



**FOCUS OF
THIS ISSUE**
Why did the EC
demand in its
report that
Montenegro
seriously tackles
de-politicisation of
its public service

INTERVIEW
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and its producers?





FOREWORD

We have been repeatedly told by Europe, and finally the Montenegrin officials have admitted it too: it is not difficult to adopt EU laws and formally accept its standards – the trouble comes when we are supposed to implement them. And they are right. The rumour has had it for a while, and it finally came into light by the end of 2006: conscientious implementation of laws is no habit of the ruling parties. Only a few days after the Parliament decided to overrule a regularly conducted vote by which the opposition-proposed amendment on the Law of Insurance has been adopted, (an act completely against the Book of Procedures), the government once again ruthlessly broke the Law on Public Broadcasting Services. According to this law, in appointing the members of the RTCG Council, the sole responsibility of the Parliament is to acknowledge the nomination of the candidate who received most votes by the relevant institutions, or relevant NGOs. There is no mention of the Parliament's right to comment on, criticise, and least of all to vote on the nominations to the RTCG Council, as that would be blatantly against the principles of the public service. First of all, the Law was adopted by these same people. Second, in the previous rounds of nominations there was no voting at all – the MPs merely confirmed the nominations of the new candidates. Third, the practice has been changed as soon as the candidates appeared who were not to the liking of the parties in power. The conclusion clearly follows: the government wants to be in full control of the RTCG Council, just like in the previous system, when they directly delegated their own representatives, and they only stick to the laws when these happen to be working in their favour. In vain all the European laws if there is now will and no awareness that it is not enough to merely adopt the laws – they must be strictly respected as well.

The second example is the ridicule of the Law on the Conflict of Interests. Some MPs and public officials show no intention whatsoever to declare their property, although the Law says that they must. But why should they care, if there are no sanctions, and the state prosecutor chooses to ignore the issue.

And so on and so forth, but why even bother, as long as our ruling parties believe that they will never become the opposition. N.R.

THE LAST SUMMIT OF LEADERS OF THE EUROPEAN UNION MEMBER STATES IN THIS YEAR SHOWS DISCORD

The EU doors open, but distant

Trying to restore confidence among their voters with respect to further enlargements of the block, The European Union leaders concluded their last summit this year on 15 December, as far from a uniform vision on the future shape of EU as ever. From January 1 2007, EU will number 27 members, following the accession of Romania and Bulgaria.

After two days of talks, the leaders are still divided on the issue of any further enlargement, as well as regarding the revival of the blocked EU constitution, which has been rejected by voters in France and the Netherlands.

The German chancellor, **Angela Merkel**, who will take over the leadership role in EU from Finland on 1 January, explained that the summit has "created a very positive climate for solving certain problems", but she did not promise any major undertaking during the six-month period of German presidency.

"I would advise everyone not to exert too much pressure on us", she said at the conference after the summit, referring to the efforts towards finding a solution for the stalled Constitution, which is not expected to happen before 2008.

The Prime Minister of Finland and the outgoing president of EU Council, **Matti Vanhanen**, said that the leaders have agreed on the need to reform the main Treaty of the EU, saying that they cannot simply throw away a document which 18 countries have already ratified, in order to start everything anew.

While most of the countries agree that institutional reforms are a precondition for future enlargements, the British Foreign Affairs Minister, **Margaret Beckett**, disagrees: "This is not what the UK believes", she said.

The EU leaders have hardened their stance towards the countries that still wish to join, insisting that they must be capable of implementing wholly all the necessary criteria and emphasising the need to successfully conduct difficult reforms of the judiciary and fight corruption early on in the accession process.

"The rhythm of enlargement must



take into consideration the capacity of EU to absorb new members", reads the Conclusion of the Summit.

The leaders have not imposed any new obstacles to the expansion and they reiterated their support for the future membership of Turkey and the Western Balkan countries – Albania, Bosnia and Herzegovina, Croatia, Macedonia, Montenegro and Serbia. However, the new approach entails slowing down the enlargement process.

"The doors of our house will remain open...we have clearly left the gates open for Turkey", said the president of the EU Commission **José Manuel Barroso**.

Despite his optimism, the prospects for a new enlargement are not so certain any more, considering the negative reaction that swept across the Western Europe after the accession of the ten new members in 2004, and the disagreement over institutional reforms.

And while France warns that they might block all negotiations with Turkey and urges the conservative EU leaders to start working on a new "privileged partnership" with Ankara, the UK, who strongly supports Turkey, considering it to be a strategic link to the Muslim world, claims that the EU commitment to membership negotiations should not be "watered down".

"You cannot erase all that has been done and negotiated so far", Beckett said.

The Polish president **Lech Kaczynsky** said that, if the countries such as Turkey, or the western Balkans, have a perspective in the EU, the same promise should be given to Ukraine, Georgia and Moldova.

N.R.

WHY DID THE EC DEMAND IN ITS REPORT THAT MONTENEGRO SERIOUSLY TACKLES IN DE-POLITICISATION OF ITS PUBLIC SERVICE

Professionals are in the shadow of party militants

Successful and timely de-politicisation of state administration is one of the key reasons for why Slovenia was better prepared to join the EU than the other nine new members.

Montenegro is only at the beginning of this process, still with serious indicators showing that nepotism and party affiliation are the main criteria for getting a job in the public service.

This is why the European Commission warned Montenegro in its November Progress Report of the need to tackle de-politicisation of the public service. Only a month later, announcements of various appointments of the officials of the ruling coalition to posts for which they have neither qualifications nor the required experience does not exactly fuel optimism that professionalism may soon become a decisive parameter for the employment in the public service.

The EC report notes that Montenegro continues to make progress in the establishment of legal framework for the public administration

reform, with the new system of recruitment and improvements in the training of the officials.

"However, the public administration continues to suffer from serious weaknesses. In the future, it should be ensured that it is entirely de-politicised and professionalized, in accordance with the new key priorities of the European partnership", says the report.

Much can be learned from the Slovenian model. For instance, the function of the deputy minister in all the ministries relevant for the process of European integration was always delegated to the same people, regardless of their own party affiliation and the current composition of the government. **Rado Genorio**, a man who virtually guided the whole process of Slovenian accession to EU, stayed in the position of the secretary of State for European integrations (an equivalent of deputy minister position) for 14 years.

Genorio explains that immedi-



Rado Genorio

ately after Slovenia signed the Accession Agreement he simultaneously launched three projects supported by the EU. They concerned coordination of the EU related issues in the Government and the Parliament, informing the public about the EU and a mini-reform of public administration, in other words, its de-politicisation.

"Within the ministries we created sectors that were led by deputy secretaries of state. This is the highest administrative status, strictly professional, and these people were not replaced regardless of the current constellation of powers. In other words, we had professionals already on the third level, just below the prime minister and the secretary of state. In those ministries which were of utmost importance in negotiations with EU, such as agriculture, transport, or environment, we agreed not to replace the second-level official neither, that is, the secretaries of state. And the parties which altered in power in the meantime were also glad to have quality cadres on these positions", Genorio explains, giving the example of the state secretary for budget in the Slovenian Ministry of

TIME TO MOVE FROM WORDS TO DEEDS

Explaining that he is familiar with the fact that all the political parties in Montenegro declare themselves in favour of joining the EU, Genorio says that the necessary condition for de-politicisation of public administration and success integrations is a firm political agreement.

"It is not enough to pay lip service to European consensus, it is necessary to move to deeds in terms of de-politicisation, and the greatest responsibility for it is with the government", Genorio emphasised.

He adds that for him it is difficult to comprehend that Montenegro has constant trouble with administrative capacities, although the political option which has been in power for so long continuously claims that the problem is being resolved.



Finance who stayed in that function for 12 years.

The importance of de-politicisation of the public service is best illustrated by the examples of Poland and Hungary, which joined the EU simultaneously with Slovenia, although they had their Accession Agreements signed already five years before the tiny sub-Alpean state.

One of the reasons, according to Genorio, is that in Warsaw and in Budapest they did not manage to de-politicise their public administration on time and successfully enough.

Director of the Government Directory for the Training of Cadres, **Svetlana Vuković**, says that with the new regulations, first of all the law on public administration and public servants and officials which have been harmonised with European standards, the requirements are now clearly separated for different posts.

"There are certain positions which are clearly political, such as the function of a Minister, for instance, whereas all other positions in the system of public administration should not be tinged with political concerns", Vuković says.

These laws, she explains, clearly stipulate the requirements for each post.

"General requirements state that the applicant must be a citizen of Montenegro, physically fit for the job, more than 18 years old and without a criminal record which could compromise his/her competence in that function. Specific conditions regard educational qualifications, working experience and the specific knowl-

edge and skills which an applicant must possess in order to be able to carry out the tasks belonging to the post. All vacancies are publicly announced and are accessible for all the citizens. The process of recruitment is centralised through Directory for Cadres.

