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How much can the NGOs contribute to the European integration of Montenegro?

Interview

Miloš Konatar,
MP and a member of the coordination
committee of Civil movement URA

Challenges in the EU

Agreements and disagreements at the
latest European Council meeting

Foreword: Excluded



Boris Marić

If you can't silence them, exclude them on procedural grounds. This could be the motto of the Government of Montenegro, as it describes perfectly its obstruction of the European integration process in the most demanding chapters – 23 and 24. Some may call this exaggeration, but there is no denying that the Government is hiding from the NGO representatives in the working groups for these, having instead enclosed itself in its own body, aptly dubbed the Council for the Rule of Law.

The Council for the Rule of Law is not only a perfidiously concocted attempt to hide from the civil society activists parts of the negotiation process, as well as the poor record in the implementation of chapter-specific commitments, but also an attempt to limit information available to the Montenegrin public in line with the political interest of government. Whereas it is one of the key tasks of the NGO members of the work groups 23 and 24 to open up the communication channel towards the public and introduce context to the negotiation process, government representatives have from the beginning tried to obstruct this role of civil society activists, but the process inevitably opened up thanks to the persistence of the NGO representatives.

Instead of acknowledging the undeniable improvement brought by the positive presence of the public in the negotiation process, and work on methodological improvements in the work of the working groups 23 and 24 – something the NGO representatives will continue to demand – the government fled into the trenches. The trench known as the Council for the Rule of Law has no NGO representatives in it, a fact justified by its status as a coordinating body supposedly meant to address insufficient interagency cooperation within the Government, i.e. salvage the failures of the reform of public administration. Everybody knows that the first deputy Prime Minister is "boxing the ears" of ministers there to meet the commitments from the accession talks. But this should not be an excuse to exclude representatives of the NGO sector and prevent a more objective picture of the results and efforts of decision-makers on behalf of the citizens.

Calendar

- 5 February **The first meeting of parliamentary parties after the vote of confidence for the Government** / Proposals for the improvement of trust in the electoral process and organisation of fair elections were discussed at a meeting of leaders of parliamentary parties, which was also attended by the Prime Minister and President of DPS **Milo Đukanović**, as well as by leaders of the government and opposition parties with the exception of Democrats, whose leader left the meeting, and DF, which is boycotting the Parliament and dialogue within institutions.
- 15 February **Vujanović calls elections in Tivat** / President of Montenegro **Filip Vujanović** announced local elections in Tivat for 17 April, sparking angry reactions from the opposition and accusations that this obstructs parliamentary dialogue and possible agreement.
- 15 February **Montenegro started negotiations on accession to NATO** / Negotiations, which will last probably until April, will cover political, military and legal issues.
- 19 February **The EU Delegation to Montenegro and the US Embassy called on the government and the opposition to reach agreement** / The EU Delegation to Montenegro and the US Ambassador **Margaret Ann Uyebara** urged representatives of political parties to reach agreement that would allow for effective implementation of electoral reforms. Earlier negotiations were interrupted due to the inability of political actors to resolve disagreements on a number of issues.
- 23 February **Đukanović: We will close the borders to migrants** / Montenegro will have to close its borders to migrants if members of the European Union do the same, Prime Minister Milo Đukanović said. According to Reuters, the Prime Minister said that Montenegro does not want to be flooded with refugees.
- 23 February **Laković Drašković: The best European experiences and practices should be introduced in Montenegrin judiciary** / XIV coordination meeting of the judiciary was organised by the Ministry of Justice in Podgorica. Director General of the Directorate for Judiciary **Marijana Laković Drašković** pointed out that this is one of many activities that the Ministry is organising to improve the quality of meeting the obligations that arise from the European integration process, and concern introduction of best European experiences and practices in the Montenegrin judiciary.
- 26 February **DPS will continue dialogue with the opposition, Krivokapić cannot be mediator** / Deputy Prime Minister and vice president of DPS **Duško Marković** said that his party will attempt to restart dialogue on trust in the electoral process, but that Speaker of the Parliament **Ranko Krivokapić** cannot be the mediator, nor can the Prime Minister Milo Đukanović be excluded from negotiations, as was requested by parts of the opposition.

Only the EU can enable third parties to gain true influence in the region



By: Dušan Reljić

The Head of the Brussels Office of the German Institute for International and Security Affairs (SWP).

The only way that non-European powers will snatch a greater role in the Western Balkans is if the EU's credibility and economic pull in the region continues to diminish. The capacity to integrate this part of south-east Europe – in the political, security, legal and economic sense – inherently falls to the European Union alone. Similarly, only the European Union can enable Russia, Turkey, China or Islamic states to gain true influence in the Western Balkans – but if it continues to procrastinate, EU enlargement in the region will collapse.

After the end of the wars for Yugoslav succession, the EU designed a plan on how to achieve permanent stability on the continent. This plan, also known as the European Security Strategy (2003), envisaged as its chief instrument in south-east Europe the eventual membership of all Yugoslav successor states and Albania to the European Union. The functioning of this scheme cannot, even theoretically, be prevented by ploys devised by Russia, Turkey or any other “third” factor. In fact, it is only jeopardized by the endless postponement of the admission of the remaining West Balkan states into the EU. The root causes of this protraction are the increasing economic contradictions in the process of European integration and, in particular, the failure of economic transition in the region, aggravated by inconsistent EU enlargement policies, particular political priorities of some more powerful EU member states and the opportunism of EU countries in south-east Europe, which abuse the enlargement process for their own national political ends.

The officials in Brussels seem eager to mollify the EU populace that increasingly expresses unsympathetic attitudes towards accepting new members to the club, by exerting strict measures on potential EU members. But they ignore the fact that the EU's own crises have badly injured the economies of the Western Balkan and diminished the candidate countries'

Sposobnost da integriše ovaj dio jugoistočne Evrope – kako u političkom, tako i u bezbjednosnom, pravnom i ekonomskom smislu – pripada samo i jedino Evropskoj uniji. Ali, ako EU nastavi da se neka, projekat evropskog proširenja će propasti.

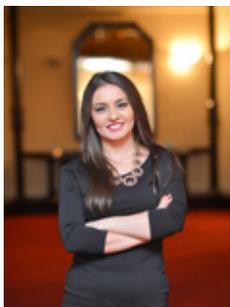
capability to draw nearer to the Union. As there are no signs that the EU economy will revitalize anytime soon, and therewith lift the Western Balkans, the region is looking for new business partners – in China, Russia, Turkey, Arab states and wherever else there is economic growth. In the long run, this re-orientation sets the stage for an increase in the political influence of non-European actors in the region.

It is often presented that the right of entry into the EU comes as a result of a more or less technical procedure. In reality, new admittances into the EU have always been based on the interest of EU members to build up stability and security on the continent. The EU itself was created to restrain the power of Germany in Europe. Greece, Spain and Portugal were ushered in to prevent the return of fascistoid rule in those states. Then the majority of former Warsaw Pact states were invited to join in order to prevent the return of communist oppression and Russian hegemony in that part of Europe. After the failure of the EU to avert the Yugoslav catastrophe, the Western Balkans were offered a “membership perspective” to prove that the EU is capable of taking care of stability and security in its own courtyard. Will the fear of Russian influence in south-east Europe again persuade the western powers to get their act together and deliver on their grand promises to the countries of the Western Balkan? If so, this could prove to be the only benefit of the evil that the war in Ukraine has brought about.

*Excerpts from the article originally published at
europeanwesternbalkans.com*

How much have the Montenegrin NGOs contributed to the European integration process?

The struggle for genuine reforms



By: Svetlana Pešić

There is still plenty of room to involve non-governmental organisations (NGO) in the process of European integration of Montenegro, and the degree of their involvement will depend on the will of the Government and the capacities of NGOs, agree the interviewees of *European pulse*. The 2015 European Commission (EC) Progress Report on Montenegro notes some progress in improving cooperation between the Government and NGOs, but warns that “more transparency is needed in government procedures for cooperation with and consultation of civil society organisations (CSOs), especially in legislative drafting.” The report reminds that so far the record of implementation of the Strategy for developing CSOs has been “uneven”, and that amendments to the law on NGOs remain pending.

