



## FOCUS OF THIS ISSUE

Is Montenegro ready to  
draw on EU funds for  
cross-border cooperation

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Miodrag Lekić,  
professor at the  
Faculty of Political  
Science of the LUISS  
University in Rome

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the first  
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## MAYOR

The attack of the mayor of Podgorica **Miomir Mugoša** on the editor and photo reporter of "Vijesti" can entail profound consequences for Montenegrin society.

The police, prosecution and judiciary all play by the scenario conceived by the "grand vizier" of Podgorica (to shame **Quentin Tarantino**), staging a parody of reality.

From victim to villain and the other way around. To make an ordinary man turn back to the custom law.

Institutions of the system are not interested in the gun, in the testimonies of eyewitnesses... All that matters is to show that a journalist beat up the mayor, dispelling every shred of logic contained in one simple question: why would a journalist go up to the mayor to ask him why he parked his official vehicle illegally for the second day in a row and then beat him up?

There were plenty of such cases before, but the partiality of public institutions has never been this bare. This will not go unnoticed in the European Union and European Commission, in spite of the growing doubts of Brussels' interests and objectivity among some parts of the public in Montenegro.

Germany already communicated its "special concern about physical attacks on journalists who criticise the work of the Government", and that "the working environment of the representatives of the media and non-governmental organisations is in dire need of improvement".

The official Bonn also warned that "in the framework of Montenegro's further rapprochement with EU, they will take an active role in ensuring that Montenegro fulfils all standards in this area".

In other words, Germany will not vote (or will use this as an excuse not to vote) in favour of granting Montenegro the status of a candidate for EU membership next year, unless the situation with regard to the freedom of expression is improved.

And if Montenegro is temporarily stalled on its European road, **Miomir Mugoša** will be one of the culprits. **V.Ž.**

**Summit to support Western Balkans (1 August)** – Head of Italian diplomacy **Franco Frattini** said his country supports the idea to hold a summit of EU prime ministers next year, with participation of USA and West Balkan countries in order to support the progress of the remaining Balkan countries on their road to EU.

**Municipalities should make use of EU funds (14 August)** – Montenegrin cities in border areas should use every opportunity offered by the EU funds, and apply with promising projects, relevant to the development of the whole region, said president of SPP **Srdan Milić** in a meeting with the departing ambassador of Austria **Florian Rauning**.

**Bickering over answers to the Questionnaire (18 August)** – Minister for European Integrations **Gordana Đurović** said that a meeting to compile answers for the chapter on political criteria from the European Commission's Questionnaire, which is to involve MPs from the six parliamentary groups, should be held in late August or early September, once the ministries have prepared a good foundation for final responses. However, representatives of the opposition parties, New Serbian Democracy and Movement for Changes, criticised the Government, saying that this is an effort to put the MPs before an accomplished fact and reduce their input to agreeing or disagreeing with the Government's answer.

**Germans worried about press freedom in Montenegro (19 August)** – Embassy of the Republic of Germany said that the government of this country "very attentively follows and monitors the situation of the press in Montenegro" and that it has been "particularly concerned over the physical attacks on journalists who criticise the work of the Montenegrin government". They also said that "the working environment of the representatives of the media and nongovernmental organisations is in need of urgent improvement". "In the course of further rapprochement between Montenegro and EU Germany will take an active role in ensuring that Montenegro fulfils these standards", announced the Embassy.

**Adopted IPA NP for 2009 (22 August)** – European Commission (EC) adopted the IPA National Programme of financial assistance for Montenegro for this year, worth 27.23 million euros. Out of this, 6.35 million will go for the reform of judiciary, police and border administration as well as fight against corruption, including development of civil society. Reform of the public finances, external audit, work inspection, projects in fishing and electronic communication will receive 7.78 million.

**Maurer rents at the mayors' (23 August)** – The mayor of Podgorica **Miomir Mugoša** has rented his family house on Mareza to the head of the European Commission Delegation in Podgorica **Leopold Maurer**. The EC office confirmed this information, but refused to disclose the amount of monthly rent. President of the National Council for European Integrations **Nebojša Medojević** said that this was a violation of ethical codes which prescribe that EC officials cannot enter into financial arrangements with public officials in their host countries. EC and its Delegation in Podgorica said that renting the house from a public official does not constitute a conflict of interests and that they simply selected the best offer on the market.