The head of the relevant sector in our Directory receives a list of all candidates who satisfy the general and specific conditions, and who passed the preliminary test of abilities for that job. Until we receive the list, we do not know who applied, nor whether somebody is a member of a party or not. The Head does not necessarily have to choose somebody from the list, which is made as a rank list according to the skills and qualifications. He/she is free to decide upon that, we only provide recommendation. Until now, there were no cases of selection outside of the list, and the heads usually select people in the order of ranking which we provide. If the choice was not made, we receive a written justification for such a decision. The reason is usually that the candidates do not satisfy

WOE TO THOSE WHO KNOW THEIR JOB

Pejović explains that the trouble would not be so great if the administration was at least efficient, in addition to being corrupt.

"The problem is that it is both incompetent and corrupt. Those few people there who know what they are doing are often either marginalised or simply prevented from doing their job. I worked in the public administration, and I know from experience that you are "done in" as soon as they find out that you know something", Pejović says.

He cited the example of the affair with buying passports.

"They are not even able to conduct legally such a routine work like getting the basic documents, and now the visa facilitation programme for the citizens of Montenegro will have to be deferred because of their incompetence or corruption, and I hope the court will decide which of the two is at issue", Pejović explains.

If they are not capable of buying the documents, asks the MfC official, how are they going to fulfil the more sophisticated requirements coming from Brussels?

"I must admit that I am fascinated by the conviction of our Government, and I do think that they seriously believe in it, that it is possible to cheat on Brussels, get them to buy empty promises. As if they thought the Brussels administration was a bunch of their naïve voters from Nikšić Vir", emphasised Pejović.

the requirements, which is the case if only one or two people apply", Vuković explains.

Asked whether she ever experienced pressure or suggestions from the ruling coalition to intervene in the drafting of the list in order to create an advantage for certain candidates with adequate party profiles, Vuković admits that she received several calls to the effect of "a friend of mine applied, could you check if his documents are properly assembled etc."

"Regardless of whether I receive that call from my acquaintances in the government or in the opposition, I will ask my colleagues to control the documents and to inform the applicant. This is all. We are not in a position to add working experience or years of schooling to anybody", Vuković said.

She does not hide her membership in the Democratic Socialist Party, but she denies that she ever subordinated her professional responsibilities to her party affiliation.

"My priorities are quality and professionalism of the employees, and you can ascertain that by looking at the profiles of the people working for the Directory", she said.

However, Montenegrin opposition is adamant in claiming that the public administration has been entirely politicised.



Zarija Pejović

"The requirement to be appointed to any higher position in the administration is not only that you belong to DPS – you have to prove your readiness to be "a part of their team". "Part of the team" means you agree to be one tentacle of the octopus of corruption, while you only keep on simulating the work you are supposed to be doing. I know of a deputy director in a certain public institution, who informed the authorities (Prime Minister and his deputy) about the machinations of his superior. In a gesture reminiscent of the old film "In the Name of the People", he

was relieved of his duties. When he asked "why", one respectable minister informally answered that he had "dropped out of the team", says **Zarija Pejović** the official of the Movement for Changes,.

To what extent the public administration has been politicised, or rather deprived of all meaning will, according to him be best demonstrated in the upcoming appointments for the functions of the President of Senate of State Audit Agency and Director of Agency for the Control of Insurance Companies.

"Although these functions should be occupied by persons with no party affiliations, I believe, and all indicators point in that direction, that they will be given to faithful DPS cadre" Pejović said.

According to Genorio, the Montenegrin government should depoliticise its public administration as soon as possible.

"If the government does not solve this issue, if they do not give up on their party apparatchiks, Montenegro is sure to run into problems in implementing the SAA. Instead of progressing towards the EU, it will end up trotting in the same spot", Genorio concludes.

Vladan ŽUGIĆ

MORE PROFESSIONALISM MEANS STRONGER INSTITUTIONS

Deputy Prime Minister for European Integrations, **Gordana Đurović**, says that the issue of de-politicisation of public administration is a critique generally applicable to all countries in the region.

"The criticism of the European Commission is partly justified, both in the case of other countries and in the case of Montenegro. It is certainly a step we have to make in order to strengthen our administration, to de-politicise certain functions. Ministers, being the members of the ruling coalition, cannot be de-politicised as such, however, it is important that the second and the third level of officials be de-politicised as much as possible. That would mean, first of all, that the people appointed to these functions should have enough quality to withstand all the political changes, and to remain in these posts as experts. I support such initiatives: more professionalism means stronger institutions, Đurović said. Asked whether she knows of anybody who was appointed to a certain position due to his/her party affiliation, Đurović answered that "in her Ministry, that was never the case".

DEPUTY PRIME MINISTER FOR EUROPEAN INTEGRATIONS, PROF. DR. GORDANA ĐUROVIĆ

When Montenegro is ready for EU Europe will be ready for us too

We are now done with a lot of work. The technical negotiations on the Stabilisation and Association Agreement were completed on 1 December in the Fifth round of technical negotiations. We have agreed on and concluded all of the 139 articles of the Agreement, all seven protocols and seven annexes. The EC has presented this document to the EU Member States in Brussels on 13 December. We are expecting to receive their positive answer by mid January, and the member states have already been following our negotiations through all of its phases, said Deputy PM for European Integrations, Prof. Dr. **Gordana Đurović** in the interview for *EIC Bulletin*.

● **Except for further requirements for the improvement of administrative capacities in the Directory of Customs and for defining the authority to monitor market competition, is there another reason for why the Agreement has not been concluded yet?**

Certain commitments must be fulfilled before the Agreement can be concluded and signed. On the one hand, the European Commission must get a positive opinion on the Agreement from the Member States and among its Directorates, and there are also a few commitments on our side, and we are working on them intensively. We have drafted the new Law on Wine, which was necessary for the annexes on agriculture; we began preparing the establishment of an independent operative body for the implementation of the competition policy and we adopted the Action plan for the strengthening of administrative capacities, preparing our institutions for the implementation of the Agreement.

According to the EC Directorate for Customs and Taxes the chapter on customs was not sufficiently defined. We have thus developed a detailed



training plan for customs officers and exporters, and we forwarded it to Brussels last week. This programme is already being implemented, with four seminars conducted throughout the first half of December.

We are currently negotiating with the Centre for European Perspectives of the Government of Slovenia to include Slovenian experts in our training programme for customs officers in January and February, and the Office of Customs has already applied for a seminar in March 2007 through the TAIEX programme. We are also negotiating further trainings with bilateral support of the Government of Hungary, also in the first quarter of the next year. I believe that with such detailed plans for the strengthening of our capacities we can win a positive opinion of EC and a provisional date for the conclusion of SAA.

● **When do you expect this to happen?**

I expect the SAA to be concluded in the first half of February. It is a reasonable period, similar to most other countries which have already compet-

ed this phase. As a professional, I still wish to believe that there are no other, political reasons, to prevent this successfully negotiated process from reaching its conclusion.

Afterwards, the European Commission will have to prepare the opinion, and then we wait for the Council to adopt it and to propose a date for signing the Agreement. Once signed, the SAA will be forwarded for ratification to the European Parliament and the Parliament of Montenegro.

This is when we can define which part of the Agreement is to come into force immediately (the so-called Interim Agreement), while the entire SAA will come into force only after it is ratified by all 27 parliaments of EU Member States. According to this scenario, the Interim Agreement could come into force at the earliest by July 2007.

● **Accession to the Partnership for Peace showed that regional approach has become dominant, and that the progress of certain countries in the Balkans is not being evaluated on individual basis, but rather in relation to**



their neighbours. Do you believe that there might be a danger of a similar approach substituting the current "regatta principle" of EU association?

Should there be any unforeseen delays regarding the conclusion of SAA later than March, it is natural that people start fearing that there is in fact something else blocking our way, apart from the noted technical issues. So far we had no reason for such suspicions. All the messages have been affirmative. Last week, for instance, we had the first inter-parliamentary meeting between the EP Committee and Montenegrin Parliament, which was a very important event for us. I was there as well, as a Government representative, and together with our MPs I had to answer more than 30 questions posed by the MPs of EP. Not once did there seem to be any doubt as to our European road, the dynamics of our progress, possible delays or, alternatively "favouritism" with respect to us. All the messages were extremely respectful and positive.

My own message for the EP was that I expect this high authority to ratify our SAA this spring, and I thought it was received very positively. As a new state on the map of Europe, we are asking no more and no less than what we had won with our own efforts in negotiations and what we deserve given our economic development and levels of harmonisation of our system. Besides, according to the report by Mr Elmar Brook, the European Parliament

itself insisted to keep the "regatta system", following the recommendations of the Thessaloniki agenda.

Finally, I would refrain from drawing direct conclusions for the EU Stabilisation and Association Process from the events of the accession to the PFP programme.

● However, some analysts, such as Dr Judy Batt, warn that the regional approach might be gaining in importance?

I believe that the "regatta principle" is sufficiently fair for those countries who wish to safeguard their European agenda and preserve motivation for the process. If the dynamics of the association process were to be depend on some unresolved political issues in other countries, and not on our own efforts, Montenegro, or any other country, could easily lose motivation to step up the dynamics of the process.