Goran Đurović, president of the managing board of the *NGO Coalition – Through cooperation to the aim*, a coalition gathering 101 NGOs in Montenegro, believes that so far the NGOs played a very tangible role in the process of European integration – namely, they offered solutions to the problems and priorities raised by the EU institutions.

“Communication between actors in the public sector, the business sector and the civil society organisations has not yet been properly established, which means that most good ideas voiced in the course of public debates remain unheeded. There is still plenty of room to involve NGOs in the process of European integration, and the extent of their involvement will depend on the will of the Government and the capacities of NGOs. Thanks to the provisions adopted by the Government of Prime Minister Lukšić in 2011 on the participation of NGO representatives in Government-established bodies, the involvement of NGOs in the decision-making process improved. The number of NGO representatives in the working groups and bodies tasked with developing certain regulations, strategies and other acts of relevance to the rights and freedoms of citizens is growing. Nevertheless, their ability to truly influence these bodies remains questionable. We witness dissatisfaction of many NGO representatives

with the functioning of some of these bodies, which is why it is necessary to work on improving this cooperation. At the same time, we still can't talk of a genuine commitment of the government to cooperation with NGOs. If there were any, the Government would not allow five consecutive years of illegal reduction of resources available to NGO projects. Instead, the amount available had fallen by around eight million euros, due to the violations of the Law on the games of chance by the Ministry of Finance. It is unrealistic to expect NGOs to develop, work and provide tangible contribution to the development of the community without any financial means whatsoever”, Đurović said.

As for the future involvement of NGOs in the Europeanisation of Montenegro, Đurović sees the opportunity in the harmonisation of national legislation with European standards and regulations. According to him, this opens up space for competent NGOs, which exist in almost every area covered by the acquis. He also emphasised that one important role for the NGOs in the upcoming period will be to inform the public of the advantages and shortcomings of EU's policies to be adopted by Montenegro. *“The Government will not be able to reach many Montenegrin citizens, regardless of the different channels of communication. NGO activists ought to visit all urban and rural areas of Montenegro and try to explain to the citizens the point of reforms we are adopting. This will not be an easy task. The NGOs should also monitor implementation of the recently adopted regulations because now the emphasis has moved from adoption to implementation. Simply put, the NGOs should do what they usually do – communicate with the citizens, propose improvements to public policies, monitor their implementation and point out the shortcomings and mistakes committed by the government in this process”,* Đurović said.

When asked what the Government of Montenegro and the EU could do include the NGOs more effectively into the process of European integration, Đurović told *European pulse*: *“The Government can improve the mechanism for informing the NGOs of its plans in the EU integration process, so that the interested NGOs could have time to mobilise their resources and*



Goran Đurović

participate in the activities of the Government. It should also amend the Law on NGOs as soon as possible to create a new framework for the financing of NGO projects. The new system financing should ensure that at least 1% of the current state budget goes to the financing of NGOs, and the funds would be distributed by the ministries already in charge of implementing public policies. This would create a different relationship with the NGOs, whereby state bodies would find partners in organisations that actually have something to offer. The EU could provide NGO representatives with access to the findings and analyses of EU-hired experts as a form of support to the reform process. By changing its regulations on IPA funds, the EU would also bind the Government to involve NGO representatives from relevant areas in all capacity-building projects financed from the EU funds.”



Danka Latković

Danka Latković, manager of the Office for Cooperation with NGOs, believes that the legal, strategic and institutional framework available in Montenegro creates a stimulating environment for development of non-governmental organisations, but that it has not been adequately implemented. She reminds that since 2007 a new Law on NGOs was adopted, as well as two strategy papers (Strategy for cooperation between the Government of Montenegro and NGOs and Strategy for development of NGOs 2014 – 2016), Regulation on the manner and procedure of pursuing cooperation between public bodies and NGOs, Regulation on the manner and procedure of conducting public debates during law-drafting process, two decisions on the advisory body of the Government (Decision to establish the Council for Cooperation between the Government and NGOs and Decision on the Council for Development of NGOs). *“The approach and conditions for the improvement of environment for the functioning of NGOs have been defined through a set of activities under measures prescribed in the Action plan of the Strategy, and concern e.g. participation of NGOs in the creation and implementation of public policies, financial sustainability of NGOs, the role of NGOs in the EU accession process and capacity-building for NGOs. However, there are problems with the implementation of some measures. Both the public administration and the NGOs have a role to play in this process, and this is why it is necessary to strengthen the capacities of all actors and*

build trust as a healthy basis for the improvement and overcoming of prejudices that too obstruct these processes”, Latković believes.

She underlined that *“the expectations of the Office are great, but we also neglect the fact that direct cooperation in each area takes place at the level of operative bodies, and the Office figures as the communication and coordination channel within that cooperation. By participating in the creation of nearly every document, background paper and strategy in this field since 2007, by coordinating the work of public bodies in the area of cooperation with NGOs according to the principles of partnership and transparency, by monitoring the training of public officials on the issues of significance for that cooperation and civil participation, by providing administrative and expert support to the Council for Development of NGOs, and by managing the process of appointments of NGO representatives to bodies established by the Government, the Office provides direct contribution to inter-sectoral cooperation. By participating in the events organised by NGOs, as well as by taking part in the implementation of some of the NGO projects as a partner, the Office provides the most effective contribution to cooperation, or to the idea that we should work together, not alongside each other.”*

According to her, the NGOs are very important *“precisely for their contribution to the creation of a legal and institutional framework, because without their initiative and contribution, things that were achieved since 2007 would have probably been implemented much more slowly and “unilaterally”.* Latković especially emphasised the regulation of the process of consultations with NGOs, as well as the fact that the action plan for Chapter 23 contains a special segment dedicated to cooperation with NGOs. More specifically, speaking of participation of the NGOs in working groups, she claims that *“It is imperative for everyone involved in WG for negotiations to work on creating mutual trust, better communication and the exchange of information, and on finding compromise solutions, along with continuous upgrading of capacities of state institutions and NGOs, possibly through trainings designed for mixed audiences.”* Meanwhile, **Ana Novaković**, executive director of the Centre for Development of Non-Governmental Organisations (CDNGO) and deputy president of the Council for Development of NGOs, believes that the current environment in Montenegro is not yet conducive to development of NGOs. *“Despite the laws and regulations that have been adopted in this area, and largely harmonised with the international and European*



Ana Novaković

regulations and standards, and despite the institutional solutions that provide for greater participation of NGOs in the decision-making process, the environment for the free functioning of NGOs in Montenegro is essentially still hostile. This is primarily reflected in the fact that any form of NGOs' criticism of the Government, or even the opposition, as well as of institutions that are nominally independent, is not only unwelcome, but mostly countered by some form of persecution", Novaković said.

"The Government uses state-controlled media to attack its opponents in the non-governmental sector, even waging personal intimidation campaigns. Public institutions, above all inspections, are also used to pester "unsuitable" NGO activists and disrupt their everyday work. Opposition often responds to critique with insults, and is only sporadically and unpredictably ready to hear proposals from the NGO sector", Novaković added.

She more over emphasised that the Government's policy with regard to financial support to the development of NGO programmes and services has been characterised by minuscule spending and opaque allocation procedures. *"It is also common for the Government to support, without public knowledge or due procedure, projects and activities of a handful of organisations that have come to constitute a parallel non-governmental sector, open for agreements with the Government without consultation, and often at the expense of their colleagues in the sector. Such a policy inevitably undermines the reputation and financial stability of the non-governmental sector",* Novaković said.

Asked about the biggest achievements of the NGO sector in the process of European integration, she said: *"The process of European integration comprises all reforms conducted in the most diverse areas: judiciary, protection of environment, social policy, human rights, fight against corruption and many others. The non-governmental sector contributes greatly to these reforms, because the NGOs keep pushing for better public policies and observance of European standards. They also offer legal solutions, conduct campaigns and educate the broader public. The number of NGOs that participate in the work of bodies task with developing laws, bylaws and strategies in different areas is increasing. In 2014, 55 NGO representatives took part in such working bodies. Specifically, when it comes to the process of European integration, it was precisely the NGO sector to advocate the adoption of European*

values in Montenegro, well ahead of the Government and everybody else, by using its programmes to educate the MPs, journalists, public officials and entrepreneurs about the EU, and to inform the citizens about this process. An important Montenegrin specificity in this context is the participation of non-governmental representatives in the formal negotiation structure, i.e. in the working groups for negotiation chapters."

