over this, by all accounts marginal, branch of the business. If there is no suspect for the big boss, then dealers from Bar, Podgorica and Nikšić are just quixotic entrepreneurs who could at least be given credit for daring to engage

in such pioneering projects.

But since Aristotle teaches us that man is neither beast nor God so that he can live alone, it is to be expected that people in the same business tend to hang out with each other and that, as tradesmen, they are doomed to cooperate within their guild.

It is the same principle that lies in the foundation of official associations, tin octets, bridge clubs, Facebook groups and drug clans. And since drug clans usually recruit dangerous males, they are more than likely to occasionally lapse into scuffles, brawls, and

fight. As we have not received any official report of such events saying that the shooting broke out because of a largish shipment of drugs, all we can conclude is that in this country their business is fairly centralise and that things work out impeccably well.

Once, opening the exhibition in the old city of Bar, following Plato, Uroš Tošković said: "Let the killers kill, painters paint, and the rest fuck themselves".

The intention of the author here

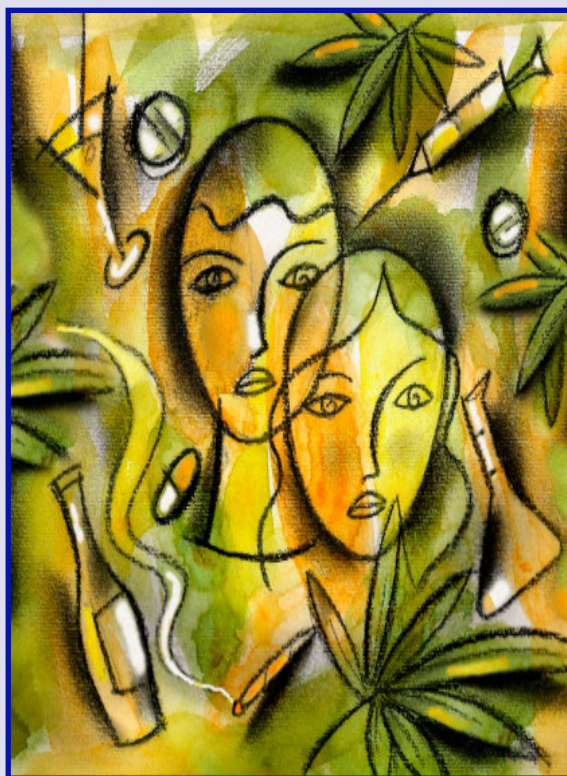
is therefore not to preach moral lessons or lament over the fact that a suffering young lad in Podgorica may be sold rat poison, super glue or skunk – that's irrelevant. The same can happen in Paris, Rotterdam, and probably even in Svrljig. The question is, for how long still will the news-rooms of daily papers be getting police reports on this or that guy being arrested for half a gram of marijuana.

Does the police have any idea of the annual turnover or profit margins on psycho-active substances, and who are the main managers of this lucrative business in Montenegro?

See, I had an acquaintance whom his parents would tie to the bed in his moments of abstinence crisis, and while I'm typing I can still hear his cries as the infallible proof that Devil exists and that he's a great expert.

There are experts in the European Commission too, and afterwards we also had the German ambassador airing the same message: we are not doped, people, we know very well that in Montenegro knows who sells the marbles, let alone intoxicant substances.

According to my operative insights, there's one or two guys whose names are best left unmen-



murders in the centre of Sofia on its hands just when Bulgaria entered the "family of European states". This is, however, already ancient history in politics – so many banks closed down and referendums failed since. The definition of the realpolitik is to employ unprincipled shifts to suit the political moment, and looking up to Sofia or Bucharest is not going to help us. Maybe it's better if we offer up our state as a tiny off-shore zone, Disneyland for crime, free area for all business unable to find their place in the EU and start doing business with

surpasses the authority of the Constitution. We could keep our macro-economic stability, foreign policy reputation, international harmony, commitment to the global peace, environment... as excellent pre-electoral slogans. The narco-cartel could start up the Party of Democratic Pre-Fix and occupy the parliamentary positions abandoned by the Serbian List. They could hire analysts and professors to eloquently advocate the "third way" and criticise reports by the European Commission. Return every attack in kind. We haven't forgotten about all that cocaine found in the toilets of the European Parliament and we reject the politics of double standards. We are seeking the place

for one young democracy, with problems we will solve as we go. Organised crime is just an invention of Brussels' incompetent cartographers. Somebody is being paid to besmirch Montenegro, but we have already said in our anthem that we will never accept the disgrace of slavery and bureaucratic shackles.

Before we apply for EU membership, we should study the last report of the State Prosecutor who says that, of all dishonourable deeds, drug-related crime is the only one that's on the rise.

Finally, I am truly surprised that our agile prime minister Đukanović, a former athlete and a known admirer of sports did not dedicate enough time to the problem.

I hereby send my warmest expressions of compassion to all those who have been tried for one joint, and a wish not to be so unlucky in the future.

And to never try anything stronger than RTCG news.

The author is a journalist of the daily newspaper "Vijesti"

They could criticise reports by the European Commission. Return every attack in kind. We haven't forgotten about all that cocaine found in the toilets of the European Parliament and we reject the politics of double standards

tioned, but also the tendency, perfectly common in other countries and likely present in Montenegro, for the mafia to diversify its portfolio from the underground and turn to legal businesses, into which it diffuses its well known benign business practices. Drug dealing only remains as the first love, a sure fix, so to say.