In the phase of European integrations in which we find ourselves today, there are no signs of "freezing" the association process, no official or unofficial announcement of slowing down

this phase. We are simply continuing the journey on our "European road", and the pace of integration depends only on us. At the same time, EU has posed itself the task to resolve the issue of its new institutional arrangement and integration capacity for the acceptance of new states by the beginning of 2009, before the parliamentary elections. However, for us, 2009 is tomorrow, which means that we should get down to doing our own "homework" and plough dynamically through all the phases of integration. In 2009, we will not be at the doorstep of EU, but we may reach some phase of defining the candidacy and opening permanent negotiations which are, again, a long-term process. In other words, we are not under the pressure of accession, and we should not allow discontent and impatience to rise. We have a clear European perspective ahead of us and our accession dynamics does not clash with the EU needs to consolidate its accession policy.

One day, when Montenegro is finally ready for the EU, I truly believe

THE MOST DIFFICULT THING IS TO IMPLEMENT THE LAWS

● What are the greatest advantages and disadvantages of Montenegro on its road towards the EU?

I believe that in economic terms we have many advantages, because we have been working hard, both on our economic legislation and on attracting foreign investments and also in making people aware that each individual's success in the market depends on his/her own efforts, so that they should not wait for the state to rescue them. As for the reform of state administration, we have come a long way in building institutions and drafting laws, but of course, implementation remains a great challenge, and so is strengthening the capacities of the Parliament and independence of the judiciary. It all comes down to our ability to create quality administration and institutions which are necessary for the process.

● According to you, what fraction of the legislation has been harmonised already, how much needs to be amended and how many new laws adopted in order to harmonise our system with EU legislation?

The first national plan for the implementation of Acquis will be made next year, this is when we will for the first time analyse in detail the qualitative and quantitative aspects of our legislation. I expect us to be positively surprised.

For us, implementation is the problem, not the formal harmonisation of the EU rules. The March 2006 European Partnership requires a further 105 new laws to be adopted. This is going according to the plan, but soon enough we will have a new European Partnership and also new obligations that come with it.

that the EU will be ready for Montenegro as well, ready to open its doors for us and to accept us in full capacity as an equal member.

● **When do you think this day will come?**

I will limit my projections to the mandate of this Government, within the borders of rational expectations. In this mandate, we can get SAA, we can have it ratified by all the Parliaments, see it come into force, and implement most of the agreement in the meantime.

Parallel to this, there will be the process of application for candidate status, which we could submit already by 2008, and perhaps get it in 2009. Membership negotiations take a few years, which means we can join in 2010, 2011 or 2012.

I would not make further prognosis. Let us remember that Montenegro

has already harmonised many of its laws with the Acquis, we are a small, flexible system, ready to strengthen our administration for European integrations – the awareness of the importance of working hard on the issues of European integrations is steadily growing, and so is the number of people working on these tasks. Our European perspective is therefore a rising, positive trend.

● **Where does Montenegro stand in this process with respect to other countries of the region, if we disregard nominal statuses?**

It is difficult to compare, and there is a touch of political sensitivity to it. In Montenegro in 2006 we have for the first time a clear political framework, there are no political obstacles and no contentious issues with either of our neighbours. That is a great political capital. We now have the basis to con-

struct a new image of Montenegro. It is interesting that in the surrounding countries there is much more optimism regarding Montenegrin perspectives for integration than inside the country itself. This is the opinion of our neighbours, because we have no unsolved status issues, such as Kosovo, and no political problems with the ICTY.

Therefore, we have great chances to rely on the political and economic association with EU, and both the EC representatives and the government agree that it could go even faster.

The pace, however, depends on our own efforts. In that respect, it would be helpful to promote the spirit of democratic maturity in Montenegro, so that the political parties are not busy scoring easy points in criticising the process of European integrations, and instead engage their full contribution to the process, so that we can move with maximum potential – which is a common interest of all Montenegrins. Depoliticising the issue and mobilising full consensus for the process, we can move forward much more easily.

Maybe we can get much closer to Croatia than we are now. Obviously, we wish all the luck in the integration process to Serbia and Bosnia as well, but each country should be judged according to its own merit in the realisation of the European agenda.

● **Are you perhaps planning to discuss the "European consensus" with representatives of opposition parties?**

Once we form the joint Parliamentary Committee for Monitoring the Implementation of SAA, and begin to implement the National Plan for Association, (implementation of the agreement), all parties will get a chance to contribute to the process substantially. The real question is whether these parties are able to give expert support to the process through the parliamentary committee, to express constructive critique of the new laws, to participate in round tables, cooperate with international donors who wish to provide training and technical support... There is definitely enough space for all political parties to participate in the process and give their own contribution.

N. RUDOVIĆ

ENVIRONMENT THE MOST EXPENSIVE

● **Which sectors do you expect to be the most difficult and most expensive in complying with EU standards?**

Environment is one of the most expensive sectors, environment in the sense of a developed waste disposal system, clear spatial documentation, spatial management plans, including building of the necessary infrastructure, in terms of energy, roads, railways, water supply and sewage systems, waste management...

This is something that the state is doing for itself, first of all, just as the entire process of European integrations is in fact a positive process and our voluntary choice.

In other words, once we are part of the European Union, it should come as a confirmation of our success in development, not us simply being there regardless of the living standards, in the sense that we will be living in a developed society and a consolidated democracy.

European integrations are in fact a road to consolidate our own state, to strengthen its basis through quality institutions, but also to create the right environment for business and healthy environment, which altogether should lead to improvement of the living standards of our citizens. It is, in effect, a philosophy of development.

Another financially challenging sector is the question of safe food and implementation of the sanitary and phyto-sanitary measures which come in the package of agricultural harmonisation. Veterinary is expensive, but there are also the extra costs in terms of administrative efforts in institution building. It is not so much the financial burden, but the extensive investment in human resources that poses so many complications, because it takes several years to complete.

I believe that Montenegro has enough cadres, but it has not been adequately employed in the direction of European integrations. European integrations are not only happening in the Secretariat for European Integrations and in the Government, they are also taking place in firms, among the social partners, in the civil society, media...

WHAT DOES THE AGREEMENT ON THE REGIONAL FREE TRADE AREA – CEFTA – BRING FOR MONTENEGRO AND ITS PRODUCERS?

The merciless race begins

Montenegrin producers will find themselves faced with a serious challenge of competition coming from the neighbouring countries after the intermediary four-year period during which all the customs barriers will be removed. However, on the brighter side, all indicators predict a higher inflow of foreign direct investments to the region, once it becomes and integrated single market with 29 million consumers. This is the main gist of the analysts' accounts of the conse-

quences of CEFTA agreement, who also emphasise that this is an attempt for the Balkans to qualify for becoming a part of EU and its single market in the future.

The agreement on the regional free trade area – CEFTA, was signed on 19 December in Bucharest by representatives of all countries in the region – although the accession of Serbia and Bosnia and Herzegovina was under the question mark until the very end, as they insisted on some protection for their products. Although the agreement was signed by Romania and Bulgaria, these two countries will leave CEFTA already in January, when they become member of EU and a part of its market. Thus CEFTA will gather all the countries that are still hoping to join EU – Montenegro, Serbia with Kosovo, Croatia, BH, Macedonia, Albania and Moldova – and thus create a market with a population of 29 million.

The Agreement envisages lowering of all customs barriers for industrial products within the region by 2008 at the latest, whereas for agricultural products the deadline is 2010. The signatories expect the agreement to promote regional trade. Montenegrin producers of agricultural products, who are currently protected by high customs barriers, should get ready to join the merciless open competition race by 2010.

According to the European Com-



mission date, in 2004 the bulk of trade among the Balkan countries was worth 3.5 billion euros.

The agreement should be ratified by June 2007, by which date the signatories should also agree on its implementation.

The government of Montenegro, whose PM **Željko Šturanović** signed the Agreement, claims that CEFTA will enable Montenegrin companies to place their products easily in the new markets, but will also contribute to the strengthening of standards and regulation in the realm of product supply, increase their quality and lower the prices.

The strategy of the Government of Montenegro is to open the Montenegrin market, focusing on increasing its competitiveness and avoiding market inertia and reliance on the artificial state barriers and subsidies. Certain producers will, however, continue to receive subsidies, based on regulations by the World Trade Organisation and those of EU states.

The government also notes that we are now to enter the process of gradual liberalisation, in line with the state's capacities to withstand competition, but without damaging the terms of trade for other countries in the region.

In the first commentary he gave after signing the agreement, the Montenegrin Prime Minister emphasised the development and acceleration of liberalisation of

trade regime. This should lead to expansion of trade in South East Europe, as well as to a greater public transparency of business.

"By strengthening trade relations in the region, we hope to improve its attractiveness for the flows of FDI, resulting in higher levels of employment in our countries and widespread economic growth in the region", he said.