Novaković notes that participation of the non-governmental sector in the working groups is important for higher quality, transparency and legitimacy of the negotiation process. *"Nevertheless, four years after the official opening of chapters 23 and 24 and the involvement of first NGO representatives in the working groups for these chapters, the attitude of state officials did not change. Basically, NGOs' comments and suggestions are generally viewed as attacks on the work of the rest of the working group. Some suggestions and corrections are usually adopted, but there is an obvious climate of division into "government" and "non-government" in the negotiation structures, and the non-government is still viewed as an alien body. Aside from the formal involvement in the working groups, it is extremely important for the NGO sector to separately organise and conduct the monitoring of negotiations and reforms in every chapter. The attitude of state officials towards NGO representatives should change, by eliminating the defensive mode against every differing and critical opinion",* she said.

NGOs to strengthen their capacities

Novaković believes that NGOs must continuously invest in and strengthen their own capacities and expertise, and improve the quality of services. *"EU integration is becoming ever more demanding and complex, and only those who prepare most thoroughly for every next stage can expect the results. The NGOs above all owe it to the citizens to work better and advocate policies that will improve the lives of citizens. At the same time, the willingness of institutions to hear out the proposals and suggestions from the NGO sector will remain a challenge, as well as the readiness of politicians to listen and accept criticism. In both cases, only the weight of arguments and knowledge will open up the room for NGO activists to push for reforms in different areas",* Novaković said.

Miloš Konatar, MP and member of the coordination committee of the Civic Movement URA

Cooperation within opposition has no alternative

We cannot enter the EU with the “Recording” affair unresolved, with a habit of vote-buying, rigged elections and the general lack of trust in the electoral process. If we do not have free and fair elections, then we do not have the basic preconditions for the democratic functioning of our state, **Miloš Konatar**, MP and member of the coordination committee of the Civic Movement URA told *European pulse*.

» *You recently became an MP in the Parliament of Montenegro. What was your reason to accept the position of the MP in this moment? What were the priorities that you set out for this relatively short period of time until the next parliamentary elections?*

It is important that the opposition gained another representative in the Parliament, and what is even more important is that the 30 000 Montenegrin citizens who voted for change in 2012 by giving their vote to Positive Montenegro will once again have an MP who will not act as a reserve bench for DPS.

My greatest motivation, in fact, was to prevent DPS from gaining another MP and another vote, as would have happened if the seat went to someone from Positive Montenegro. What the Positive Montenegro does today is

betrayal of the citizens who supported it in 2012. At the moment when DPS with all its satellites has a very slim majority of 41 or 42 votes, one MP more or less for the opposition can mean a lot. With me in the Parliament, the opposition gained yet another MP and that matters.

One of the priorities is certainly to establish

quality cooperation and mutual trust with the rest of the opposition MPs in the Parliament. I will do everything in my power as an MP before the elections to push amendments to the Law on social and child protection onto the Parliament's agenda, in order to ensure that every child in Montenegro receives child benefits, and that the amount of benefits is increased by 50% for the children need. Also, as part of the current work of the Civic Movement URA

and our Committee for labour and social policy, which I coordinate, we prepared a draft Law on Alimony Fund in order to solve the widespread problem of unpaid alimonies in Montenegro. This draft, as well as the Draft amendments to the Labour Law seeking to increase the minimal wage for workers in Montenegro will surely enter the parliamentary procedure by the end of this assembly's term.

» *You are one of the youngest MPs. Why did you choose a career in politics and where are young people in politics today?*

Montenegro today is in such a political, social, and economic crisis that I expect every citizen to raise their voice and get involved, each in their own way, in the public life, to raise problems and propose solutions. Montenegro needs to change, and I thought of a way in which I could help, namely in politics. I did not want to let politics regulate my life and just stand there and do nothing.

Already as a student at the Department of Economics in Podgorica, I founded a student organisation “Student forum” with friends and colleagues, and that's where it all started. Politics found us, because in Montenegro everything depends on it. My opinion is that political changes are the prerequisite for every other change, hence I figured that my place should be there, in the centre of the fight for free Montenegro.

There are more young people active in politics today than 10 or 15 years ago. I would say that young people in Montenegro are slowly waking up, which is a good thing, because young people have to propel the necessary changes. Examples of my colleague from the Civic Movement URA, **Dritan Abazović**, or **Aleksa Bečić** from the Democrats, who are among the most popular politicians today, show that citizens of Montenegro trust young people and wish to see young people in responsible positions.

We should certainly continue to encourage all young people to take active part in the political and social processes, because there can be no changes in Montenegro without young people.

» *To what extent does the European integration of Montenegro depend on the outcome of the current political crisis? Whose responsibility is it to find a way out of this situation and create the conditions for fair elections?*

We cannot enter the EU with the “Recording” affair unresolved, with a habit of vote-buying, rigged elections and the general lack of trust in the electoral process. If we do not



Miloš Konatar



Miloš Konatar

have free and fair elections, then we do not have the basic preconditions for a democratic functioning of our state. Montenegro is poorly governed, and the current authorities are the main culprits for today's political and economic crisis. The pace and effectiveness of our alignment with European standards is very important, and I have no doubts that this government only hinders further European integration. What European achievements can we talk about if we can't even have free and fair elections in 2016?!

Parliamentary dialogue was always the best answer and the best way to overcome serious political crises and lack of confidence in the electoral process in Montenegro. We from the Civic Movement URA have no doubts in that respect. Unfortunately, DPS was not ready to ensure independence and oversight over the most important structures of the captive society, and the parliamentary collapsed, taking Montenegro further away from fair and free elections. With a public broadcaster like hours, with the pressures, blackmails and vote buying, no elections can be free.

The ball is now in the government's court, and we are not willing to waste our time again with the Prime Minister **Milo Đukanović**. Our demands are clear and open, and if DPS is prepared to give up control over the public broadcaster, to stop abusing public funds and controlling financial resources of local self-governments, and if they are prepared to allow oversight of the Agency for National Security, then agreement is possible and we can finalize it in a day without further ado.

» *What, according to you, is the biggest obstacle to the joint action of opposition parties?*

First I would like to stress that there is no alternative to cooperation within the opposition, regardless of way in which the parties approach the next elections.

Civic Movement URA was never, nor will it ever be, an obstacle to coordinated action and cooperation within the opposition. However, such cooperation should be based on genuine intentions, not along the lines of "I call you to come and I pray you don't show up". Some hot-headed members of the opposition need to realise that DPS only benefits from internal strife in the opposition. URA never responded to frequently unfair attacks from some colleagues in the opposition, because our goal is to depose DPS, not to waste energy on attacks on other opposition parties. We have great cooperation with colleagues from Demos and

Education system hinders critical thinking in young people

» *To what extent does the education system foster the development of critical thinking and activism among the youth?*

Montenegro's education system is the biggest obstacle to development of critical thinking among the young people. This has to change.

When the majority of teachers, professors and academics keeps quiet, and when most of them never voice any critical opinions, who should the young people look up to?

We can count the number of professors and teachers in Montenegro who inspire young people to think freely and critically on the fingers of one hand, and this also needs to be changed.

When I was a student, the "Student forum" tried to organise a round table at the Department of Economics on money laundering and launch a book that speaks of money laundering in Serbia under **Slobodan Milošević**. The dean would not allow us to do it. To make it even harder, the professors did not want to support us.

So much for education, free university and development of critical thinking in Montenegro.

Democratic Montenegro, and that should serve as an example of the relationships that can, and should be fostered within the opposition.

Opposition needs to show the citizens of Montenegro that it's capable of acting in a responsible and mature way, and that it is ready to cooperate, even if we disagree on many things. I believe that changes are more important for Montenegro now than ideological and other differences. They certainly exist, but should not be the cause for divisions and conflicts in the opposition.