Brussels like Brussels – it had

South America. The police should be disbanded and reassembled only to ensure regularity of parliamentary elections. In this utopia, one could even leave the current regulations standing. It would be no big deal, after all, Montenegro would only rid itself off the laws nobody obeys anyway. In this world, the law of the jungle survives all societal changes and

EUROPEAN CHARTER OF LOCAL SELF-GOVERNMENT YET TO TAKE ROOT IN MONTENEGRO

Decentralisation on paper

EVROPSKI REPORTER

European rules are slow to reach Montenegrin local communities. Although their reform began ten years ago, when the European Charter of Local Self-Government was not yet in place, all of the documents adopted already contained European Union rules of decentralisation, professionalization and de-politicisation of local self-governments. The practice is, however, lagging far behind.

European Charter of Local Self-Government is a fundamental document for development of local democracy, adopted by the Council of Europe (CoE) on 15 October 1985 in Strasbourg. It has been ratified by all 27 EU members and 44 out of 47 members of CoE. The Parliament of Montenegro adopted the Charter in July 2008.

Secretary General of the Union of Municipalities of Montenegro **Stanko Marić** claims that the laws on self-government and its financing from 2003 did not solve the key problems, while the amendments to the Law on Local Self-Government made the situation even worse.

"One solution mandated by this Law for the purpose of greater professionalization of local self-governments is the establishment of the

office of main administrator. This was meant to create a sort of manager of local administration, but the functions embodies all the same competences of the president of municipality", said Marić in the interview for European Reporter. He explains that, in practice, this turned out to be a big obstacle to professionalization of local self-governments.

The second problem, according to him, is the fact that the "main administrator" is appointed by the president of the municipality and since 2004 he does not even have to ask for the opinion of the local parliament.

"This is entirely contrary to the principle of professionalization of local self-governments and only emphasises the political dimension. Normatively, but also in practice, president of the municipality is a political function. And as we recently learned from the media, political parties call upon the presidents of municipalities to account for their party agenda, not the agenda set by the municipal parliament in agreement with the citizens", explains Marić, emphasising that this goes against the imperative of de-politicisation and professionalization of local



Stanko Marić

self-governments.

Similarly, he emphasises the importance of the electoral system for this process.

The Union of Municipalities of Montenegro advocated changes in the electoral process on the local level in order to enable citizens to elect their representatives directly, not via party lists. However, the proposal was rejected in favour of applying the same electoral model on the state and local levels.

"This is fine for the state level, where politics is the most important, but it should not be so on the local level", Marić said.

As for de-centralisation, social services are among the most problematic aspects. According to the law on local self-governments, local administration should take over pre-school and primary school education, primary health care, social services and child care, employment and other services of interest for the local

15% FROM CONCESSIONS

Municipalities are mostly left with revenues which are hard to collect, and require a cumbersome administrative apparatus to collect relatively small sums. The other problems are the "common" revenues such as compensations for concessions, where the central state takes 70% and the municipality gets 30%. Because the laws are not properly harmonised, local self-government usually gets between 15 and 16% of the amount of compensation for concessions", Marić said.

He emphasises that concession revenues could be a large source of income for municipalities in the north of the country.

population, which were supposed to be regulated through separate acts.

Emil Kriještorac, who is an official in the People's Party and an expert on issues of local self-governments, believes that this means that the Government of Montenegro cannot use the recently adopted laws on spatial planning, construction and management of space to take over a larger portion of competences in the area of spatial planning, which has always been in the responsibility of local self-governments.

"If we wish to adequately apply the fundamental rules of the European Charter, these laws cannot stipulate that the Government adopts "a detailed urbanisation plan on the state level". It should be stated, instead, that the decision on the public works accompanying construction sites can only be taken by the municipality; that it is not up to the lawmakers to decide when an investor will pay for the public services; that the Government should not be allowed to decide alone on issuing construction licences for larger objects. And we cannot have a handful of hotels suddenly declared a "public good" in order to shift the responsibility for issuing the licence from the local administration to central government", warns Kriještorac.



Emil Kriještorac

The biggest problem of local self-governments are the finances.

Marić said that "local self-governments still have some common revenue from the citizens' income taxes, but municipalities often do not know on which basis they receive money from the state funds".

"Municipalities simply do not have enough money to invest in bigger projects like building roads or village infrastructure", Marić said.

The announced amendments to the law on the financing of local self-

governments which propose reallocation of a part of revenue from real estate tax should be scrapped immediately, says Kriještorac, as these are the inalienable source of revenue for local self-governments.

"Not to talk about the Equalisation Fund and its criteria. The fund was established, allegedly, to create more egalitarian redistribution among municipalities, but we have examples of certain municipalities having to finance others, although they lack, for instance, a water supply network on a half of their territory", he said.

Government's reform programme for local self-governments, adopted in early 2008 lists a number of new laws to be adopted and many amendments to the existing ones. Kriještorac believes that other legal acts, which are not in line with the law on local self-governments which is a systemic act, ought to be changed, because it is through these secondary arrangements that the Government derogates the principle of decentralisation.

According to him, other laws ought to be adjusted to the current law on local self-government, which states clearly that municipalities have the right to their property.

WHERE DO TAX REVENUES GO

Kriještorac also pointed out the problem with collecting residence tax, which is defined as the source of revenue belonging to the municipality, although a recently adopted law stipulates division of this revenue between the state and the municipality.

"Another one is the consumption tax, which was generously left to the municipalities, but is near to impossible to collect because of the problems with introducing fiscal cash registers. The municipalities, with support of all relevant international institutions have demanded to receive instead a share of the VAT-tax, but the Government ignored their pleas – VAT is the most lucrative revenue, and the easiest to collect. So the municipalities do not get any benefits from the circulation of goods on their territory", Kriještorac said.

He adds that "if we want fundamental, and not simply declarative implementation of the European Charter of Local Self-Governments, the Government ought to change the law on public utilities tax, which favours monopolies and limits the revenue of the municipality, especially those in the coastal area, who lost the right to collect the tax on the usage of the coast for business purposes".