The European Enlargement Commissioner, **Olli Rehn**, declared CEFTA an "ambitious programme" for the development of the

region and a preparation for the countries in the region for their journey towards EU. He believes it to be very important that at the recent meeting of the European Council in Brussels it was decided to leave the EU doors open of the countries of the Western Balkans.

Whether CEFTA will contribute to the Montenegrin market opening faster than was envisaged, thus endangering mostly infant domestic production in pitching it against more competitive producers from the neighbourhood (which could cause problems for the Montenegrin economy) is still a subject of debate: however, the Government ascertains that CEFTA will not change much in terms of deadlines for the establishment of free trade already set by a network of bilateral agreements. Those have now been simply replaced by CEFTA.

According to those bilateral agreements, Montenegro already undertook the commitment for complete liberalisation of industrial and agricultural sector by 2010. The novelty is that, except for the goods, CEFTA will now encompass a further process of liberalisation in the area of services, intellectual property, technical regulations and standards and the creation of adequate investment environment.

N.R.

On Sekula and the Constitutional banner

by Brano Mandić

I really wonder: Who are those people with enough wind in their bronchiole to instigate the cavemen discussions on anthem and the flag – after half a million of dead and displaced, and in the midst of diplomatic clinches and under the threat of lowering the negotiators' flag?

The simultaneous strategy game played by Brussels in the Balkans lasted for a decade and a half in the case of Romania and Bulgaria. And now these two countries should really refuse to join EU, out of protest that the EU flag only has 12 stars, which is unfair to the new members.

In vain the warnings of the Council of Europe that heralds and anthems are not among the priority issues in a society whose 40% of the population consider a serving of fruit once a day to be luxury. MPs of Bosnian and Serbian list still insist on sweetening up their debates on the constitution with good old themes – who did what to whom in the nineteenth century.

No trouble at all, unless you consider the following:

How is it possible to argue against the flag as a warrior banner, forgetting that a few benches in front of you, in this same Parliament, sits a certain slightly graying gentlemen who was the prime minister of a government that saw Bosnians deported into death or kidnapped from trains to be executed?

MP Kemal Purišić voiced his dissatisfaction with national symbols, explaining that under this flag the wars were waged in the past. MP Mandić similarly observes that

under the same banner there was once a feud against Kuci.

Feud? Ever thought of using that word? Probably not, as it belongs rightfully to the diachronic linguistic corpse, together with Bosančica, the ancient script without which, according to Purišić, any debate about the Constitution is doomed to superficiality.

The MPs of the Serbian list go even a step further: the anthem was, according to them, written by **Sekula Drljević**, a war criminal. That he was proclaimed a criminal by a tribunal they do not recognise is a secondary concern. The logic is always a secondary concern when you end up in the realm of symbolic interpretation of reality.

This is probably why the MPs view themselves as movie heroes, standing up for both the future gen-

erations and for the honourable ancestors. They speak to nobody: they speak to the future and to the worms, to paraphrase **Celiné**, one of the writers who would probably find hilarious both the European Union and the Balkan attempt to penetrate it. And this is how all talks of symbolism end up on a Freudian note.

It comes down to a lack of parental attention or, in political terms, to suppressed interests.

What are the interests of minorities? Their representatives claim that it is the minority rights they need, which is by definition incompatible with the idea of equality.

"I want no minority rights, I want equal rights", is what I would like to hear, but then we would have to give up on minority electoral units and the messianic sentiments of their lead rams.

The national tribunes should not be trusted, and their motivation even less so. Respect is, however, mandatory, especially when they happen to be advocates of a minority, because I can never forget that I belong to a people of sly chauvinism and meanness, which we try to conceal with gentlemanly bickering in front of the waiters and with a mythology of defensive wars that are, allegedly, the only kind we are able to wage.

So be careful. Remembering that out here it is more difficult to be a Muslim, Albanian, Bosnian or Croatian, which I claim, for instance, based on a vivid memory of a confession by a friend of mine **S.P.** who admitted that he felt ashamed when his mother would call him in for lunch





from their balcony and suffered because of teasing by his friends from the neighbourhood, who would imitate her Albanian with the same merciless gags that the children use for people with a handicap.

With such painful flash-backs, the eagle on the flag could easily be carrying a billiard ball – we would still be able to find the colour of war in it, if we looked for one.

Still, at least in the name of one other minority, which used to carry the two-headed eagle as an anti-war banner, I would like to hear the magic words: why now?

Are we now talking about a process of political stabilisation and a reign of institutions, computer literacy and sexual revolution? No. We are talking about a flag which Montenegrins, covered in sweat from stinging loza schnapps, brandished against the Turks, stupefied with opium fumes.

We should study the thing very carefully, lest we send an all too clear message about our reform capacities. Or, send the CV of Sekula Drljević to the European Commission for verification. As for the crown on the flag, how seriously has that been

taken is best shown by the attitudes towards the last offspring of the dynasty of Petrovići, whose only sin before this people is that he is educated and not too skilled in swearing in this "south-Slavic" language.

And now we come to the classical theme. Mr **Krivokapić** certainly had no evil thoughts when he suggested it as the name for the language, for to have evil thoughts, one must first be thinking. It seems that it simply slipped out as a loud association born under the falling stars of the victorious fireworks. The man must have thought that, with such wise leaders, Montenegro could become a pillar of Slavism, which is again reminiscent of the overblown

ambitions of our last king, the one who left us the flag.

In the meantime, I hope the times will come for each of our citizens to have a public list of at least ten flags which he/she values at least as much as the national one, if not more.

I will try to make my own list, hoping that somebody will understand how disgusted I feel while cavemen debates over the design of one piece of cloth are again looming on the horizon. It would have been more useful if someone made a survey into how many people in our capital spit on the pavement. How many women save on the services of hairdressing. These are the issues of European integrations.

It is perhaps less crucial as a question, but still interesting for investigation: how many flags were printed in the year of the referendum, as they mostly appeared rather fresh looking in the meetings where the speakers summoned the spirits of medieval lords. And now to my top ten:

The first one that meant to me was the one with a red star.

Then my brother brought back from a school trip in 1988 the ban-

ner of the football club "Hajduk", whose whiteness I worshipped with indisputable fanaticism.

The flag of Zissou team, in the brilliant work by **Wes Anderson**, *The Life Aquatic*, is my third choice.

Then comes the flag of England which my housemate uses to cover the wracked cupboard in our living room.

The Japanese flag, but only if you look at it analytically, from the standpoint of the artwork by **Kazimir Malevich**, may be found on the list as well.

The white flag fluttering above Berlin in early May 1945, a masterpiece of symbolist reductionism.

The flag of **Zoran Žižić**, a personal favourite, my tribute to masochism.

The American flag, adjusted to the liking of a pair of boxing shorts on the invincible Rocky Balboa.

The flag in the "Cremissimo" advertisement for ice cream, tasted by the mysterious beauty with a fur hat, the muse of boyhood days.

Finally, a variety of the Montenegrin banner whose initials "H.I." were interpreted to me by a certain teacher in the seventh grade to mean "Croatian Empire" (Hrvatska Imperija).

I always think of that when I see the two headed eagle flapping above my head from the windows of one of the institutions of our troubled system. That's when I think that every story about flags is only a good political centre-shot, never a clear run at the goal. There will always be some centre-fore to raise the voice in the name of the fatherland, to make you eat yourself with shame before the eyes of western capitals where you actually belong by your upbringing.

Where people are not bound by flags only, and thus not too easily divided by them either.

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DR AMADEO WATKINS, UK MINISTRY OF DEFENCE WESTERN BALKANS EXPERT

NATO is not what it used to be

There are many prejudices and much confusion about NATO that can only be clarified through a long term communication programme with the citizens of Montenegro. The NATO has changed a lot in the last ten years, and I advice you not to postpone this topic any further, there is work to be done which should be approached openly and with through involvement of all elements of the society and state. It is the state as a whole that accedes to the NATO, not only its military forces, said Dr **Amadeo Watkins**, the United Kingdom Ministry of Defence expert for the Western Balkans.

According to him, much has been changed on the global level, not only in political and military terms, but also in the economic sphere, through globalisation.

"The challenges confronting Europe now, and Montenegro is certainly a part of Europe, are different from those that we faced 15 or 20 years ago. Montenegro cannot say any more that whatever happens in the Middle East has nothing to do with what goes on in Europe. Instability in the Middle East, which, among other things, affects the prices of oil, has greater negative effects on smaller states. By participating in the stabilisation of the Middle East, Montenegro can indirectly contribute to its own stability", Watkins said.

He emphasises that, although it is nearly impossible to calculate precisely the price of joining the NATO, it would certainly amount to a lot less than the price of remaining outside of it.

"NATO is a system of collective defence and the membership relieves the state of unnecessary costs of developing all the components of a security system", Watkins explained.



According to him, the right question to ask is not how much the membership costs, but what it can offer to Montenegro.

"Once Montenegro becomes a member of the NATO, there will be no need for it to develop a strong air force or navy. Taking into account the relatively limited financial capacities of Montenegro and the security challenges it faces, Montenegro can really gain a lot by becoming a member of the NATO", Watkins said.