## A VIEW FROM EU

# We don't want a bureaucratic EU



Unlike many in Brussels, we respect the judgement of European voters.

For years, the many who



by Declan Ganley

support European integration but resent the bureaucratic and undemocratic behemoth of the EU have been faced with frustrating choices at the ballot box. There has, of course, been a plethora of parties that oppose the EU, but most have run on a nationalist and eurosceptic banner. That certainly isn't a standpoint the pro-European critics could or would identify with.

We are perfectly aware of the many positives European integration

*Europe needs less bureaucracy, fewer meetings and more transparency and open discussions – that will save us, among other, up to 10 billion euros per year*

brings – just simply reiterating the four main freedoms : of movement, goods, services and capital which have flourished during 50 years of peace and prosperity serve to neatly summarise the advantages we received.

Yet it's hard to remember these incredible freedoms when faced with the ugly response of Europe's political elites to the Irish electorate's rejection of the Lisbon treaty. One after another, they have expressed utter contempt for voters and time and time again we saw the Irish people insulted. From Germany's Dublin ambassador **Christian Pauls** and his sly insinuations about how many voters came from rural communities to the unnamed official who referred to the Irish as 'bastards', we saw that these unelected officials did not just view elections as a problem to be negotiated; they were quite simply bewildered as to why you would ask European voters for

anything other than their taxes.

The people 'do not understand' the Lisbon treaty, just as they did not understand the Nice Treaty, and just as the French and the Dutch did not understand the Constitution. The workings of European government are apparently too complex to be understood by mere citizens: They can only be interpreted by the experts.

But who are these experts? Maybe Ireland's EU Commissioner, **Charlie McCreevy**, who said, 'no sane person would bother to read the treaty because of the technocratic, near incomprehensible language of every sentence, clause, paragraph and page?'

The EU was born – first from the European Coal and Steel Community and then consolidated in the Treaty of Rome – out of harrowing circumstances. Europe was shattered not just economically but also in terms of its identity after the horrors of war. From

that crisis emerged what we have today: over 50 years of peace and prosperity. I'm proud that my children are part of a generation of young people who see Europe as an opportunity for travel and work, as an extension of their own world rather than as something to fear.

So it was interesting to see that the EU spent 28 million on promoting the European parliamentary elections, in an attempt to reverse the 20 year slide in turn-out and close the 'democratic deficit'.

People don't vote because they know that their vote doesn't count; 80% of the laws that will affect voters' lives are passed by unelected Commissioners behind closed doors. The Parliament has little real impact on these decisions. There are 190 different parties represented, forced into watering down their views in coalitions that lead to petty

squabbles and political in-fighting. Many of the parties are represented at national level, of course, and the parties tend to use their MEPs for such domestic gains as the UK Conservatives who withdrew their members from EP in order to appease their eurosceptic wing.

Just as the EU Commissioners view the MEPs as little more than a symbolic nod towards genuine democracy, so do national politicians use the European elections for their own ends. We believe that MEPs have a vital function to play in maintaining the democratic accountability of the EU, and that they can make a difference.

Libertas' decision to gather politicians who will run for elections in all 27 EU member states comes from our efforts to create a new, democratic and open EU. Our candidates are elected directly by the citizens and in their European mandate they are only accountable to their constituencies, without having to withstand the pressures from their national parent parties.

Accountability must be central to the European political system: if there is to be a Constitution there must be a referendum in all member states. If Europe's laws are to have primacy over national sovereignty then those laws must be decided on by elected citizens' representatives.

Europe needs less bureaucracy, fewer meetings and more transparency and open discussion – that will, among other, save us up to 10 billion per year. Europe needs politicians who will try to win their votes through convincing arguments rather than bribes or political chicanery. Europe needs, first of all pan-European politics.

*The author is the founder of Libertas, a pan-European party that contested European Parliament seats in all 27 EU countries and was widely credited with Ireland's 'No' vote on the Lisbon treaty last year (Reproduced from "Europe's World")*

## HOW PREPARED IS MONTENEGRO FOR THE IPA COMPONENT OF CROSS-BORDER COOPERATION

# Lack of experience



Montenegro did a lot in the past to create necessary conditions for a successful



Piše: Danilo Mihajlović

implementation of cross-border cooperation projects, but the lack of experience in these projects which require good managing capacities of institutions is worrisome.