Mirjana BOŠKOVIĆ

VOCATIONAL TRAINING IN MONTENEGRO FAR FROM THE STANDARDS IN EU MEMBER STATES

Technicians without a day of practice



Several years ago, when the reform of education started in Montenegro, voca-



by Slavko Radulović

tional training was scheduled to be one of the first areas to be entirely harmonised with EU standards.

However, in May this year a new generation of technicians will leave at least one vocational school in Montenegro without ever having had a day of practical instruction. In Europe, where a large proportion of class hours is spent in workshops, this would be unthinkable.

Unable to do anything else about it, seven professors of the School of Electrical Engineering (SEE) in Podgorica filed a complaint to the Constitutional Court of Montenegro. The Court is supposed to judge whether the new teaching plans are in line with the Law on vocational training and with strategic documents of the educational reform which, on paper, is being implemented "with reference to the best European practices".

These teachers believe the law has been violated, since the new teaching programmes for the fourth grade of SEE do not prescribe the subject "Practical Instruction", as they should, based on the law on vocational training and the strategic documents of the educational reform.

One such document – the "Book of Changes" – from 2002 envisages an increase in the number

of hours of practical training in technical schools up to 20% of the total number of teaching hours. A member of the commission for vocational training and a co-author of the "Book of Changes", **Savo Pejović**, said practical instruction was prescribed for all trades.

"We agreed that practical instruction should take up 20% of teaching hours for all vocations, including electrical engineers. We decided upon this number after analysing European practice", Pejović said.

He explains that the "Book of Changes" was supposed to bring our vocational training up to the European standards in order to make Montenegrin qualifications credible and marketable on the European labour market.

"Basic elements of the reform of teaching plans and programmes for

vocational education" is another document adopted in 2002, which stipulates that 14% of teaching hours should be dedicated to "Practical Instruction".

Nonetheless, two years later, the Council for Vocational Training adopted the new teaching programme for four years of vocational education in electrical engineering schools without a single hour of "Practical Instruction".

Director of the Centre for Vocational Training **Duško Rajković** says, however, that this does not mean an end to practical instruction as such.

"Practical instruction exists through specialised coursework and exercises. This is also a form of practical instruction", Rajković said.

In a report to the Minister of Science and Education **Sreten Škuletić** in response to the demand

EMPLOYERS ALSO UNHAPPY WITH THE SCHOOLS

The research done by the German Institute for Technical Cooperation (GTZ) in 2006 confirms the dismal state of vocational training in Montenegro. GTZ conducted an assessment of the needs for vocational qualifications in the field of mechanical engineering, metallurgy, electrical engineering and the maintenance and repair of vehicles.

According to their findings, almost three quarters of surveyed employers (73%) believe that technicians "do not possess adequate knowledge" and that they require on average "more than six months of in-house training".

"Nearly two thirds of the companies (63%) listed the types of skilled workers they will need to employ in the next five years. More than a half (51%) is unable to recruit skilled technicians. Two fifths (41%) believe that the key reason for the lack of trained workers is that the schools do not provide trainings for some specific profiles, and 54% of the respondents believe that workers should improve their practical skills", states the research.

Savo Pejović warned that the educational reform was introduced in order to support the economy, and that there is no sense in spending money on educating cadre with qualifications that are irrelevant for the labour market.

of the Constitutional Court to address the teachers' complaint, Rajković said:

"We believe that all teaching programmes are in line with the Law on Vocational Training, whose Article 35 defines the forms of education and training, but not the mode of their implementation. The claims in the complaint do not correspond to the facts, because practical instruction as such exists, and is being implemented through practical exercises integrated into individual courses".

SEE professors of Practical Instruction rejected Rajković's explanation, claiming that practical education and Practical Instruction cannot be replaced by exercises.

In a letter to the Ministry of Science and Education, Centre for Vocational Training, Council for General Education, Bureau for Education, National Council for European Integrations, (NCEI), parliamentary Committee for Education, Science and Sports and deputy prime minister for European Integrations **Gordana Đurović**, SEE teachers said that in "developed schooling systems in Europe" Practical Instruction makes up from 33 to 70% of the total number of

photo VIJESTI



School of Electrical Engineering in Podgorica

teaching hours.

"On the page 227 of the educational reform document it says that practical instruction, in all of its forms, should become the centerpiece of vocational education", states the letter.

The teachers say nobody has yet responded to their letter.

The "Book of Changes" defines a number of objectives of the reform, one of which is the "compatibility of vocational training in Montenegro

with the European systems of vocational training, and the mobility between the systems".

It is also stated that "compatibility of our standards of education with international conventions is of paramount importance in order to acquire international recognition, i.e. acceptance of our diplomas".

"The idea is to harmonise our vocational training system with the European one. The "Book of Changes" ought to ensure this compatibility. The solutions proposed have been based upon careful analysis of the then situation in Montenegro", Pejović said.

He did not want to comment on the question why the Council for Vocational Training chose to ignore the "Book of Changes" and the "Basic elements of the reform of teaching plans and programmes for vocational education" and scrapped instead the existing subject "Practical Instruction" for electrical engineering schools.

"I don't want to comment on this... One thing is sure, however – it will be our students' loss if the Practical Instruction is not organised properly", Pejović said.

FOREIGNERS WILL FIX OUR MACHINES

Teachers who complained to the Constitutional Court warned that their students have no chance outside of the school to master such skills as repair of electric machines, work on installations, computational configurations...

"This will cause immense negative effects on the future generations, placing them outside of the contemporary developments and experiences in the region. Montenegro is one huge construction site, we are anticipating construction of a great number of power stations, and we are already experiencing shortages of skilled labour in the domain of electrical engineering, which are being replaced by foreign workers", warns the group of teachers from SEE.