He believes that, after being accepted into the NATO programme Partnership for Peace, Montenegro may face a problem of insufficient human resources.

"Perhaps there is a critical number of adequate cadres, but the requirements of NATO accession will demand many more, both in Brussels, and in Podgorica. Their training and education will be crucial for the fulfilment of their future duties. Bearing that in mind, I would advice cooperation with non-governmental organisations in Montenegro. The second challenge will be to use, substantially, and not only formally

speaking, the experiences of other countries in the region that have already travelled the road to NATO membership", Watkins warned.

According to him, the strategic decision of the government of Montenegro to join NATO is by no means endangered by the fact that the highest inflows of foreign capital in Montenegro come from Russia, who opposes the further expansion of the Alliance.

"Honestly, I can see no problem with that. In the conditions of open market economy, Russian capital in Montenegro will face no obstacles. Besides, it is important to remember that Russia, who also participates in the PfP programme, has a long-standing cooperation with NATO. As a new, sovereign, state, Montenegro has democratically chosen Euro-Atlantic integrations, and this process certainly merits support", Watkins emphasised.

He explained that the invitation Montenegro received at the Summit in Riga was not only meant for PfP, but also for the Euro-Atlantic Cooperation Council.

"I find the Council even more important. EACC and PfP are two pillars of Euro-Atlantic partnership. EACC is an all-encompassing framework which enables Montenegro to sit down at the same table with all NATO members and other partnership countries and join in the process of consultations and cooperation on the issues of common security.

PfP is only a practical programme of bilateral cooperation with NATO. Therefore, Montenegro is becoming an equal member of the international community", Watkins concluded.

N.R.

ARE THE COPENHAGEN CRITERIA PURPOSELY (UN)DEFINED?



by Vladimir Vučinić

Following the fall of the Berlin wall and the efforts on the part of the Central and East European countries to become members of the European Union, in 1993, in Copenhagen, the European Council decided to open its doors to the newcomers, under the following conditions:

- That the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and, protection of minorities; and that it accepts political goals of EU;

- The existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union.

- Membership presupposes the candidate's ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union, and especially acceptance and implementation of the EU legal codes, i.e. *acquis communautaire*.

Furthermore, the Council emphasised that the accession will depend on the EU capacity to welcome new members.

This body of requirements, commonly known as the

It all depends on the European Commission

Copenhagen criteria, became the key point for measuring the progress of the candidate countries towards full membership in EU. However, they also provide for a wide margin for evaluation, they are too broad and too general, and do not stipulate in all precision the relevant reference point for any evaluation. On the one hand, the lack of strictly defined criteria can make their implementation in the framework of EU conditionality policy somewhat

problematic. On the other hand, the broad definition enables the Copenhagen criteria to be flexible enough to accommodate for political concerns of some of the EU members, and for the specific characteristics of the candidate countries.

The first set of criteria refers to various political conditions. It is however obvious that the Copenhagen criteria are neither precise nor particularly detailed. Generally speaking, they resemble all

USEFUL AMBIGUITIES ON THE ROAD TO MEMBERSHIP

Analysing the Copenhagen criteria, it is easy to see that they are broad and lacking any kind of reference point for evaluation. This, in turn, opens multiple opportunities for subjective assessment of progress with respect to the candidate countries. Not only are the political, economic, and administrative criteria problematic for evaluating the candidate countries – some of the old member states could earn equally unsatisfactory grades on some of them. Without further definition, Copenhagen criteria in themselves are not sufficiently structured for the measurement of progress in the candidate countries. However, the Copenhagen Council summit made a significant achievement in proclaiming its commitment to integrate the Central and East European countries into EU. As a result of this commitment, the criteria had to be sufficiently flexible and general, in order to allow the EU to refuse or accept the candidacy when needed.

To some extent, such flexibility can be positive, if it is used to accommodate for specific condition in different candidate countries. The countries that joined EU in 2004 were not all at the same level of economic development, and were equally diverse in terms of political conditions. The vague nature of the Copenhagen criteria enabled them all to become EU members. On the other hand, such broadly defined conditions can give leverage to the EU to dominate in the negotiations, as is the case with Turkey.

Throughout the enlargement process, the EU developed other mechanisms for evaluating the candidate countries, which are significantly more structured and sophisticated, and lead by specific guidelines. In this way, although the criteria are general, they serve to establish a broad framework, which simultaneously support the political agenda of the EU. Their generality gives EU enough flexibility when necessary, especially in such sensitive issues as enlargement that may affect all policies and all member states of the EU.



Zgrada Evropske komisije

the other conditions usually stipulated by other international organisations, such as the Council of Europe or OSCE. The loose definition of the political criteria renders their objective evaluation problematic. It is difficult to define the limits for the respect of human rights or minority protection. The example of Turkey demonstrates that, although the European Commission gave a positive opinion on the state of the human rights and minority protection in Turkey (which was also a precondition for the opening of negotiations between EU and Turkey), many international organisations, such as the Human Rights Watch, have warned that Turkey is still far from the international standards in this area.

Ambiguity of the conditions renders the evaluation of their fulfilment subjective – at the discretion of the EC. Although one could expect the political criteria to be based upon consolidated rule of law and long-term implementation of democratic principles in a given country, the opinion of the EC has sometimes changed overnight. In case of Croatia, for instance, the swift change in attitudes on the part of the EC regarding the political criteria clearly demonstrated the importance of the elite influence in this issue. Although there was barely enough

time to change anything in terms of political situation, the European Commission considered the new, pro-western rhetoric of the Croatian Government after the fall of the Tudman regime to be enough of a guarantee for the fulfilment of the political criterion.

The second set of criteria consists of economic requirements that also leave a wide margin for subjective interpretation. The existence of a functioning market economy is neither clear nor easy to measure. Moreover, in the EU itself the respective markets of different member states stand at different levels of development. The definition of a functioning market economy is broad, and makes it difficult to measure the achievements of the accession countries on this item. In the cases of certain accession countries (e.g. Slovenia, Cyprus), such a general criterion became almost absurd, as their economies proved to be functioning better than those of the EU members states.

The same controversy goes with regard to the condition stipulating that a country must be able to cope with competitive pressure and regulations of the Single Market. Many analysts would agree that such formulation is at least unclear. Competitiveness of companies within the EU member states depends

on their compliance with the EU competition regulations and on the overall compliance of the candidate countries with the rules governing the single market. The economic conditions are therefore obviously imprecise, and different actors may affect the subjectivity of the evaluation. Consequently, similar to the political conditions, the economic criteria are too general, and thus inadequate for objective evaluation.

The third set of criteria concerns the capacities of the candidate countries to adopt and implement EU laws. The problem of objective evaluation is as present as in the first two cases, because the process itself regards internationalisation of the new rules within state administration. The issue of implementation has been frequently used by EU as an argument to postpone negotiations. Bearing in mind the difficulties in measuring this phenomenon, as well as the real possibility to achieve swift progress in each area of the *acquis*, this particular condition has been widely used by the opponents of enlargement as the key argument for postponing the process.

Adoption of the *acquis* does not merely consist of the act of translating the EU regulations into the national legislation: it requires profound transformations in the society as a whole. Consequently, implementation of the EU legislation cannot be done overnight, and it usually takes long periods of transition for the process to be completed. However, the Copenhagen criteria give no clear guidance for evaluation, nor do they take into consideration the need for transitional periods of accommodation and implementation of certain sections of the *acquis*.

The author is an official of the Montenegrin Ministry of Foreign affairs and associate of the European Movement in Montenegro

FUTURE ENLARGEMENTS AND THE EU ABSORPTION CAPACITY



by Maja Vujašković

Although the spectre of the EU absorption capacity has been haunting the prospects of future candidacies for EU, the study of the European Commission, issued on 8 November and titled "EU Enlargement Strategy and Main Challenges 2006 – 2007" has passed almost unnoticed in the Montenegrin public, in the shadow of another report which appeared on the same day, regarding the progress of Montenegro on the road of European integrations. However, the mention of the absorption capacity, together with statements by certain EU officials who warned that the Union cannot afford further enlargement until its institutions have been reformed, caused uneasiness among many of those who are working on these processes.

Should the EU insist on the absorption item, the future candidates could end up in a rather unfortunate position with respect to their predecessors. In other words, except for internal reforms, implementation of the *acquis*, and other criteria, these countries would also have to face the obstacles coming from the EU itself, in which they have absolutely no say. As the issue appeared most acutely precisely at

European or Balkan Union?

the time when the EU insisted on the conclusion of the CEFTA agreement, some were led to believe that the EU concluded to seal its borders and, instead of the European, to offer us a "Balkan Union".

However, we often forget that the Stabilisation and Association Process – tailor-made to the accession needs of the West Balkan countries is different from the previous agreements made with the Central and East European countries, precisely because it insists on regional cooperation. Except for being a perfect "training ground" for the free competition environment on a smaller scale from that which awaits us in the Single Market, CEFTA is also a way to fulfil the pre-conditions stemming from the SAP.