S. Pešić

European laws for brandy distillation: 30 litres per person, EUR 3.000 finet



Bulgarians have been paying a special flat-rate tax on brandy distillation since they joined the EU. Namely, the law allows distillation of up to 30 litres per person free of charges, but as Bulgaria was about to join the EU in 2007 the rumours spread that it will be impossible to produce homemade brandy in the EU, or even serve it at weddings. These fears were partly proven right, for even though home production is allowed, it is subject to taxation. Bulgaria managed to secure the lowest possible tax rate, with the producers paying EUR 1.1 per litre for a maximum of 30 litres produced for personal use, and twice as much for every litre beyond this baseline amount. They also had to register cauldrons, and demonstrate to the customs inspectors, entrusted with inspection, how much brandy they really produced. Despite the rigorous sanctions, however, homemade brandy is still produced in every Bulgarian village.

Action plan for combating illegal trade in plants and animals



The European Commission adopted the Action plan against Wildlife Trafficking, as this form of illicit trade has dramatically increased in recent years. It is estimated that this criminal activity generates between EUR 8 and 20 billion per year, similar to trafficking in drugs, people and weapons. The action plan to put an end to this form of crime has been prepared by a commission chaired by the High Representative for Foreign Affairs and Security Policy and Vice-President of the Commission **Federica Mogherini**.

Migrant traffickers net EUR 6 billion



According to Europol, in the course of 2015 smugglers earned about EUR 6 billion for trafficking of refugees and migrants. The figure could triple if the migration crisis continues into the next year, Europol warned, saying that they had information on about 40 000 persons suspected of involvement in migrant trafficking. According to the European agency for external borders (Frontex), 140 000 migrants entered the EU illegally since the beginning of 2016.

Slovenians top exporters since EU accession



Slovenia's largest trade partners are Germany, Italy, Austria, Croatia and France. In 2015, its largest export staple was pharmaceuticals, and the largest import item petroleum products and cars, with the trade surplus amounting to EUR 700 million. In 2007, Slovenia was the first "new" EU member to introduce the euro, replacing the former Slovenian tolar.

Financing of non-governmental organisations and political parties in Montenegro from public funds

Facts and prejudice



By: Nikola Đović

On 19 February Centre for Civic Education (CCE) presented the publication *"Facts and prejudice – financing of non-governmental organisations and political parties in Montenegro from public funds"*, which provides the overview of legislative and institutional framework for the financing of Montenegrin NGOs from public funds, with detailed comparative data for the period 2013-2015, and followed by recommendations for the improvement of the current system.

3 808 non-governmental organisations and foundations are currently registered in Montenegro, and their financing from public funds is regulated by the Law on non-governmental organisations, Law on the games of chance, Law on local self-government, and the Law on minority rights and freedoms.

In practice, the largest public source of funding is the Commission for allocation of the revenue from games of chance, which distributed a total of 6.408.792,14 € to non-governmental organisations in the previous three years, for altogether 1,354 projects, or an average of 4,733,22 €. NGOs often complain that the Commission unlawfully reduced the funds to NGOs in violation of the Law on the games of chance. Their complaints were also confirmed by the State Audit Institution, which found that NGOs were deprived of 3.992.129,07 € between 2013 to 2015.

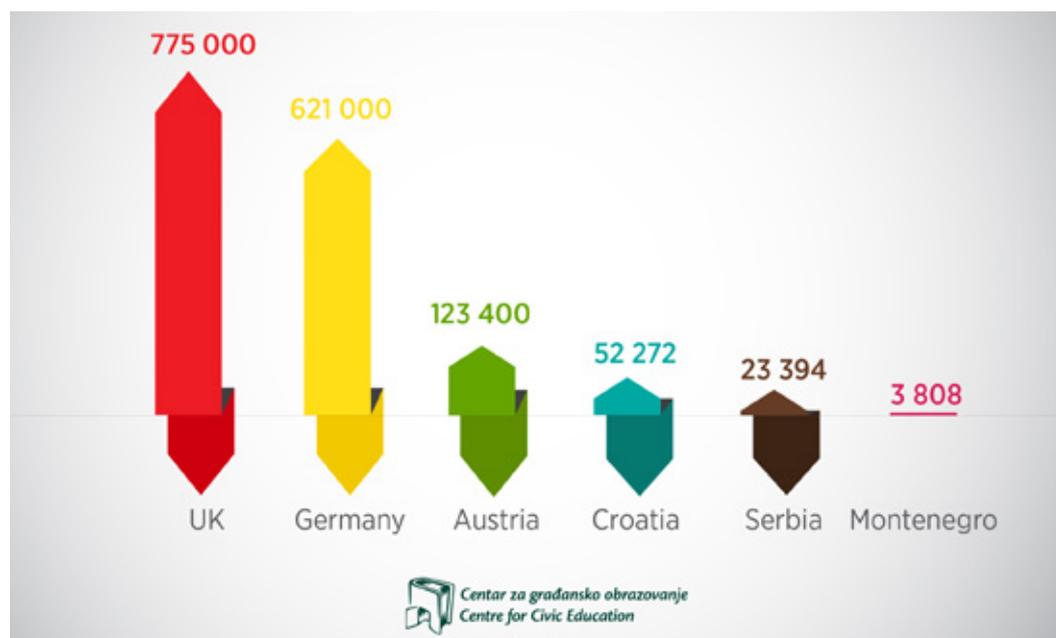
The Montenegrin Minority Fund also provides funding to NGOs, which in 2013-2015 amounted to € 1 121 590.00, or a half of all available financing from the Fund. The rest was allocated to individuals,

minority councils and others.

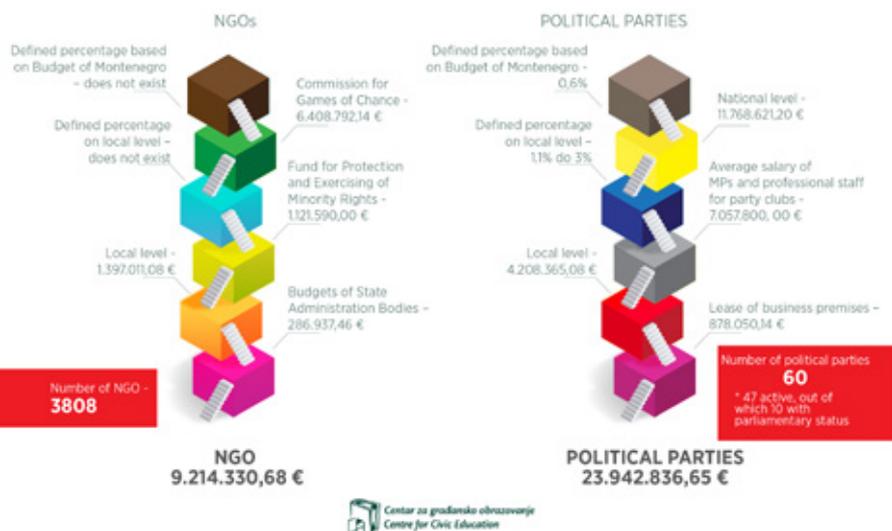
The law also allows local self-governments to finance NGO projects of interest to their local population. These funds are allocated by independent decision of the president of municipality/mayor and the distribution remains highly opaque and characterised by irresponsible management of public finances. From 2013 to 2015, a total of € 1 397 011.08 were allocated to non-governmental organisations by local self-governments, with a notable declining trend.

Some ministries also fund NGOs, but different interpretations of the existing legal framework have resulted in a pattern of allocations which is neither standardized nor transparent.

The Law on NGOs established a governmental Commission for the allocation of funds to non-governmental organisations, but even four years after the Law came into force no such Commission has yet been set up, depriving the NGOs of the funds that were to be provided through this channel, as well as of a more transparent and efficient financing mechanism. Awards of funds or property to certain NGOs without open tenders or criteria, and accompanied by lack of transparency and the possibility of discretionary decision-making all contribute to the risk of corruption, with wide-ranging negative repercussions on the reputation of NGOs in general. It also opens up a way to exercise pressure and influence on NGOs, by favouring some and sanctioning those have fallen out of authorities good 'graces'. A recent example was



Financing of NGOs and political parties from public funds 2013-2015



the public controversy over the establishment of so called «House of civil society», a partnership between the Government of Montenegro, municipality of Podgorica, Rockefeller Brothers Fund, and three NGOs – Civil Alliance (GA), Centre for democratic transition (CDT) and Fund for active citizenship (fAKT), which was founded in 2014 by a joint Memorandum some of whose crucial parts remain unknown to this day.