They claim that the Centre for Vocational Training is most responsible for the implementation of the reform, for providing the students with a realistic environment where they could acquire the necessary skills and applicable knowledge and improve their chances of finding a good job.

They explain that SEE represents the breeding ground for the Faculty of Electrical Engineering and that it is unthinkable that students can earn their diploma without a single hour of practical instruction, which is a practice unheard of in Slovenia, Croatia, Bosnia and Herzegovina or Serbia.

WHY DO I WANT TO BE A CITIZEN OF EUROPEAN UNION

I won't wait for Europe, I will look for it



I was never co-
nscious of my
nationality. I do
not know how
to celebrate vic-
tories of the



by Marina Vuković

national interest. Besides, what are the national interests? Do they exist? Or are they always just individual interests, wrapped in the glittering paper of "national identity"?

It was enough for me to attend the meeting on the Day of the Fight against Commercialisation of Knowledge in front of the Faculty of Philosophy in Belgrade to feel like a citizen of Europe. On that day, students in front of the Faculty of

of the International Day of the Fight against Commercialisation of Knowledge.

"Karver" bookstore was organising a book launch for "Women in the mirror of the media – a collection of essays". The media was not there, although the story was about them, their ability to subtly cover up their ideological tendencies and interests. The story was also about women and the media and ideological constructions and messages about what a woman should be. I will not seek to explain why there was nobody from the media there. The question of gender equality in Montenegro and the media as the promoters of it are the far, far future. Or, not so far, once we become citizens of EU? Once somebody starts monitoring our media to assess their impact on the social position of women and analyse

A few months ago there was a screening of the first feminist movie in Montenegro – "A pillar of salt". There were, all in one place, women feminists and women anti-feminists, men (few) feminists and men anti-feminists. Finally we began to talk about feminism in public. For a moment, I felt like a citizen of Europe

Philosophy were a part of Europe. And I together with them. It was the common idea, the same ambition that brought us together with students from other parts of the world:

"One world. One fight. Education is not for sale". And there we were, in Belgrade, in the country of Serbia which is only at the beginning of its path to European accession.

On the other hand, I caught myself painting an irrationally pretty picture of coming back to Podgorica, opening the newspapers and reading that some Montenegrin student organisation or a group of students organised a mini-protest in front of the Faculty of Economics in support

the way in which the mass media represent the women.

A few months ago in the cultural centre "Budo Tomović" there was the screening of the first feminist movie in Montenegro – "A pillar of salt". There were, all in one place, women feminists and women anti-feminists, men (few) feminists and men anti-feminists. They all had a chance to speak their minds. And the media were also there, quite a few of them. Finally, we began to talk about feminism in public. And for a moment, I felt like a citizen of Europe.

A few months ago in Belgrade, during the Queer fest, members of



nationalist organisations physically attacked the participants of the festival. There was also a Queer festival in Sarajevo, and again members of nationalist organisations tried to obstruct it. And again violence, as a perfectly "justified and understandable" expression of disagreement and intolerance to those who are "different"... In Montenegro, there are no Queer festivals. In Montenegro there are no homosexuals. LGBT groups – what are we talking about?

I offered these few vignettes of the situations and events that left a huge impression on me to portray the moments of feeling close to or far from Europe.

It is up to you, based on this, to judge how far, on average, are we from Europe. Or how close.

I won't wait for Europe to "come to us". I think I will go and look for it.

The author is the participant of the VI generation of the European Integration School and programme associate in the Centre for Development of NGOs (CDNGO)

Irish "yes" at a price

The Irish could ratify the Lisbon treaty at the second referendum if they receive special guarantees for issues



such as abortion or military neutrality, show the results of the latest opinion poll published in Irish Times.

According to the findings of the RMBI Institute, 43% of the Irish would vote "yes", and 39% "no" if they get the guarantee that Ireland can keep its representative in the European Commission, its taxation system, that it will not be forced to legalise abortion and will not lose military neutrality. Irish government will decide in early December whether to organise the second referendum, said **Michael Martin**, Irish Foreign Affairs minister.

Lego in court

European Court of First Instance ruled against Danish company's bid to register the shape of its popular building bricks as a trademark, thus allowing other producers to manufacture identical blocks.

The court said the basic shape of the blocks which allows them to interlock, as well as their relatively simple disassembly could not be protected.

"EU laws do not allow registration of the functional, technical shapes", states the verdict.

Lego's right to trademark was challenged by its main rival, "Mega Brands" from Montreal, which produces a similar toy, but with lower quality plastic.

Lego, the biggest toy maker in the EU plans to appeal against the ruling, taking the case to the EU's highest court, the European Court of Justice.

Tough life for animals in EU

Tens of thousands of animals throughout Europe in about 1 500 zoos are kept in cruel conditions because zoos fail to apply EU rules on standards of care. The laws themselves are vague, and the application of the directive from late 1990s unsatisfactory.

ENDCAP, a pan-European coalition of non-government organizations seeking better care for animals in captivity said that zoos often fall short of providing proper space, nutrition and mental stimulation for the animals.

ENDCAP and fellow NGO Born Free Foundation took their message this week to the European Parliament

in Brussels, where the two groups showed footage of zoo animals in Romania, Spain and Bulgaria living in poor conditions.

The zoos, on the other hand, say it is not easy to comply with the rules. Belgium's Antwerp zoo, trying to improve standards, has invested over 80 million euros in the past decade.

Its director **Rudy Van Eysendeyk** said Antwerp zoo was close to full compliance with the EU rules and would continue improvements even when it exceeded the requirements. He added that the need for such extensive funding probably make it harder for smaller zoos to make necessary changes.

Content and happy

Europeans are generally satisfied with the quality of their lives, which they usually rate as 7 on the scale of 1 to 10, while they tend to rate their happiness even half a point higher, shows Eurofond research.