The Strategy issued by the European Commission on the request of the European Council is a formal acknowledgment of the limits of the EU enlargement capacities.

For a while now, except for the absorption capacity, there is also a debate around the definition of the "natural" EU borders – what does it mean to be a "European country", is it a purely geographic notion or should it also describe culture and values, and how to define Turkey and its European perspective in this context? On the other hand, but also in relation to Turkey, there is a possibility of France holding a referendum for every future enlargement, which altogether gives an impression that the EU is in the phase of redefining itself.

Those who feel that the true meaning of the absorption capacity escapes them should not worry. It is certainly a phenomenon which is neither clear nor precisely defined, and which made its appearance in the EU vocabulary through the back door, especially after the failure of the Constitution, which was supposed to create the legal grounds for

THE IMPORTANT THING IS TO GET THE CANDIDATE STATUS

From the standpoint of Montenegro, in any case, the internal challenges of EU should not affect its European aspirations. It is realistic to expect that, by the time Montenegro fulfils all of its commitments, the situation in the EU will also change. Montenegro has no worries regarding the final frontiers of EU, in the way Turkey does, for it is undoubtedly a European country. As for the stricter criteria, it is the price we have to pay for arriving late into the integration process. This, on the other hand, may not be a negative thing after all, because by having these stricter criteria as a goal, we are bound to create a healthier, more developed society at the end of the process. We should also not forget that getting the candidate status as soon as possible is a priority, which opens the door to many opportunities and access to various assistance funds, without entailing any commitments to the EU budget and other obligations. Politically speaking, a prolonged candidacy may be counterproductive, because after a while the public expects to see some progress, lest it backfires into declining levels of public support and diminishing trust into the partner-Europe, but in financial terms, the arrangement is not at all uncomfortable.



the enlargements after the accession of Bulgaria and Romania. It represents the ability of EU to engage in wider and deeper integration, which is not easy to measure. It is the measure of the capacity of the EU single market, labour market, budget, Eurozone and the institutional framework to accommodate for new members, as well as the capacity of the European society to handle potential waves of immigration, while safeguarding the current levels of integration, European values and goals, and the efficient functioning of the EU. It may come as a surprise, but the "absorption capacities" made their first entry after the 1993 Copenhagen Summit where the legendary "Copenhagen criteria" for membership were defined. It became a burning issue at the European Council summit in June 2006, largely on the insistence of France. The conclusions from this summit state that "the setting of the pace of further enlargements must take into account the EU absorption capacities", and consequently the Commission was instructed to submit a special report on this issue.

The report/strategy of the

Commission provides an analysis of the current situation and the upcoming challenges for the next year, and it emphasises that it is necessary to mobilise "public support" for the further enlargements. In away, this represents the EC response to the fears which the citizens expressed in rejecting the Constitution. At the moment, there is hardly any support for the further enlargements: according to the Eurobarometre from June 2006, the support has been on the decrease since the 2004 accession. The EC further indicates a number of measures which are necessary to create the support – the Commission will increase transparency of its work, widen support for the civic dialogue, pay close attention to the feedback it receives from the citizens through public opinion polls, and provide clear and precise information for the public. The latter is certainly not in line with such notions as "absorption capacities", "final frontiers", and "enlargement fatigue", which found their way even into the official EU documents, without ever being precisely defined, which may give an impression that, behind the linguis-

tic ambiguities, the EU is building a defensive stand towards the future enlargements.

Although such tendencies may cause concern, it is worth remembering that EU has frequently reiterated its commitment and readiness to assist the Western Balkan countries and Turkey on their European road, and that, until now, it has always made good on its promises.

It is also important to know that European Union is a particularly flexible organisation, which always approached its problems and methods constructively, always taking into account the concrete situation and issues at hand, never blindly following the pre-set formulae. This particular situation should therefore be seen in the same light, as an effort on the part of the EU to respond to the exterior as well as interior challenges. The public opinion is, after all, a volatile thing.

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by Neđeljko Đurović

Although Europe is by many indicators both the greatest economic power in the world and a sort of political El Dorado, the process of integration is a subject to both approval and fierce contestation. The most intriguing questions about its future are posed by those who are hoping to join, and the sharpest critique comes from those who have created it; and those who have cooperated the least have the highest expectations of it. Montenegrin reality after the Thessalonica summit and the recently restored statehood is Janus-faced. Although our highlanders' mouths are filled with mon-dialism and Europeanism, our hands are still lying idle in our pockets.

The sui generis supra-national giant, which, according to some theories, is the ultimate embodiment of the dreams of Charlemagne or a conspiratorial exaltation, is the strategic goal of Montenegro. As the mythical fire that is the source of life or a "black hole" of all national virtues, EU is a big question mark for this 192nd member of the UN of ours. That's it. Not only are we ignorant of the ways to approach it and reluctant in knowing what to expect from this union with the rest of the European brotherhood, but even a casual TV surveys among the MPs reveal that we are plunging into a wrestle with

Why do I want to be a citizen of Europe?

the unknown.

Getting to know all the relevant aspects of the multi-disciplinary approach to EU is not only a temporary problem for our quasi-tribal consciousness, it is a common problem of all those who entertain some kind of a relationship with the "Coal and Steal Community".

The spirit of the Brussels administration is all pervasive, and even materialised in the presence of certain EU institutions in our country, and yet the demiurges of the social system and economic policy of the mountain-Mediterranean beauty approach the process of structural adjustment as they would a journey across a mine field. There would be a few reasons for us to wish them luck on the road to the unknown (to the tune of the good old, and of them much beloved, folk song "Make at least one wrong move..."), but we must remember that to us, they are the only ticket for this trip. Our democratically elected and in several elections reaffirmed limitations of the key technicians is not a double-edged, but a multiple edged sword. "The long journey to Europe" already resembles a remake of that famous comedy in certain sequels, but let us fear the epilogue which might assume the semblance not of Greek, but of well known East European drama. The golden rim of "€", the same finger of destiny which restored our country, could require that we also finally institutionalize the rule of law into our thousand years of history. However, the tipping point of the current international moment may decide the future both for the "daughter of the ancient king Agenor" and for us, hostages of her beauty.

The white bull, incarnation of the deity also known as "current

political affairs", may carry the EU off to the shores of love and welfare, or into the unknown. Should the latter be the case, we, the citizens of Montenegro, will not only resign on looking for her, unlike her legendary brother Cadmus, but will at the first opportunity sink back into our Balkan swamp.

The question for all those waiting in the EU antechambers, is the issue of new rooms. For some of those, the European Babylon already seems too high. The static of its constructors, who chart their calculations based on more than 100.000 pages of *acquis communautaire*, has a suite of architects who have been drafting the blueprints in numerous summits, and are showing the signs of fatigue. Partly as a consequence of our troublesome Ex-Yu temper, and partly because of the worries over the recently revived "old lion on Bosphorus". If we add the mother Russia, who has also turned her "gentle" eyes to us, with her tycoons buying up parts of Montenegro alongside the European football clubs, and you get a complex equation indeed, with multiple unknowns. The same as in marriage, or in any other legal business (the unfortunate EU Constitution was in fact a Draft of a Treaty on EU), in order to join EU we need a clearly stated agreement from both sides. The precondition being the existence of absolute autonomy of wills of both subjects in making the contract. The will of the EU is a conglomerate of 25 components and its "yes" must be uttered through a complex administrative mechanism, widely known for its speed and efficiency, all within a margin. Our own will irresistibly brings to mind the decision process among shareholders. With all the transitional aristocracy, international

privatisers, tycoon landowners, absolutist parties of unlimited legitimacy whose power and nepotism permeate all pores of the society, it is difficult to say whose word is the last in making decisions in Montenegro. Despite all the indecisiveness in opting among a multitude of offers for future partnership, between the two, the EU seems to have if not a clearer vision, then at least a clearer approach. Some of us may feel irritated by its tardiness, but I feel attracted by the systematic approach. Through form to substance, through correct methods to the right goal.

Our neo-tribal community, clad in a thin layer of pluralist political institutions should indeed take as an example the EU way of functioning.

Deeply divided by all sorts of wars, stretched between royalist, religious, cultural, national, ideological and other factions, Europe today is divided only by two cultural concepts – the Brussels and the Strasbourg one. Following the 1951 Treaty of Paris, the disadvantages clearly turned into advantages. Supra-nationality and its first of kin the "balance of powers", appeared on the scorched scene of strife and jointly began rebuilding something new. A new federation, international organisation, or maybe something completely different...Although the "longue duree" history of Fernand Braudel discloses half a millennium of existence of a unique European economic entity, that part of Europe which is now referred to as EU realised that in all scripts the word "war" should be replaced by the word "economy". There is no need to explicate who belongs to that other part of Europe, equally rich in cultural idiosyncrasies as the first one.