In addition to this, as warned by the Ministry of European Integrations, the institutions of the system should work harder to explain the bilateral projects to the public in their entirety, although there is a great number of interest-

ed applicants.

Local public enterprises, organisations, governments, agencies, associations, non-governmental organisations and citizens in the Montenegrin municipalities bordering Croatia, Serbia, Albania and Bosnia and Herzegovina can now apply with project proposals aimed at improving cross-border cooperation.

In order for a project to be successful, it should involve applicants on both sides of the border and be related to the protection of environment, cultural and natural heritage, common undertakings in the sphere of tourism, small cross-border community projects and the like, depending on the partner country.

The project is entirely financed by the European Union through its Instrument for Pre-accession Assistance, which came into force

on 1 January 2007.

IPA consists of five components, although Montenegro, until it becomes an EU membership candidate, can apply to funds from only two components – support for transition and strengthening of institutional capacities, and cross-border and regional cooperation.

Cross-border cooperation is a framework for accelerated economic integration with the goal of leveling differences in development between regions on two sides of the same border, as well as enhancing the overall cultural, social and scientific cooperation between local and regional communities.

The final results should be economic prosperity of border regions, political security in the region and an easier, swifter process of European integrations.

In addition to bilateral programmes with its neighbours, Montenegro also participates in the Adriatic Neighbourhood Programme, as well as in two transnational programmes – South East Europe Cooperation Programme and Mediterranean Programme.

Cross-border cooperation programmes are conducted periodically, through a public call for proposals.

These calls must be published in the press and electronic media, as well as on the web pages of the European Commission, Common Technical Secretariats and operative structures of participating countries.

Operative documents and application packages, a set of forms published after the call for proposals has been announced, define the



profile of eligible applicants. Each of the programmes defines specific financial and implementation benchmarks, general strategy and goals, as well as priorities and measures most frequently concerning the economic, social and institutional cooperation, management of natural and cultural resources, sustainable development, improvement of social cohesion through "people to people" projects, innovation and research, accessibility and networking...

"The partners must provide co-financing of a minimum 15% of the total value of the project. The minimum number of partners per project depends on the cooperation programme within which the project proposal is submitted. Bilateral programmes require at least one partner from each side of the border, the Adriatic Programme at least one partner each from an EU member state and a country candidate/potential candidate for EU membership, South East Europe Cooperation Programme calls for at least three partners, at least one of which should be an from EU member, and the Mediterranean Programme – minimum one partner from three EU member states", state the EU rules on participation.

Deputy Minister for European Integrations **Ratka Sekulić** says for



*European Pulse* that the creation of cross-border programmes involved representatives of her own Ministry, as well as those of other public institutions, non-governmental sector and local administration.

"We established common structures on the programming level – a Joint Committee for Monitoring, as the highest instance of decision making on cross border projects to receive financing from the second IPA component, as well as joint bodies responsible for day-to-day

management of the programme, maintaining the flow on information on these projects and developing programme strategies. There is also a joint technical secretariat in Kotor (for the cross-border project Croatia–Montenegro) as well as a number of antennae, i.e. information points employing one person each. There are such antennae in Podgorica (for Albania–Montenegro project), Nikšić (Bosnia and Herzegovina – Montenegro) and Bijelo Polje (Montenegro–Serbia project), Sekulić said.

She added that there is a lot of interest for participating in cross-border projects, mostly, according to her, because of the already established partnerships and previous experiences of some institutions and organisations with working with their counterparts in the region, as well as in the EU member states.

"Cross-border cooperation projects are a tool which strengthens old and builds new partnerships for future cross-border projects. This is particularly the case with projects with neighbouring countries", Sekulić explained.

## WHERE TO GET INFORMATION

In order to implement the Programme efficiently the partners established joint structures, whose main purpose is to offer the necessary information to the potential applicants.

Joint Technical Secretariats (JTS) for bilateral programmes can be found in Skodra, for the programme with Albania, in Sarajevo, for the programme with Bosnia and Herzegovina, in Kotor, for the programme with Croatia and in Prijepolje for the programme with Serbia.