Persons with high incomes and secure jobs, in good health and highly educated were most likely to express their satisfaction and happiness with their lives, and the poll also confirmed that people living with their partners and children were somewhat happier than those living alone.



Danes want the euro

A research conducted by Danske Bank finds that 44% of Danish voters would be in favour of introducing euro in Denmark, while 37.8% prefers the krone.

Almost one fifth was undecided.

Danish parliament is supposed to discuss the euro next year, after which the Government will decide whether to hold a referendum.

Denmark joined EU in 1973, but it received certain exemptions, including the right not to be in the Eurozone, after its voters rejected the Maastricht Treaty at the 1992 referendum.

Ever more heroin

European Monitoring Centre for Drugs and Drug Addiction (OEDT) called the rise in the use of opioids in Europe, especially of heroin, "alarming".

The agency estimates that there are between 1.3 and 1.7 million problem opioid users in the EU and Norway, with heroin responsible for Europe's largest drug-related health and social costs.

At least 7 000 to 8 000 drug-induced deaths occur in Europe every year.

POLICYMAKERS AND ANALYSTS HAVE BEGUN TO WARN EU TO TONE DOWN ITS EXPECTATIONS FOR THE NEW USA ADMINISTRATION

Carefully with President Obama

Policy-makers and analysts have begun to warn Europeans against excessive enthusiasm regarding **Barack Obama's** ability to deliver on his stated agenda for change, at least in the short term.

"Obama may be the treated as the new Messiah," but any bold initiative on the part of the newly elected 44th president of the USA to address the financial crisis, support multilateralism and address climate change needs to be backed from Europe, warns **Mark Leonard**, head of the European Council on Foreign Relations (ECFR).

"Backed with material help, not just photo opportunities", added Leonard.

Obama will have to face enormous challenges, which include rescuing NATO's Afghan mission, dealing with instability in Pakistan, countering Russia's beligerence and managing the emergence of China as well as dealing with international terrorism, the spread of weapons of mass destruction and unrest across the Middle East.

Leonard believes European leaders should spend the next two months developing a package of solutions on all of these issues so that they can approach President Obama with the outlines of a common plan of action, instead of a shopping list of demands.

Thomas Kleine-Brockhoff, senior director for policy programmes at the German Marshall Fund in Washington, DC, said



there is a need for "expectation management" in Europe with respect to the climate change agenda of the next US presidency and the chances of a global deal in this area, even with Obama as president.

And a transatlantic consensus on how to tackle the financial crisis may not be easy to reach either, according to policymakers in Brussels.

Graham Watson, the leader of the liberal group in Parliament (ALDE), warned that "miracles cannot be expected overnight". Speaking to EurActiv, Watson said the first steps would probably be modest and centre on developing

a consensus over policies to reform the regulation of the financial services industry.

"Currently, our approaches are very, very different," he said.

Francis Wurtz, leader of the Socialist Group in the EP also said pressure from Wall Street to reassert US leadership of the financial world was likely to be very high on the new president's agenda after the financial crisis.

In Europe, Obama's rating reached unusual highs as he came to personify a change from the unpopular policies of President **Bush**. Recent polls showed as much as 69% viewed Obama favourably, with his most positive

ratings found in France, the Netherlands (both 85%) and Germany (83%), where in July more than 200,000 people gathered in Berlin near the historic Brandenburg Gate to follow his public speech.

Disgruntled politicians in particular had condemned the foreign policy decisions of the Bush administration and its hallmarks, the war in Iraq and the "war on terror".

"I hope that after the last eight years of a cold spell this means a new beginning in the transatlantic relationship," said **Elmar Brok**, a centre-right MEP from Germany.

"More than ever before, Europe has followed avidly the US election campaign...above all because Europe needs an America fully engaged in dialogue and cooperation," said the French



Presidency of the EU in a statement.

"The European Union sees in this election the promise of a reinforced transatlantic partnership," it added.

Some European leaders, such

as **Jose Manuel Barroso**, president of the European Commission, pledged their "personal support" for Obama in forging a "renewed commitment" to face common challenges.

French President **Nicolas Sarkozy** and the UK Prime Minister **Gordon Brown** praised Obama's "exceptional" and "inspirational" reiterated their hopes in cooperation between Europe and USA.

A similarly optimistic atmosphere reigns in the European Parliament. The Greens in particular hailed the end of the "the era of American cowboys" and expressed their hopes for fundamental changes.

"The world faces an uncertain economic and environmental future with problems that cannot be solved by one person alone. But we can at last hope that the fear and scaremongering is over and look forward to a new age of positive thinking on security and defence, on climate change and for social justice," said **Monica Frassoni**, co-president of the Greens.

V.Š.-V.Ž.

DEALING WITH EUROPE IS NOT EASY

On 4th November Europe got the US president it wanted – says **Tomas Valasek**, director of foreign policy and defence at the Centre for European Reform (CER).

Obama will now have a "window of opportunity to restore transatlantic cooperation on key security issues including Afghanistan, Iran and Russia," Valasek says, despite conceding that whether he succeeds or not will depend on "how willing he is to try out new approaches".

He believes the President-elect "will put more troops into Afghanistan and expect Europe to do the same". However, in Valasek's eyes this is "not necessarily the right approach to Afghanistan," and he argues that "Western soldiers act like a magnet for terrorists from across the region, mainly Pakistan".

On Iran, Valasek notes that Obama is "willing to speak directly to the Tehran government" and that "US participation in talks would help build transatlantic consensus on further steps like a tighter embargo".

On top of this, among the President-elect's immediate priorities should be helping to "strengthen the EU consensus on Russia and bringing Europe and America's policies closer to one another".