Diversity of European constitutionalism is not a burden, but a new



component of world politics. The 21 official languages of EU sound like one to the ears of everybody else. The monumental administration of translators is not only a multiple phenomenon – it is the best symbol of the new way of solving political problems. The so-called "four pillar structure" – the Court, the Parliament, the Commission and the Council of Ministers provide for incredibly gradual and functional development of the "three-pillar" community, way beyond all the current experiences and achievements in the realm of constitutionalism. The Euroland – territory covered by the monetary union, which follows a progressive trend in the functioning of the world currencies – is based upon a "criterion of convergence". Such a postulate of monetary policy envisages a balanced budgetary policy, limited inflation and an appropriate policy of investment rates. Although the euro is among us too, everything else in this system remains a dream of Montenegrin economic autonomy. The only solace, should we need one, is the fact that 45% of the EU

budget directed towards the agriculture has approximately the same effect as our Agrobudget. Out of principle, I shall refrain from elaborating on the higher levels of European political cooperation, meaning the Common Foreign and Security Policy and its much respected High Representative.

While the ink is still wet in the signature of the Montenegrin President on the Partnership for Peace Agreement (who, among other things, finds it difficult to separate the spiritual from the secular in politics), the most promising at the moment seems to be the Framework agreement, stipulating the participation of the West Balkan countries (the latter being a political, not a geographic notion) in the European Union programmes. Countries in the Stabilisation and Association Process are entitled to 24 assistance programmes within CARDS (Community Assistance for Reconstruction, Development and Stabilization). Evidently, all we have to do now is sign the EU Stabilisation and Association Agreement and apply for a several billion euros worth of assistance, which will provide for economic reconstruction, democratic stabilisation, and modernisation of the state apparatus. Until then and as soon as possible...improve economic freedoms, establish the rule of law, eradicate grey economy, strengthen institutions and fight corruption, all in the job description of the essential, dynamic activity of the European technicians who have, surprise, surprise, passed from the Slovene to the Croatian model of EU rapprochements, although they prefer Twinning with the former.

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INTRODUCING THE EU INSTITUTIONS

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The publishing house of EU

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The Office produces about 7000 publications a year, which can be found at the online EU Bookshop service. Publications offered by the service at the moment appear in 19 EU languages, i.e. all official EU languages, except for Maltese.

All EU publications which are free of charge can be ordered in the printed format from the EC representative office, EP information office, or the EU information network.

The Publications office also prints publications in the field of research and development. CORDIS (Community Research and Development Information Service), is an interactive information platform that keeps the users up to date with the latest news, progress and initiatives in European innovation, research and development.

More information on the publishing house of European institutions can be found at: www.publications.eu.int

Petar ĐUKANOVIĆ

NON – GOVERNMENTAL ORGANISATIONS IN EUROPEAN UNION

EUROPE AGAINST POVERTY NETWORK (EAPN)

Except for an institutional dimension, fight against poverty within EU also has a developed extra-institutional, civic dimension, consisting of activities and involvement of numerous NGOs.

EAPN is a large network organisation of NGOs and groups involved in the fight against poverty and social exclusion in the Member States of the EU. The network consists of 22 national networks organisations active in the fight against poverty, usually on a voluntary basis. These groups are also active in the field. The seat of EAPN is in Brussels.

EAPN has consultative status with the Council of Europe, and is a founding member of the Platform of European Social NGOs, one of the strongest civic initiatives in EU.

Lobbying for firmer commitment of European institutions to combat poverty is one of the EAPN's key methods of action. Its lobbyists advocate incorporation of the fight against poverty and social exclusion into all Community policies, ranging from Structural Funds and employment policies through to economic and monetary policies.

The issue of poverty is not the sole concern of EAPN. Except for poverty in the narrowest of senses, the network includes the objectives of gender equality and anti-racism in all its areas of work.

The network also develops links with the research sector in order to enhance knowledge of poverty and social exclusion within the EU.

The web site of EAPN is the reference portal on poverty and social exclusion in Europe. It also publishes a newsletter "Network News" and a bimonthly news sheet "EAPN Flash".

More information can be found on the site: www.eapn.org

Pripremio: P. ĐUKANOVIĆ

THE FIFTH GENERATION OF THE EUROPEAN INTEGRATIONS SCHOOL AND THE SECOND GENERATION OF THE REGIONAL EUROPEAN INTEGRATIONS SCHOOL COMPLETED THE FOUR-MONTH PROGRAMME



Spreading the knowledge on European Union

The fifth generation of the European Integrations School in Podgorica and the second generation of the Regional European Integration School in Bijelo Polje, a total of 53 participants, met for the last time from 14 to 17 December at a final module "Montenegro and European Union". This is how another group completed a four-month long study of institutions and functioning of European Union, and of many other related issues.

During the seminar, special sessions were dedicated to the experience of the Republic of Slovenia and its long and rather dynamic accession process, as well as the lessons that Montenegro could draw from Slovenian experience. Dr **Rado Genorio** presented the topic in detail, from the standpoint of an active participant.

Other issues having an important role in the journey towards the EU were also discussed: gender equality in the European Integrations process (**Nada Drobniak**, chief of the Office for Gender Equality of the Government of Montenegro), Montenegro in the process of Euro-Atlantic security integra-

tions (**Mehmedin Tahirović**, Ministry of Internal Affairs, Government of Montenegro), civil society and EU (**Stevo Muk**, CDNGO), facing the recent past and European Integrations (**Koča Pavlović**, Parliament of Montenegro).

Special attention has been given to the Stabilisation and Association Agreement (**Dragan Đurić**, government of Montenegro), and the road of Montenegro towards EU (dr **Gordana Đurović**, government of Montenegro).

The participants had also a chance to practically test their knowledge through a simulation game of Montenegrin negotiations with EU, moderated by **Daliborka Uljarević** and **Stevo Muk**. The seminar was concluded by **Vladimir Pavićević** of the Political Science Faculty with a lecture titled "The idea of Europe, through a Europe of ideas".

European Integrations School is organised by a group of NGOs made up of Centre for Civic Education, Centre for Development of Non-Governmental Organisations and European Movement in Montenegro, with support of the Foundation Open Society Institute, Regional Office in Montenegro. It represents the only continuous, systematic form of education in the field of European Integrations in Montenegro. More information can be found at www.sei.cg.yu.

CEDEM ORGANISED THREE SEMINARS

Standards for human rights

Centre for Democracy and Human Rights (CEDEM), with support of the Swedish Helsinki Committee for Human Rights, organised on 21 December in Pržno near Budva on the topic "A Model Guide against Discrimination". Participants were representatives of non-governmental organisations, ministries, basic courts, lawyers, and members of the office of Ombudsman.

From 14 to 16 December CEDEM organised a seminar for young people working in courts, advocacy, and prosecution. Eminent Montenegrin lawyers, judges of the Supreme and Managerial Court, and the coordinator of the Centre for Human Rights,

Siniša Bjeković, introduced their young colleagues to the importance and modes of implementation of the international standards in human rights and fundamental freedoms. The seminar was organised with support of the Balkan Trust for Democracy.

In cooperation with the Police Academy from Danilovgrad and with support of the Helsinki Committee from Sweden, on 25 November in Herceg Novi CEDEM organised a seminar for the members of the police force, titled: "Human Rights and Police in the context of Legal Codex of Criminal Proceedings – Pre-trial proceedings".

SECOND SEMINAR OF THE "PARLIAMENT FOR EUROPE" PROGRAMME ORGANISED BY EMiM IN KUMBOR



MPs at school

The second seminar in the "Parliament for Europe" programme was attended by some 20 MPs of the Parliament of Montenegro from most parliamentary parties, together with representatives of the Expert Service of the Parliament. The European Movement in Montenegro organised the event in cooperation with the Foundation Friedrich Ebert from 15 to 17 December in hotel "Xanadu" in Kumbor.

The programme was designed based on the EMiM's previous experiences in alternative education in the field of European Integrations, primarily with the European Integrations School, organised by CCE, CDNGO and EMiM with support of the FOSI ROM. "Parliament for Europe" is conceived as a specialised educational programme for MPs in the Parliament of Montenegro, members of the Parliamentary Committee of Foreign Relations and European Integrations, as well as the professional staff of the Parliament.

"Parliament for Europe" programme consists of three three-day seminars (June and December 2006 and April 2007), that feature eminent representative of academia and diplomacy from the country, as well as from the region of South East Europe and European Union.

During the first two seminars, two groups of MPs and Parliament experts attended lectures concerning the bases of the legal and economic institutional system of European Union.

The last seminar, planned for spring 2007, will join both groups from the previous two seminars. On this occasion, the participants will be able to hear lectures on the international role and policy of European Union, on the status of South East European countries in the process of European integrations, Euro Atlantic integrations, and the concrete experiences of Montenegro, as well as on many other topics, directly or indirectly related to the process of integrations and role of the Montenegrin Parliament in these processes.

FOR THIS ISSUE WE RECOMMEND:

ADVANCED EUROPEAN AND GLOBAL LEGAL PRACTICE, BUDAPEST, JULY 2–21, 2007

The Department of Legal Studies and the Summer University of Central European University (CEU), in co-operation with the Total Law* team, are pleased to announce that the course **"The European Union and the WTO: Disciplining Regional and Global Markets"** will be held between **July 2 and 21, 2007**. Deadline for application: **February 14, 2007**.