As for political parties, there are 60 of them registered in Montenegro, 47 of them active. This is a fairly high number compared relative to the number of citizens - by comparison, in 2015, 101 political party was registered in Serbia, 152 in Croatia, 406 in the United Kingdom and 112 in Germany. Moreover, share of the public budget allocated to political parties in Montenegro is higher than elsewhere in the region or in the EU member states.

In the previous three years, € 11 768 621.20 were allocated to political parties in Montenegro from the national funds.

The local government funds contributed another € 4 208 365.08, and our research found inconsistencies and poor planning in a number of municipalities.

In addition to public funds allocated to the parties to fund their operational costs, the Law also stipulates that the Ministry of Finance and the relevant self-government body should cover the costs of leasing premises for the operations of political parties represented in the Parliament. Moreover, the property rights by succession from the socialist-era political and social bodies remain unclear, which has a significant impact on the relative rental expenses of different political parties. The result is a tacit agreement which gives the ruling DPS, and to some extent SDP,

privileged access to office space, while providing other parties with budgetary funding for this purpose, increasing the burden on the taxpayers.

The funds analysed by CCE with regard to political party financing do not include the monies distributed for election campaigns, which are projected at € 1 929 731.85 for 2016 elections.

As for other funding provided by the Montenegrin public budget for the operation of political actors, CCE also calculated the average cost of MPs, individually and through funds allocated to each political group in the parliament. Altogether, in 2014 an average MP cost Montenegrin taxpayers € 64 556.04.

This means that in the 2013-2015 period, according to the available information, Montenegrin NGOs received € 9 214 330.68 in public funds, while political subjects received € 23 942 836.65 (€16 885 036.65 for political parties plus € 7 057 800.00 in salaries for the MPs and administrative staff of political party committees in the Parliament). Moreover, in this period the funding for political parties increased, whereas the amount of funding available to NGOs decreased, without an adequate explanation.

The legal and institutional framework for the financing of NGOs in Montenegro is not sufficiently precise, and the practice is characterised by numerous irregularities, undermining sustainability of the NGO sector which is continually deprived of funds due to conflicting regulations, irregular allocation of funds, discretionary allocation or lack of adequate tendering procedures - all of which suggests the lack of political will to accept NGOs as an integral part of the Montenegrin system. To ensure a sustainable and quality NGO sector in Montenegro, it would therefore be necessary to provide them with a stable annual allocation from the public budget (at least 1% of the current revenues, as suggested by the NGO Coalition Through cooperation to the aim), as is the case for political parties, as this would greatly improve the autonomy and financial sustainability of the sector. The authors of the publication (available in Montenegrin at the CCE website <http://media.cgo-cce.org/2016/02/cgo-cce-cinjenice-i-predrasude.pdf>) are **Nikola Đonović**, **Boris Marić**, **Željka Četković** and **Snežana Kaluđerović**. It is part of the project "Better public finances for NGOs" whose aim is to assist in the reform of the public financing for NGOs in Montenegro and support the sustainability of the sector. The project was financed by the European Union and the Balkan Trust for Democracy, as part of the BCSDN network project "Acquis: Strengthening the Advocacy and Monitoring Potential and Capacities of CSOs". The representative of BCSDN network in Montenegro is CDNGO.

Auditors and prosecutors on the same task



By: Jovana Marovićis the research coordinator



By: Marko Sošić researcher of public policies in the Institute Alternative.

Reading the reports of State Audit Institution (SAI), which detail the way the public money is being managed, we encounter such disconcerting findings that one must wonder - does it really end here? Now that we know that abuses happened, will anybody be held accountable?

So far the SAI published 121 reports, revealing numerous irregularities, severe legal breaches and inappropriate spending. In sixteen reports the observed irregularities were so grave that they earned negative evaluations.

To discover more what happens to the problematic audit reports, we first asked what the SAI itself does to trace down the culprits?

The answer is: so far, the SAI did not file any complaints, nor did it raise charges for misdemeanour or procedure for repaying the damage to public property. In particularly difficult cases, they forwarded the reports to the prosecution, but were not aware of any follow-up.

We then approached the Supreme State Prosecutor, together with partners from four organisations (Human Rights Action, Centre for Civic Education (CCE), Centre for Development of Non-Governmental Organisations (CDNGO) and Centre for monitoring and research), with the following question: What did the Prosecution do with the reports of the State Audit Institution (SAI) that were forwarded to them?

At the time, the reports in question came from the Bureau for textbooks and teaching materials, Centre of contemporary art, Centre for professional education, Radio Television Montenegro, University of Montenegro, Montenegrin National Theatre, Democratic party, and the audit report of state guarantees.

In short, cooperation between the State Audit Institution and the State prosecution in Montenegro is not the best example of the

We received a **reply** which stated that certain investigative activities were undertaken in each of these cases, but that *the majority were rejected and that no charges were brought*. In five out of eight cases, the prosecution established that there were no grounds to launch a criminal procedure. In three cases, investigations are ongoing, namely, in the case of the report on state guarantees, Bureau for textbooks and teaching materials and Democratic party from Ulcinj. The answer confirmed our suspicions – the work of the prosecution is slow and ineffective when it comes to investigating responsibility for mismanagement and misappropriation of public funds.

The reply of the Supreme State Prosecutor reveals difficulties in the cooperation between the prosecution and the SAI, ambiguous procedures and insufficient understanding of the functioning of state audit by the prosecution.

The prosecution is also wasting time in its investigations by requesting additional documentation not from the subjects of audit, but from SAI itself.

In short, cooperation between the State Audit Institution and the State prosecution in Montenegro is not the best example of the much needed exchange of information and coordinated action of public institutions.

That said, most of the responsibility for the fact that SAI's work has failed to make much difference rests with SAI itself. The Prosecution should not wait to obtain information contained in the official reports of other public institutions from third parties - as was the case so far - but must act upon them regularly according to its competencies. Nor can they seek excuses in the

Over 80% of all crimina charges raised before the Special public prosecutor in 2015 came from the citizens, natural and legal persons.



fact that SAI has not raise any criminal charges, an explanation that can be often heard in the public sphere. Most criminal charges are anyway raised by citizens - over 80% of all crimina charges raised before the Special public prosecutor in 2015 came from the citizens, natural and legal persons. Moreover, SAI's reports should serve as pointers, the starting line for own research and potential initiation of criminal charges or other actions. SAI's reports are also evidence, but above all they are guidance for further investigations.

The public prosecutor believes that SAI should make better use of its legally prescribed duty to file criminal complaints, as their reports in their usual form are both cumbersome and difficult for analysis and as such slow down the work of prosecutors. It should be said, however that although most audit reports are in fact cumbersome, the key findings are highlighted, concise, specific and contain exact data. Merely reviewing those can be a sufficient pointer and a guideline further investigation.

One limiting factor is that the public is not sufficiently familiar with activities undertaken by the Prosecution as a follow-up to SAI's reports, as the annual reports of the Supreme State Prosecutor and the Special State Prosecutor do not offer any information on this, nor are such issues discussed during public appearances. The Special State Prosecution first informed the public of cases formed on the basis of SAI's reports in late 2015. The key (legal) limitation for the regular

Moreover, SAI's reports should serve as pointers, the starting line for own research and potential initiation of criminal charges or other actions. SAI's reports are also evidence, but above all a guidance for further investigations.

informing of SAI, and thereby of the public, of the Prosecutors' activities in following up on the SAI's reports is the lack of a binding provision in the Code on Criminal Procedure to inform the plaintiff of the outcome of investigation initiated on their complaint or, in this case, evidence.

Another issue that greatly constrains the performance of SAI and the Prosecution are their human resource capacities. Both the Supreme State Prosecution and the Special State Prosecution work at less than 50% of the prescribed capacities, and recruitment is still in progress. On the other hand, even two years after the adoption of the new act on systematisation and internal organisation, SAI has not yet found anyone to occupy the position of the manager of the department for legal issues, criminal and misdemeanour charges and anticorruption - and the entire staff of this department still consists of a single employee.