"Obama will need to convince Berlin, Paris, Rome and other capitals that Washington will not gratuitously provoke Moscow" and "reassure NATO allies on Russian borders that Washington would not abandon them in cases of Russian aggression".

Valasek adds that Obama is on the right track, and is "surrounded by an excellent team of advisors, who understand Europe and are well positioned to guide him through European sensitivities," but that, nevertheless, Obama will soon discover that "dealing with Europe is not easy".

KEY FINDINGS OF THE PROGRESS REPORT FOR WEST BALKAN COUNTRIES

From The Hague to fair elections

On 5 November European Commission (EC) published progress reports for the West Balkan countries. European Pulse gathered excerpts and key findings of individual reports describing the amount of progress made by each state as well as the key challenges.

Albania should ensure adequate preparations for and conduct of parliamentary elections in 2009.

The report notes that the Interim Agreement is being implemented "without problems", and reminds that the process of ratification of the Stabilisation and Association Agreement (SAA) drawing to an end. As for political criteria, EC said key reforms of the judiciary and the electoral system resulted in progress based on multi-party consensus.

"Efforts to strengthen the rule of law have been intensified. Albania continues to play a constructive role in maintaining regional stability", states the report.

With regard to economic criteria, EC believes that the Albanian economy has made further progress towards establishing a market economy.

"Restructuring and privatisation of the energy sector have not been accomplished, and the uncertain energy supply continues to hamper economic development", EC warned.

It also said that Albania has made "substantial progress" in harmonising its legislation, poli-



cies and capacities with European standards, but that it still needs to "work harder on the implementation of these laws and policies".

"Better results are also needed with regard to the fight against organised crime, drug trade and money laundering", states the Report.

Bosnia and Herzegovina should urgently achieve the necessary political consensus and continue reforms, warns EC.

EC reminds that BiH has accomplished "some progress" in fulfilling the political criteria in the first half of 2008, which resulted in the signing of SAA.

"However, the lack of consensus about the basic characteristics of the state-building, frequent challenges to the Dayton/Paris peace agreements and incendiary rhetoric had a negative impact on the functioning of institutions and slowed down the reforms" said EC, adding that corruption is "still a widespread phenomenon and it

represents a serious problem". According to EC, BiH economy continues to expand and the country has attained some, albeit uneven, progress towards becoming a functioning market economy, although stubbornly high unemployment rates continue to cause concern.

"Also, better results are needed in fighting organised crime, drug trade and money laundering", said EC.

Serbia should continue with positive developments towards full cooperation with ICTY and show tangible results in the priority reform policies with regard to the rule of law and economic reform.

"If Serbia fulfils these conditions, it could gain the candidate country status by 2009", said EC.

The report also says that further efforts are needed to ensure independence, accountability and efficiency of the judicial system.

"Corruption is still widespread and represents a serious problem", said EC.

Serbian economy, according to the report, continues to grow strongly and the country made some progress in establishing a functioning market economy, but it still lacks a developed, competitive and dynamic private sector.

"Serbia is well positioned to implement the SAA and the Interim Agreement, thanks to its good administrative capacities", believes EC.

Money laundering and or-

MORE WORK, LESS TALK

Montenegro should devote "special attention" to finalising its judicial reform, although "some progress" has been made in this area.

"However, key reform legislation to ensure independence and accountability of the judiciary is still lacking. Overall efficiency of the judicial system is still low. Backlog of administrative and criminal cases and excessively long procedures are still a cause for concern", states the report.

EC says that in spite of certain progress, fight against corruption and organised crime "remains a great challenge".

"Declarative commitment of the authorities to fight corruption is not substantiated with energetic implementation or clear results, including higher rate of verdicts in corruption cases. Corruption is still inefficiently prosecuted, especially corruption on the highest level", warns the report.

It also states that law enforcement capacities ought to be strengthened.

As for the regional issues and international commitments, EC said Montenegro has continued to play a constructive role in the region.

Montenegro made further progress in harmonisation with European standards.

Interim Agreement is being implemented smoothly, and substantial progress was made in the area of the free movement of services, tariffs and taxes, agriculture and transit transportation.

There was also certain progress in terms of constructing a legal framework for the free movement of goods, competition, public procurement, intellectual property rights, food safety, justice, freedoms and security, says EC.

Achievements in the domain of transportation, energy, environment and information society are still, however, judged uneven. "Overall, the level of environmental protection, especially in the coastal areas and in national parks, is a cause for concern..."

"Development of public internal financial control and external audit is in an early phase. Independence and capacity of the State Audit Institution ought to be significantly strengthened", Brussels warned.

There has been "limited progress" with regard to collection of statistical data: "MONSTAT has serious difficulties in fulfilling its obligations and it lacks professional independence".

According to EC, Parliament's work is still insufficiently "efficient and transparent". The Parliament, they add, lacks the capacity to perform adequate checks and decide whether the new laws are in line with EU legislation. "Financial management at the Parliament, including its Secretariat, is still insufficiently transparent", states the report.

EC report also notes that the cases of physical attack at journalists as well as libel charges "continue to cause concern".

Brussels concludes that Montenegro made further progress in establishing a functioning market economy.

"The completion and swift implementation of the current reforms are necessary to enable Montenegro in the medium term to deal with competition pressures and market forces in the EU... Economic growth is still robust, fuelled by a strong influx of foreign direct investment and domestic demand, which additionally lowered unemployment rates", EC said.

Brussels warns, however, that the current account deficit has reached record levels, while the structure of its financing is becoming less favourable.

"Industrial production is still relatively unstable. Export capacity of small and medium enterprises is still very limited.... A huge informal sector defies the weak regulatory framework and the weaknesses in the police and prosecution, including in the fight against corruption and organised crime. This is still a huge challenge for Montenegro, because it reduces the tax base and undermines efficiency of its economic policy", warns EC.

ganised crime are, however, still a problem in Serbia, EC added.