Details about the program, admissions and academic requirements are available at www.ceu.hu/total_law.html

The advanced course is about some of the central legal and institutional disciplines of the European Union and the WTO taught through an approach which emphasises the mix between the pragmatic and the theoretical, insider experience coupled with rigorous and challenging doctrinal and conceptual analysis – all hallmarks of the Total Law* approach. Therefore this course is about the practice of the European Union and the WTO Law. Participants receive hands-on insider analysis about the functioning of the European Union and the WTO. The program is designed to combine seminars on different subjects as well as workshops supporting the topic addressed in these seminars or some aspects thereof.

The Total Law* team, led by Joseph Weiler, University Professor and Jean Monnet Chair at New York University School of Law, is a unique blend of well known academics and senior officials working in the European Union institutions who have also written widely in the field. The members of this team are JosÓ M. de Areilza, Professor of European Union Law and Vice Dean of Legal Studies at Instituto de Empresa, Madrid; Kieran Bradley, Head of Unit in the Legal Service of the European Parliament, Brussels; Damian Chalmers, Professor in EU law at the London School of Economics and Political Science; Miguel Poiares Maduro, Advocate General at the European Court of Justice, Luxembourg and Professor of European and International Law at the Universidade Nova de Lisboa, and Imola Strehö, coordinator of the Team, référendaire at the European Court of Justice, Luxembourg. This year, in addition, a guest lecture will be given by Marie-Pierre Granger, Assistant Professor at CEU.

The course work will consist of seminars, workshops and daily assignments that will be completed individually or in group.

Please note that the Total Law TM course is a fee-paying course.

Central European University is a US-style, internationally recognized institution of post-graduate education in the social sciences and



humanities, located in the capital city of Hungary, Budapest. Incorporated in the State of New York, CEU is accredited by the Commission on Higher Education of the Middle States Association of Colleges and Schools (in the United States) and by the Hungarian Ministry of Education.

Further information:

www.ceu.hu/total_law.html

www.ceu.hu/sun/

www.ceu.hu/

JUSTICE INITIATIVE FELLOWS PROGRAM AT CENTRAL EUROPEAN UNIVERSITY

(2007–2009 SESSION)

(Central European University Department of Legal Studies)

The Open Society Justice Initiative, an operational program of the Open Society Institute (OSI), joins with Central European University (CEU) to announce the Justice Initiative Fellows Program for 2007–2009. The aim of the program is to support and further develop a network of lawyers and activists working on human rights-related issues internationally. As of now, 155 fellows have graduated from Justice Initiative's Fellowship programs, established in 1996.

The Justice Initiative Fellows Program is a two-year program of study and practical work experience. Up to ten applicants will be selected in 2007 to participate in the program. Applicants from the following regions and countries are eligible: Central and Eastern Europe, the former Soviet Union, Africa, East- and Southeast Asia, the Middle East, and Central/South America.

Applicants must be nominated by a non-governmental organization concerned with human rights. The applicant must demonstrate a

strong commitment to human rights, and have a university degree and a high degree of proficiency in English. Criteria for selection will include the applicant's experience, his/her potential to contribute to the protection and promotion of human rights, and the suitability of the applicant's proposed role in the nominating NGO. Upon selection, Fellows will be required to sign an agreement with the Justice Initiative committing themselves to the program for two years. The first year is spent at Central European University, the second in the applicant's home country, working with the nominating NGO.

Application Procedure

Please note that applicants must submit their applications to the CEU Admissions Office (1051 Budapest, Nador street 9, Hungary). They must meet the general CEU Admissions requirements, which can be viewed online (www.ceu.hu/admissions.html), as well as the CEU Legal Studies Department Requirements (www.ceu.hu/legal/admissions.html). In addition, applicants must include with their application:

1. A nominating letter from an NGO describing the reasons for nominating the applicant, the expectations the NGO has of the project, and contractually committing (to the Justice Initiative) to hire the applicant for at least one year after s/he returns from the twelve-month training program in Hungary. The nomination letter should also indicate a monthly salary gross rate in USD (including all taxes and fees) that will be offered to the applicant by the NGO in the event that s/he is selected for the program (provided to the NGO by the Justice Initiative in the form of a grant).
2. A copy of the applicant's Bar Association membership (if applicable), or the date scheduled for examination.
3. Proof of English proficiency: No alternative language test date, the only date is January 13 at the advertised test sites. Candidates staying out of the testing region are required to sub-



mit official score reports. For applicants from the former Soviet Union and Central and Eastern Europe, language tests will be carried out by local Soros Foundation/Open Society Institute coordinators. For all other applicants, the relevant sections of the general admissions guidelines apply (see also:

www.ceu.hu/admissions_apply.html)

For more information about this program please visit www.justiceinitiative.org and www.ceu.hu/legal/osji_prog.html

LLM IN HUMAN RIGHTS LAW AT THE TRANSITIONAL JUSTICE INSTITUTE

The Transitional Justice Institute (TJI) in conjunction with the School of Law at the University of Ulster (Northern Ireland) is now accepting applications for enrolment in its LLM in Human Rights Law (2007/08).

There are a small number of scholarships available for exceptional candidates and international students are strongly encouraged to apply.

The programme is available on a full-time or part-time basis at the University's Jordanstown (Belfast) and Magee (Derry/Londonderry) campuses. Please see

www.transitionaljustice.ulster.ac.uk for more details. Application forms and guidance notes may be downloaded from:

www.ulster.ac.uk/transitionaljustice/new_post-graduate_programmes.html

JEAN MONNET INTERNATIONAL SUMMER SEMINARS, ROME AND BOZEN, ITALY, 18th JUNE–13th JULY 2007

"INTEGRATING EUROPE IN A CHANGING WORLD"

Seminar 1 will take place from the 18th to the 22nd of June in Rome and will focused on the Decision-Making, Negotiations and Lobbying in the European Union. The lectures will alternate with theoretical background with round-tables with practitioners – decision-makers, MEPs, EU officials, lobbyists, etc and will end with the simulation of a co-decision. This Seminar will therefore be an exciting hands-on course focusing on the complex EU decision-making procedures under Pillar I and the way it can be influenced by both internal and



external actors.

Seminar 2 will take place from the 25th to the 30th of June in Bozen and will devote its attention to the Economic and Monetary Constitution of the European Union. The lectures will focus on the implications of the principle of free movements of goods in the evolution of the EU. The changing nature of national barriers, the European Monetary Union and the adoption of the Euro and their implication both for the internal market and the trade relationships with third countries are just a few of the issues tackled with during this Seminar.

Seminar 3 will take place from the 2nd to the 13th of July in Rome and it is our traditional and highly-prestigious Summer Seminar dedicated to the domestic and external dimensions of Integrating Europe in a Changing World. For further information, please visit our website at www.ue.uniroma2.it or contact us at eu.summer.school@uniroma2.it.

THE HESSEN GLOBAL STUDIES INTERNSHIP PROGRAM 2007

It will take place from June 30 to August 22, 2007 in Fulda/Germany in cooperation with the UNESCO Biosphere Reserve Rhöen.

Your students have the great possibility to:

- learn German and get to know the German culture
- to combine academic outcome and practical as well as intercultural experiences in a short term program
- get credit points
- take part in a highly qualified program that

bears the DAAD quality seal

We are especially looking for highly qualified students in the field of social sciences, geography, cultural geography, sustainable tourism, educational sciences, pedagogy and related studies.

Visit our website www.hessen-global.de. Attached you find the document with all information about the Hessen Global 2007 in brief. If you wish to have more information material, please let us know and we will send it to you.

INTERNATIONAL MA SCHOLARSHIPS

International MA in Economy, State and Society with reference to Central and Eastern Europe, which has

been recognised by the European Union as programme of excellence. Students can focus on one of four tracks: Nation & Society; Politics & Security; History & Culture; Economy & Business.

Non-EU/EEA citizens are also able to apply for numerous Erasmus Mundus

Scholarships of EUR 21,000 per year. Successful applicants will spend their first year at University College London and the second at a partner university in Prague, Budapest, Krakow, Helsinki or Tartu.

More detailed information is available on our consortium website at www.imess.eu

EUROPEAN SCHOOL OF ECONOMICS

ESE is launching a worldwide contest to offer scholarships to best MBA candidates.

The European School of Economics is committed to helping dedicated and deserving students meet their educational goals through a focused, needs and merit-based scholarship program. The University feels that students of limited means and/or extraordinary academic achievement should have the opportunity to avail themselves of the high quality education that ESE offers. The European School of Economics awards scholarships to the most qualified full-time MBA candidates.

To find more about the question and the general rules to participate the contest please visit:

www.eselondon.ac.uk/ESE/scholarship-contest.html.

More information about ESE:

www.eselondon.ac.uk.

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

The publisher is Centre for Civic Education.

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

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