Experiences of other countries in the region, as well as those of the EU member states, offer a broad array of mechanisms and activities that could improve cooperation between the SAI and the Prosecution - from special agreements and frameworks for cooperation, to formation of new teams, to the regular launching of procedures to determine criminal and misdemeanour responsibility. Specifically, a useful step in Montenegro's case would be to organise joint trainings on the ways to foster cooperation in investigations, as well as to amend criminal laws to tighten the measures against mismanagement of public property, oblige the State Prosecutor to report on the outcome of investigations to the plaintiffs, and introduce as a new subcategory under crimes against office "misappropriation of public funds".

Agreements and disagreements at the EU Council summit

UK in, refugees out

The regular summit of EU leaders on 18 and 19 February this year in Brussels was dedicated to two burning issues that, each in their own way, have been threatening to pull Europe apart - the deal to prevent UK's exit, and the ways to handle the seemingly unstoppable flood of refugees to Europe.

But while the first issue ended in a compromise that seemed to please all sides - if only after an exhausting round of all-night talks - the second only revealed deepening rifts among the EU member states.

After the summit, the British prime minister said he had achieved all his main negotiating aims and would recommend the agreement to his cabinet on the following day, firing the starting gun on a fierce referendum campaign on Britain's future membership of the bloc. "I believe we are stronger, safer and better off inside a reformed European Union," he told a news conference. "And that is why I will be campaigning with all my heart and soul to persuade the British people to remain in the reformed European union that we have secured today," Cameron said.

The outcome was hardly a surprise - most key points of the deal had been agreed between Cameron and the president of the Council of EU David Tusk in advance. Nevertheless, disagreements arose after it became clear that the UK was asking for the right to curb in-work benefits of migrant workers for up to 13 years, instead of the four years as set in the preliminary agreement, and withdraw any benefits for children living outside the UK. After protracted wrangling with the leaders of East European member states, Cameron accepted a compromise solution that limits the migrants' access to in-work benefits to seven

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years, and indexes the benefits to children living abroad to the costs of living in their country of residence. Denmark also won a major victory, ensuring that the latter clause applies to all EU member states, and not only to the UK. In exchange, at the pressure from the East European members it was agreed that the benefit indexation will only start in 2020, giving their leaders some time to appease their voters. Meanwhile, France and Belgium managed to insert a "self-destruct clause" into the UK deal, which specifies that in case of a "no" vote at the UK referendum, none of these terms would apply, and the UK will not be allowed to demand another renegotiation of terms.

But while the EU leaders congratulated themselves on averting a painful divorce, the migration issues received only cursory attention, as nobody seemed willing to tackle that particular can of worms. Instead, they reaffirmed earlier agreement - the Dublin rule that says that all asylum claims must be dealt with at the point of entry into the EU, and the general commitment to the agreement to help resettle the migrants who already received asylum.

Meanwhile, however, the unprecedented influx of refugees and the nationalist pushback in many EU members have turned both of these

principles into mere rhetorical fiction. In 2015, over a million refugees arrived to Europe, mostly through Greece, which found itself completely incapable of preventing their advance towards other EU members. At the same time, the agreement to redistribute 160 000 refugees from Greece and Italy that was reached in July last year failed spectacularly, and only 500 people were actually resettled. Instead, a variety of solo solutions have appeared, with individual member states reinstating border checks or going so far as to seal their borders against the refugees. Most recently, Austria announced that it will set a daily cap of 3,200 migrants allowed to enter the country and limit daily asylum claims to 80. Despite admonishments from the president of the Commission and the Migration Commissioner **Dimitris Avramopoulos**, who sent an official complaint to Austria's Interior Minister **Johanna Mikl-Leitner**, warning here that "such a policy would be plainly incompatible with Austria's obligations under European and international law," Austria insisted that it could not handle any more refugees and accused Greece of failing to protect the EU's external border.

Tensions reached a boiling point a week later, at the meeting of EU interior ministers dedicated to finding a way to stem the migration flow along the Balkan route. Greece was threatened with effective suspension from the frontier-free Schengen zone if it does not do more to stop waving through migrants to other countries, and improve reception and registration conditions for refugees who land on its soil. But Athens is seething over a series of border restrictions along the migrant trail to northern and western Europe that has caused a bottleneck in Greece, the main entry point to Europe. "Greece will no longer agree to any deal if the burdens and responsibilities are not shared proportionally," the Greek Prime Minister **Alexis Tsipras** said, adding that his country "will not be turned into a warehouse of souls".

But the good will is short. Instead of sharing the burden with Greece, which according to the

Tensions reached a boiling point at the meeting of EU interior ministers on 25 February, where Greece was threatened with suspension from the frontier-free Schengen zone if it does not do more to stop waving through migrants to other countries. Athens hit back by warning that it will no longer agree to any deal if the burdens and responsibilities are not shared proportionally

EU is running a serious risk of a "humanitarian crisis," its northern neighbours have been seeking ways to seal their borders. A few weeks before the meeting in Brussels, Vienna held a mini-summit with ministers from western Balkan states to discuss the ways to stop the refugees coming through the Balkan route, but failed to invite Greek representatives, or representatives of the European Commission. Athens responded by withdrawing its ambassador from Austria.

With no resolution in sight, the EU is again hoping for an external solution to the problem. A special summit between the EU and Turkey is scheduled to take place next on 7 March, to review the results of the November agreement in which Turkey agreed to cut migrant flows in exchange for three billion euros in aid and a revival of its EU membership talks. But with Turkey suffering from internal turmoil, and with the number of refugees reaching Europe already surpassing the record of 2015, there is little reason to believe that the EU could agree with Turkey what it cannot agree with its own members. "In the next ten days, we need tangible and clear results on the ground", warned the EU Commissioner Avramopoulos. "Otherwise there is a risk that the whole system will completely break down".

*Source: EurActiv
Prepared by V.Š.*

Resolution of the European Parliament on the 2015 Progress Report on Montenegro

Progress in negotiations depends on the rule of law

In late February, following a debate in the Committee on Foreign Affairs, Members of the European Parliament (EP) adopted the Resolution on the 2015 Progress Report on Montenegro. The document offers EP's assessment of the key conclusions drawn from the November Report submitted by the European Commission, as well as of the important developments that took place in the intervening months.

The Resolution thus welcomes further progress that was made in the accession negotiations with Montenegro in December, when another two negotiation chapters were opened, and notes that Montenegro is the most advanced enlargement country when it comes to the process of negotiations. At the same time, EP reminded that overall progress in the negotiations depends on the progress in the implementation of the rule of law and visible track record thereof. Rule of law is a fundamental prerequisite for EU accession; overall progress in the negotiations depends on the progress in the implementation of the rule of law and that Montenegro should further develop a solid track record in this area. "Corruption continues to be a serious problem and organised crime and freedom of expression remain of concern", warned the European Parliament.

The Resolution also expresses deep concern about the polarised domestic climate and the boycott of parliamentary activities by part of the opposition. According to the document, the EP "urges all political forces, in government and opposition alike, to re-engage in sustainable dialogue and constructive cooperation within the parliament", and "expects the competent authorities to investigate thoroughly and in a timely manner all incidents of violence that occurred during the protests, including any allegations on the excessive use of force by some members of the police force".

The European MPs called on the Government of Montenegro to fully implement the new electoral legislation prior to any new elections and to further strengthen the State Election Commission to be

The European Parliament "calls on the Government to prolong the mandate of this commission and to provide it with more information and competences; is concerned that incidences of intimidation of journalists and media outlets can encourage self-censorship and limit the scope for investigative journalism; condemns the ongoing personal smear campaigns, mostly by one tabloid newspaper, targeting prominent civil society activists and some politicians; recalls that all media outlets need to fully respect rules of professional reporting"

able to effectively fulfil its mandate. However, they also reminded that earlier allegations of electoral manipulations have not been adequately settled. "While acknowledging the progress made on the judicial follow up to the 'audio-recording affair', the European Parliament urges once again the need for a due political follow-up on the issue", states the Resolution.

The document also contains a thorough review of the state of the judiciary, which suggests that this might be one of the key areas of interest for EU integration in the upcoming period. The EP welcomes "good progress on strengthening the legislative framework to enhance the independence, accountability and professionalism of the judiciary and looks forward to the full implementation of relevant rules in practice", but immediately follows up with expressions of concern over undue influence on judicial independence, especially with regard to the appointment of judges, calls to reinforce the capacity of the Judicial and Prosecutorial Councils and further improve the efficiency of the Constitutional Court, and appeals to strengthen the enforcement of civil and administrative decisions and to fully implement the new recruitment and professional appraisal and promotion systems.