Kosovo shares the European perspective of the Balkans, states the report, adding that the European integration of this country is "still in its earliest phase with regard to most relevant areas". The Commission will present a feasibility study in autumn 2009 assessing the means for further political and socio-economic development of Kosovo", announced the report.

"Strengthening the rule of law, fighting corruption and organised crime and enhancing dialogue and peaceful exchange between communities are enormous political challenges", said EC.

Kosovo's economy has recorded slightly higher growth than in the previous years, but Kosovo has made rather limited and uneven progress in establishing market economy.

Former Yugoslav Republic of Macedonia should ensure free and fair elections and improve dialogue between its biggest political parties and actors, said EC.

This country has made "good progress" in reforming its judiciary and implementing its SAA commitments, and it continues to consolidate a multi-ethnic democracy, following the Ohrid Agreement.

"There has also been certain progress in fighting corruption, reforming public administration, improving business environment and stimulating employment. However, more effort is still needed", concludes the report.

V.Ž.

Involve youth in decision making

On 12 and 13 November 2008 a regional conference on youth politics and civic participation of young people was organised in Sarajevo in order to assess how active young people really are in the decision-making processes and compare current policies for the empowerment of young people for an active role in the society. The conference gathered representatives of youth organisations from BH, Montenegro, Macedonia, Croatia, Slovenia and Serbia, but also other non-governmental organisations (international and from the region) dealing with different issues concerning young people, youth sections of political parties and the media.

Among the speakers were the organisers of the event, Forum Syd, as well as representatives of EU institutions and various social sectors.

The key topic was the involvement of young people in the process of European integration, youth-related policies, as well as best practices and lessons learned about participation of the young people in other countries of the region and the EU.

Montenegro's non-governmental sector was represented by Forum MNE, Youth Human Rights Initiative and Centre for Civic Education. CEE's representative was **Dijana Kažić**, programme associate.

Communicating EU in Montenegro

In the course of November CCE organised two training seminars for thirty employees of various bodies within the Government of Montenegro, with support of the UK Foreign Office and in cooperation with the Secretariat for European Integrations in the Government of Montenegro.

At the first, one-day seminar titled "Europe ahead of us – different experiences" on 6 November Dr **Ana Maria Boromisa** from the International Relations Institute in Zagreb presented the experience of Croatia in the process of association with EU focusing on the challenges of institutional reform and basic characteristics of the communication strategy and practice.

UK ambassador to Montenegro **Kevin Lyne** gave a lecture on "UK and EU", focusing on the

perspectives of the association process and especially on the situation in Montenegro.

During the second, two-day seminar Dr **Tanja Mišević** from the Faculty of Political Science of the University of Belgrade offered the participants an overview of the developments and reforms in Serbia so far with regard to EU association. Her lecture was followed by **Bojana Stanišić**, editor of the Euroskop programme on TV Vijesti and **Nedeljko Rudović**, editor of the political section of daily Vijesti and of web-portal European Reporter. They spoke about the contemporary communication challenges and organised a workshop where the participants could simulate practical examples in the communication of European affairs through various journalistic genres.

Translation of the EC Progress Report on Montenegro

Centre for Civic Education (CCE), Centre for Development of Non-Governmental

Organisations (CDNGO) and European Movement in Montenegro (EMiM) organised, for the third year in a row, translation of the annual report of the European Commission on the Progress of Montenegro. The translation is actively used by the members of the three organisations, but also serves the needs of the wider interested public. Translated report is available on the websites of each of these organisations.

Planning games about EU

NGO Forum MNE, Centre for Civic Education (CCE) and Studio DEUTSCH in cooperation with the German Foreign Relations Institute (IFA) implemented a project titled "Planning games about EU". The project was aimed at students from the last two grades of secondary school who were invited to compete in simulating the work of the European Union (EU) institutions in order to better understand EU and its institutional structures, decision-making and enlargement processes.

This year's contest was organised as a pilot project in Montenegro, only for the students of secondary schools from Podgorica. Competition took place simultaneously in the five countries of the region with the status of potential candidate for EU membership: BH, Albania, Kosovo, Macedonia and Montenegro.

At the contest held on 8 and 9 November 10 most successful students were selected from the group of 40 competitors to represent Montenegro at the finals in Sarajevo in April 2009. This event was also used to commemorate the European Youth Week, which is celebrated throughout Europe from 2 to 9 November every year.

Towards responsible leadership

The first European forum of young leaders gathered in Berlin from 30 October to 2 November at a meeting titled "Towards responsible leadership in globalised world businesses". The event was organised by BMW HQ foundation and it hosted around 30 young people working in economy, civil society, politics and the media – most of them from the EU countries, but also from Turkey and the Western Balkans.

Within this highly varied, intensive programme, the participants had a chance to learn about the political and social aspects of Berlin and to visit a few leading companies whose headquarters are situated in this city and gain a few insights into original initiatives with regard to innovation, entrepreneurship and social responsibility. The participants also forged a network and agreed on their future joint activities.

Montenegro's representative at the forum was **Daliborka Uljarević**, executive director of Centre for Civic Education.

NON – GOVERNMENTAL ORGANISATIONS IN EUROPEAN UNION



EUROPEAN FEDERATION OF NATIONAL ORGANISATIONS WORKING WITH THE HOMELESS

FEANTSA, the European Federation of National Organisations working with the Homeless was established in 1989 as a European non-governmental organisation to prevent and alleviate the poverty and social exclusion of homeless people.

It currently has 100 member organisations, working in close to 30 countries, including 25 EU Member States. FEANTSA's members are national or regional umbrella organisations of service providers that support homeless people with a wide range of services, including accommodation and social support, often working in close co-operation with public authorities, social housing providers and other relevant actors.