The so-called "antennae" are in Podgorica, for the programme with Albania, in Nikšić, for the programme with Bosnia and Herzegovina, in Dubrovnik, for the programme with Croatia, and in Bijelo Polje for the programme with Serbia.

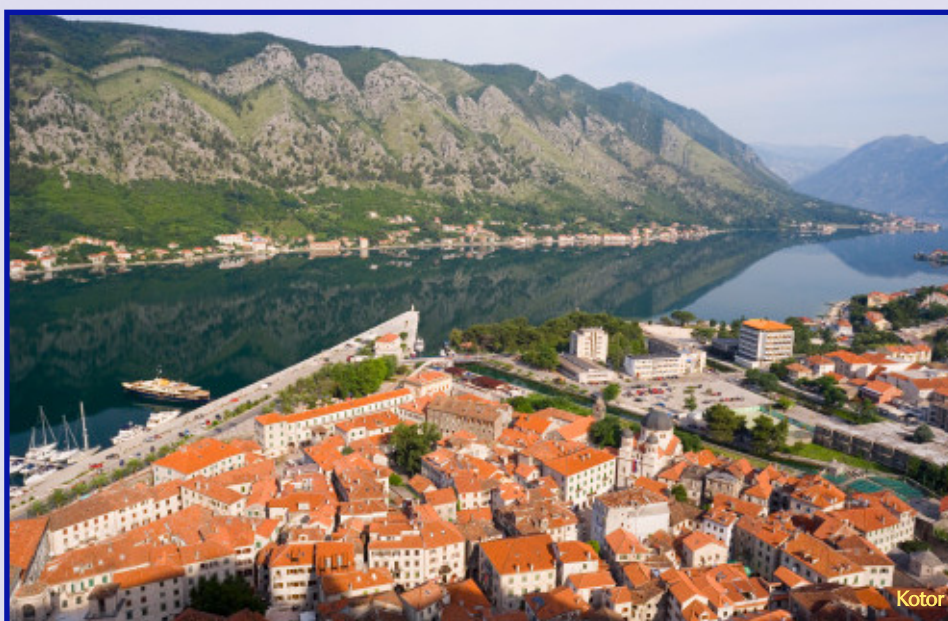
JTS for the Adriatic Neighbourhood Programme is in Aquila, the one for the South East Europe Cooperation Programme in Budapest, and the JTS for the Mediterranean programme in Marseille.

She reminds that in the first call for the Mediterranean Programme (MED) two projects with partners in Montenegro already received financing. The condition being partnership with institutions from at least three EU member states the absorption of funds is very high and the entire budget from the 2007 IPA will be spent.

"Five projects with partners from Montenegro also received financing in the first call for the South East Europe Cooperation Programme (SEES), each disbursed under the requirement of partnership with institutions from at least one EU member", she added.

Consequently, she explained, very little money from IPA 2007 was left unspent, and the remainder may be transferred to the second call together with IPA 2008 funds. The call will be announced in October.

"Currently there is an open call for the Adriatic cooperation programme, as well as for four bilateral programmes, and the date on utilised funds and the number of



projects to be financed will be known by the end of the year, when all the calls will be closed and previous projects evaluated", she said.

Sekulić also warned that EU's very demanding rules and procedures could be present potential obstacles.

"These rules require advanced managing capacities of institutions, previous experience with projects,

as well as a minimum 15% co-financing", Sekulić said.

During the recent public announcement of the first call for proposals with Croatia it was announced that the programme will receive 1.62 million euros, out of which 720 000 for Croatia and 900 000 for Montenegro.

At the accompanying conference Montenegrin minister for European integrations **Gordana Đurović** explained that the proposals should be submitted in the next three months. "It is important that the whole thing is well covered by the media in Montenegro and Croatia, to animate the local community, since these are the projects which bring EU to the local community level" Đurović said.

European Commission recently announced that it accepted cross border cooperation programmes between Serbia and Montenegro, Bosnia and Herzegovina and Montenegro and Albania and Montenegro.

Now it is up to the partners from the neighbouring countries to show creativity and get down to the tough work.

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

## SOME MUNICIPALITIES LACK ADMINISTRATIVE CAPACITIES

According to Sekulić, before opening the call for proposals, there was a number of info days across the whole of Montenegro in order to introduce the citizens and potential applicants to the cross-border cooperation programmes.