The MEPs have also emphasised high expectations of the future activities of the Special Prosecutor's

Office for corruption, welcomed the bringing of criminal charges by the Montenegrin State Prosecutor's Office as well as the against a number of local government officials with regard to high level corruption and commended the good performance of the Podgorica High Court in delivering convictions for corruption-related offences.

Another issue that takes up a sizeable portion of the Resolution is the problem of the freedom of expression in Montenegro. The EP "welcomes the fact that no new attacks against journalists took place in the reporting period", but expresses concern for the shortcoming in the investigation of previous

KAP in breach of the Stabilisation and Association Agreement

The European Parliament commended macroeconomic stability and favourable developments in the economy, welcoming the efforts to improve the competitiveness of industrial and agricultural products, reduce corruption in the economy, and implement economic reforms that will create jobs and growth. At the same time, the EP noted that state aid remains an issue of concern, particularly as regards the independence of the State Aid Control Commission, the notification and compatibility of new legislation and aid to large investment projects and the KAP aluminium plant. The Resolution also expresses concern about the delay in the resolution of the KAP bankruptcy proceedings, which is in breach of Montenegro's obligations under the Stabilisation and Association Agreement. It also calls for special attention with respect to the plans to build a new highway "which will become the largest ever public project and expenditure in Montenegrin history", an issue over which the EU had already expressed its disagreement, especially in view of the country's already large current-account and general budget deficits. The EP "calls on the authorities to ensure the appropriate use of public funds and compliance with the relevant law", warns the Resolution.

EP reminded that the overall progress in progress in the negotiations depends on the progress in the implementation of the rule of law and warned that Montenegro is yet to show a visible track record thereof. "Corruption continues to be a serious problem and organised crime and freedom of expression remain of concern", warns the Resolution

cases of violence and intimidation against journalists, and urges the competent authorities to resolve the pending cases of violence and threats against journalists by identifying and bringing to justice not only the perpetrators but also those behind the attacks.

The MEPs also called on the authorities to implement recommendations issued by the ad hoc commission set up for monitoring the investigations into cases of violence against journalists, but they also criticised the current composition of the commission, in which members of the security services constitute more than 50%, enabling them to block progress and the adoption of reports. The European Parliament "calls on the Government to prolong the mandate of this commission and to provide it with much more information and competences; is concerned that incidences of intimidation of journalists and media outlets can considerably encourage self-censorship and limit the scope for investigative journalism; condemns the ongoing personal smear campaigns, mostly by one tabloid newspaper, targeting prominent civil society activists and some politicians on a personal basis; recalls that all media outlets need to fully respect the established rules of professional reporting; points out that the media community is highly politicized and divided, that professional and ethical standards are weak and that journalists are poorly paid and their jobs are insecure; considers it essential for journalists to have full independence away from any interventions including by media owners", states the Resolution.

In relation to more recent developments, the European Parliament also commented on the recent EU Child Rights Peer Review, commending the Government's commitment to expand good quality early childhood education, but also emphasising



Better cooperation needed with civil society

The EP's Resolution welcomed efforts to improve consultation mechanisms with civil society organisations (CSOs) and to achieve more transparency in policy and law-making also by involving them in the process of rule of law reforms and in monitoring the electoral process. The EP "appreciates the motivation and efforts of the CSO sector which proved to be vocal and effective in many fields; stresses the need to further improve their access to accession-related information as well as to further improve cooperation between local self-governments and CSOs; invites the competent authorities to further develop a sustainable system of public funding for CSOs and to create conditions that are conducive to voluntary work and social entrepreneurship; and address the issue of lack of transparency in funds for minority issues".

the remaining problems in meeting the European standards in this area, especially with regard to children with disabilities. Similar conclusions are drawn in relation to the access to rights of adults with disabilities, as even three years after the adoption of the relevant regulations most public buildings are still not accessible for disabled people. These are not the only vulnerable groups that find it difficult to access their basic human rights in Montenegro. For this reason, the European Parliament resolution called on the relevant authorities to introduce additional measures to facilitate the access of RAE population to health care, housing and employment; to fight hostility, discrimination and hate crime against the LGBTI community; and to take domestic violence seriously, by effectively implementing the convention on preventing and combating violence against women and domestic violence and by educating employees in state institutions (social workers, police officers, etc.) for work with victims. The Government is also expected to "further reinforce human rights institutions, such as the Ombudsman and the Ministry of Human Rights and Minorities, by allocating adequate resources for the enforcement of human rights".

Prepared by V.Š.

Bosnia and Herzegovina submits application for membership of European Union

And yet it moves



By: Vera Šćepanović

On 15 February Bosnia and Herzegovina submitted the application for membership of EU, thus officially kicking off the process of accession to the community of European nations. Despite the relatively positive Progress Report in late 2015, the move came as a something of a surprise, perhaps most of all for the citizens of BiH, who suspect it of being little more than an attempt to draw attention away from everyday problems in the country. Supporting this theory is the fact that BiH had not fulfilled any of the demands posited by the EU in the past as prerequisites for the start of accession talks. Years after the decision of the European Court of Human Rights, it failed to eliminate discriminatory constitutional provisions that bar the members of minorities from running for public offices. Even the basic technical preconditions, such as knowing the number of inhabitants, are missing: although in 2013 BiH finally managed to conduct the first post-war census, the results have not yet been published. It is also unclear what happened to the last requirement that had been put forth by the Brussels' officials - that in order to start the accession talks, the country should "speak in one voice", i.e. that it must adopt a coordination mechanism to ensure that in their contacts with the EU the BiH negotiators represent the common interest of all constitutive units of the country. Shortly before the submission of the membership application the media announced that the coordination mechanism had been adopted, at a secret meeting of the Council of Ministers of BiH. The details are still unknown, but that didn't stop Republika Srpska from immediately proclaiming it unacceptable.

What, then, should be the consequences of this seemingly rushed decision to apply for EU membership for Bosnia and Herzegovina, and for the region at large? Despite all problems, for BiH the move could still turn out to be more than a mere advertising gimmick. After a long break, the last year had been marked by some progress in the direction of European integration. The Stabilisation and Association Agreement, signed in 2008, had finally come into force. The authorities adopted the joint Reform Agenda, which contains

In the midst of UK renegotiations and the return of internal borders in the once free Schengen zone, unambiguous desire of another state to join the EU is certainly good news.

Despite all problems, for BiH the move could still turn out to be more than a mere advertising gimmick

the key principles, goals and deadlines for the implementation of necessary reforms. Nothing had been implemented so far, but the very presence of political will to draft a joint document was welcomed by the EU as a major success. The EU membership application will set off the process of careful scrutiny by EU bodies of all aspects of the country's performance in order to gauge its readiness for accession, and will be followed by detailed lists of policy demands, roadmaps etc. All this can help to turn abstract political goals into specific policy measures and thus not only facilitate their implementation, but also pinpoint the responsibility for the implementation failures, thus giving an additional push to genuine reforms.

On the other hand, as illustrated by the cases of Macedonia and Turkey the EU accession process can be halted at any point, and no European authority can force a country into reforms if its elites refuse to cooperate.

Either way, the next phase is bound to take some time: BiH's leadership is hoping to gain the status of an EU membership candidate by the end of this year, but experiences of other countries in the region suggest that a positive decision will likely take longer: about two years in the cases of Macedonia, Montenegro and Serbia, and four years in the case of Albania.

Meanwhile, BiH's application has been greeted in Brussels as a sign that for some of us at least the EU still represents the symbol of a better future. In the midst of UK renegotiations and the return of internal borders in the once free Schengen zone, unambiguous desire of another state to join the EU is certainly good news.

"We need unity in these challenging times", said the European Enlargement Commissioner **Johannes Hahn** and the High Representative for EU Foreign and Security Policy **Federica Mogherini** in a joint response to BiH's application. "As some forces across our continent are questioning the very existence of our Union, Bosnia and Herzegovina's application shows that the need of a united European continent is still strong among our peoples".

We hope they are right.