FEANTSA has developed cooperation with the EU institutions, and has consultative status at the Council of Europe and the United Nations. It receives financial support from the European Commission for the implementation of its activities.

Their primary objectives are:

- Constant dialogue with the European institutions and national and regional governments to promote the development and implementation of effective measures to fight homelessness.
- Making European, national, and regional decision-makers aware of the urgent need to develop pro-active policies aimed at effectively preventing homelessness.
- Raising public awareness about the complexity of homelessness and the multidimensional nature of the problems faced by homeless people.

To promote and facilitate the exchange of information, experience and best practice between its member organisations FEANTSA organises regular European seminars and conferences. This exchange gives members access to effective and innovative approaches to the problem of homelessness.

FEANTSA has six working groups, where members discuss relevant issues and themes surrounding housing, employment, health and social protection, data collection (statistics and indicators) and greater social participation.

More information can be found at: www.feantsa.org

Prepared by: **Petar ĐUKANOVIĆ**

FOR THIS ISSUE WE RECOMMEND:

WOMEN'S STUDIES RESEARCH CENTER

A collaborative project of Amherst, Hampshire, Mount Holyoke, and Smith Colleges and the University of Massachusetts, Amherst

The Center invites applications for its RESEARCH ASSOCIATESHIPS for 2009–2010 from scholars and teachers at all levels of the educational system, as well as from artists, community organizers and political activists, both local and international. Associates are provided with offices in our spacious facility, faculty library privileges, and the collegiality of a diverse community of feminists. Research Associate applications are accepted for either a semester or the academic year. The Center supports projects in all disciplines so long as they focus centrally on women or gender. Research Associateships are non-stipendiary. We accept about 15–18 Research Associates per year. Applicants should submit a project proposal (up to 4 pages), curriculum vitae, two letters of reference, and application cover sheet. Submit all applications to: Five College Women's Studies Research Center, Mount Holyoke College, 50 College Street, South Hadley, MA 01075–6406. Deadline is February 9, 2009. For further information, contact the Center at TEL 413.538.2275, FAX 413.538.3121, email fcwsr@fivecolleges.edu, website: <http://www.fivecolleges.edu/sites/fcwsr>

ADVANCED EUROPEAN UNION LEGAL PRACTICE

June 29 – July 11, 2009

The 2009 Advanced Course in European Union Legal Practice is offered jointly by the Department of Legal Studies and Summer University of Central European University (CEU), in cooperation with the

Total Law™ Team. For the 5th consecutive year, the program brings together for 2 weeks around 50 participants from all over the world and from diverse legal backgrounds, i.e. law students near completion of their law degree, law graduates and legal professionals, who are seeking further credentials and experience in the field. It may be particularly appealing to government officials and those aiming at a career in national, international and/or European civil service, and those who wish to apply for jobs in the field of European Union law. The working language of the course is English.

ENROLLMENT OPTIONS

Option 1. CEU Diploma in Advanced European Legal Practice

Law students near completion of their law degree, law graduates and legal professionals who, at the time of enrollment, register for the examination, will receive a CEU Certificate of Participation, and, if they pass the examinations, a CEU Diploma in Advanced European Union Legal Practice and a CEU transcript with transferable credits. Students are advised to check on credit transferability at their home institution prior to applying to this program.

Option 2. CEU Certificate of Participation

Law students near completion of their law degree, law graduates and legal professionals, who choose, at the time of enrollment, not to take the examination, will receive a Certificate of Participation. Such participants will not receive credits. This summer course is financed through tuition fees (750 EUR), and will not be able to offer any scholarships or tuition waivers. The fee includes participation in the summer course, some administrative costs, an orientation program and welcome pack, access to the CEU Library and IT facilities, reading materials, printing quota, and some social activities.



Participants are also expected to cover their travel and accommodation expenses.

Application deadline: 31 March, 2009

More details on

<http://www.sun.ceu.hu/02-courses/course-sites/total-law/index-total.php>

ERASMUS MUNDUS SCHOLARSHIPS

Erasmus Mundus Special Education Needs offers scholarships of 24 200 Euros for study for an MA over 1 year at Roehampton University (London, UK), Fontys OSO (Tilburg, The Netherlands) and Charles University (Prague, Czech Republic).

Erasmus Mundus Human Rights Practice offers scholarships of 42 000 Euros for study for an MA over 2 years at Roehampton University (London, UK), Gothenburg University (Gothenburg, Sweden) and Tromsø University (Tromsø, Norway).

Both programmes also looking for visiting scholars who have gained experience in research in the appropriate fields. They would receive 13 000 Euros for a 3 month stay in at least two of the partner countries. The deadline for all applications is 14 December 2008 for entry in August 2009. Full details (including application forms) can be found on our website:

<http://www.roehampton.ac.uk/admissions/erasmusmundus/index.html>

EIC Bulletin – European pulse is electronic magazine established within EIC programme, with the support of the Friedrich Ebert Stiftung.

The publisher is Centre for Civic Education.

EIC Bulletin – European pulse is registered with the Ministry for Culture and Media as item No. 578

Editor in Chief: Vladan Žugić

Editorial Board: Vera Šćepanović, Daliborka Uljarević, Nedeljko Rudović, Dragan Stojović, Vladimir Vučinić, Petar Đukanović

Technical Editor: Blažo Crvenica; Language Editor: Milena Milunović;

English Language Editor: Maja Mugoša; Translation: Vera Šćepanović

Njegoševa 36 / I

Tel / fax: + 381 81 / 665 – 112, 665 – 327

E-mail: eicbilten@cg.yu

EIC Bulletin – European pulse can be downloaded at the www.cgo-cce.org