VI Peace Education Programme begins



The first workshop of the world-famous Peace Education Program – PEP, organized by the Centre for Civic Education (CCE) for the sixth time, took place on 4 February 2016. The 74 participants were selected from among 177 applicants. The programme consists of ten workshops, to be organised once a week for about 90 minutes each. It is designed by the Prem Rawat Foundation and aims to help the participants to discover inner resources, recognize their own value and develop positive life skills, as well as explore the possibility of inner peace. The programme is led by **Caroline Jovičević**, local manager of the Peace Education Programme, and the workshops will take place in the CCE offices every Thursday from 17:30h, until 7 April 2016. The programme will be conducted in both Montenegrin and English languages and is free of charge for all participants.

Diplomas for the XXII generation of the Human Rights Schoolt



Participants of the XXII generation of the Human Rights School, organized by the Centre for Civic Education (CCE) with support of the Canadian Embassy via the project "*Different but equal!*", visited the Police Department on 18 February as part of their practical training, and had the opportunity to familiarize themselves with the functioning, responsibilities and work of the Police Department, Security Centre Podgorica and the Detention Unit. They were received by **Svetislav Čović**, head of the Call Duty Service at the Security Centre in Podgorica, who introduced the work of the institution and answered numerous questions of the curious young people.

After completing this final activity of the programme, the successful participants were awarded diplomas of the Human Rights School by H.E. **Philip Pinnington**, Ambassador of Canada and **Daliborka Uljarević**, executive director of CCE. The award ceremony took place in the CCE offices, and was also attended by lecturers of the School, as well as by the programme coordinator **Petar Đukanović**.

27 high school students from across Montenegro successfully completed the XXII generation of Human Rights School: **Adis Harbić, Aleksandar Milaković, Aleksandra Donković, Alen Drpljanin, Anđela Stešević, Baša Ivanović, Haris Srdanović, Danica Šoć, Dejan Rabren, Dina Abazović, Dženan Dešević, Đorđe Murišić, Hana Llučka, Ivana Mijović, Jasmin Kajević, Jovana Janović, Jovana Vujović, Kristina Šimić, Miloš Pešić, Nikoleta Gačević, Iva Rolović, Pavle Đurišić, Renata Rudović, Suljo Canović, Tea Omeragić, Vladimir Miletić and Zilha Husović.**



Open talks on covert censorship

On 25 February 2016 BIRN Serbia organized the conference "Open talks on covert censorship", in Belgrade, with presentations by **Tanja Maksić**, BIRN, **Saša Leković**, president of the Croatian Journalists' Association, **Aleksandar Trifunović**, BUKA magazine from B&H and

Daliborka Uljarević, executive director of the Centre for Civic education (CCE). The conference showcased the results of the study *"Soft censorship – from bad to worse"*, prepared by BIRN. It analyses the situation in 2015 with regard to the mechanisms for government influence on media freedom, via patterns of distribution of public funds at the national and local level in Serbia. The executive director of CCE shared with the audience the findings and conclusions of the research on soft censorship in Montenegro, published in late 2015, which described continuous attempts by the government of Montenegro to restrict the work of media that report critically on its activities. The conference brought together about 50 representatives of media and NGOs dealing with the issue of media freedom. **Ana Vujošević**, coordinator of the EU integration programme attended on behalf of the CCE.

Dialogue on the European path

The European Movement in Serbia, in cooperation with the International European Movement, TACSO Office in Serbia and the Office for European Integration of the Republic of Serbia, organized the international conference "More than civil society: join dialogue on the European path" on 25 and 26 February 2016 in Belgrade. The objective of the event was to present a joint initiative launched with the aim to open up the space for evaluation and improvement of dialogue between civil society and state actors from the Western Balkans region, Turkey and the European Union (EU). The conference was held at the National Assembly of the Republic of Serbia, and was opened by the Speaker of the Parliament of the Republic of Serbia, **Maja Gojković**, Prime Minister of Serbia **Aleksandar Vučić** and President of the European Movement in Serbia **Mihailo Crnobrnja**. In the opening session, the participants were greeted by **Michael Davenport**, Head of the EU Delegation in Serbia and **Jo Leinen**, President of the International European Movement and Member of the European Parliament. The conference brought together around 150 participants from the civil society, the European institutions and national authorities from the region. The executive director of CCE, **Daliborka Uljarević**, spoke at the panel *"Rule of Law"*, alongside **Senada Selo Šabić** from the Institute for Development and International Relations from Zagreb, with **Milan Antonijević**, director of YUCOM as the moderator. **Ana Vujošević**, coordinator of the European integration programme in the Centre for Civic Education attended the conference on behalf of CCE.

A common view on history

Centre for Democracy and Reconciliation in Southeast Europe (CDRSEE) organized a regional conference for history teachers in Podgorica on 27 and 28 February 2016, with the aim of introducing lecturers in history and representatives of education ministries in the region to two new editions of textbooks on the Cold War period and transition in Southeast Europe. The conference was opened by **Zvezdana Kovač**, executive director of the CDRSEE, followed by **Kristina Kulori**, academic director of the textbooks, presented the *Joint Project on History*. The intensive two-day workshop was moderated by **Alexei Kalionski**, **Dubravka Stojanović**, **Kiki Saka** and **Krešimir Erdelja**. CCE's representative at this conference was **Isidora Radonjić**, programme assistant.

Study visit to London and Dublin

As part of the project *"For free legal aid in the service of citizens"*, which the CCE is implementing with support of ECAS, **Mira Popović**, programme associate, participated on behalf of the CCE in a study visit to London and Dublin from 21 to 27 February 2016. The programme was organised by the Network of Law Centres in London and the Information Bureau of Citizens of Dublin, showcasing the institutions for the provision of free legal aid in these two countries. The purpose of the visit was to get acquainted with the system of free legal aid in England and Ireland, and understand the position of each actor and stakeholder within this process. The participants also got to hear about the ways in which the state funds the provision of free legal aid, as well as about the methods and approaches to provision of free legal aid that is directly focused on the individual in need of assistance.

Visits to CCE

Centre for Civic Education (CCE) is a regular address for all those who wish to talk about the efforts made towards the process of democratization of the Montenegrin society - as demonstrated by the continuous stream of visits from foreign officials. During the past month, several of them visited CCE to discuss its project activities as well as the overall environment in which the Montenegrin NGOs operate. On 12 February, CCE hosted **Alina L. Romanowski**, coordinator of the US Assistance for Europe and Eurasia in the US State Department, who also spoke to the participants of the Human Rights School, which is supported by the US Embassy through the program *"Youth build Montenegro"*. She was accompanied by **Mark Weinberg**, a

media-related official in the US Embassy and **Milena Janketić**, assistant at the Embassy. On 16 February, CCE was visited by **H.E. Pertti Ikonen**, Ambassador of Finland, who wished to learn more about CCE's work at the beginning of his term. He was accompanied by **Jovana Krajnović**, assistant for political affairs. On 18 February, CCE hosted **H.E. Philip Pinnington**, Ambassador of Canada, who awarded diplomas to the participants of the XXII generation of the Human Rights School, which was supported by the Canadian Embassy, and talked to the CCE representatives about a number of key socio-political issues. He was accompanied by **Vladan Miladinović**, advisor for political, economic and media issues.



Become Young Leader at European Development Days in Brussels

The European Development Days (EDD) are the leading forum in Europe for international development and cooperation. They are an incubator of new ideas to inform the shared aim of a poverty-free, sustainable and fair world where everyone has a chance at a decent life.

The European Commission will select 16 youth representatives based on their skills, experience and commitment to development issues. They will be invited to participate in EDD 2016's high-level panels on subjects of their expertise, where they will share their experiences and ideas with key development stakeholders, policymakers and participants on 15 and 16 June 2016, in Brussels, Belgium.

Eligible participants: between 21 and 26; open to young adults from all around the world, without restriction of nationality; able to travel to and participate in EDD 2016 in Brussels on 15 and 16 June 2016. Also, applications must be submitted in one of the following official European Commission languages: English / French / Spanish / German / Portuguese. The candidate must be able to speak clearly and comprehensively in one of these languages, as well as have a good spoken level of either English or French;

All costs travel, visa, accommodation, food, daily expenses will be covered by the European Commission.

Deadline for applications: 18 March 2016

For more information, visit <http://www.eudevdays.eu/young-leaders>

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