She explained that these seminars hosted a number of representatives of public administration, non-governmental sectors, municipal governments, various agencies, associations, touristic, research, educational and cultural institutions and contributed to educating as many citizens as possible about the character of these activities.

There were, she added, forums for seeking out cross-border partners which gathered some 400 representatives of different institutions and organizations.

During the last and this year, Sekulić explained, there were numerous meetings with the members of local administrations and other institutions aimed at evaluating their capacities with regard to the creation of local teams for writing the cross-border projects.

"Some municipalities already have their teams and have put aside some money to support the best projects, but some still need a lot of work on building up administrative capacities", Sekulić said.

After the call was published there were 10 information seminars, where the potential applicants had a chance to receive detailed information on the rules and procedures to be followed while submitting the project proposal.

# WHAT CAN BE LEARNED FROM THE BEHAVIOUR OF POLICE AND PROSECUTION AFTER THE ATTACK ON VIJESTI'S JOURNALISTS

## Montenegro - land without laws

The image of Montenegro as a country in which the laws are not the same for the ruling



by Neđeljko Rudović

elites and ordinary citizens, especially those critically disposed towards authorities, has been completed on the 5 August, continuing the frightening series of unpunished attacks on journalists.

On 5 August, on the main boulevard of Podgorica, the mayor of this city and member of the highest leadership of the ruling Democratic Party of Socialists (DPS) **Miomir Mugoša** buffetted photo reporter of the daily *Vijesti* **Boris Pejović**, and afterwards the deputy editor in chief of the same paper **Mihailo Jovović**.

Although Jovović and Pejović tried to remain calm and did not return the beatings, Mugoša's son, the then third secretary of the Embassy of Montenegro in Washington, **Miljan**, immediately ran to "rescue" his father, uncocked his gun and pressed it against Jovović's chest, and removed it only after his father ordered him to: "Put that away".

As this was not enough, after he returned the pistol to his car, he walked up to Jovović who was still arguing with his father and hit him with a fist so hard that his eardrum broke.

Jovović ended up on the surgeon's table, prosecution raised criminal charges against Miljan Mugoša and the day after he also lost his job in the embassy, mayor Mugoša said that he was actually a victim of attack and the police and prosecution put themselves in the position where everybody sus-

pects that they are trying to protect one of the most prominent representatives of the ruling elite. They have not moved a finger to find the gun – which is the key evidence that could take mayor's son to prison.

And so Montenegro finds itself again in the headlines as a country which desires to become a candidate for EU membership without the rule of law and with a state apparatus geared to protect the powerful members of the ruling political elite.

What is most frightening is to what extent the police, the prosecution and the judiciary are ready to unquestioningly serve those in power and harass everyone else not backed by the ruling circles.

For instance, the police refused to search on the spot the car to which the

*It is frightening to what extent the police, the prosecution and the judiciary are ready to serve unquestioningly those in power and harass everyone else who is not backed by the ruling circles*

mayor's son carried his pistol and announced a few days later that the search has been conducted after Mugoša brought his car to the Police headquarters!?

The prosecution immediately raised criminal charges against Jovović who allegedly hit Mugoša's driver who consequently complained about a "severe physical injury". The grounds for this charge were found in a medical report about a "contusion" on his face, provided 13 hours after the event, well after the public was informed that Jovović suffered a severe physical injury.

Jovović said these were "shameless lies", explaining that the driver actually tried to calm down the mayor, but the prosecution, without even officially questioning Jovović, tried to turn the victim into the perpetrator. The driver was at work already on Monday in spite of "severe injuries".

There is no answer to some flagrant logical flaws in this case of attack

on *Vijesti's* journalists, and the same goes for attacks on the director of *Vijesti* **Željko Ivanović** two years ago and later on journalists **Tufik Softić** and **Mladen Stojović**, all of which remain essentially unresolved.

They all received serious injuries and the perpetrators are still at large. Stojović is famous for his contributions to the TV show "Insider" of the Belgrade television B92 where he spoke about the football mafia. His cheek was pierced with a sharp object, his jaw was broken and his head injured in several places, but the police still did not find out what had happened to him.

Softić, who wrote about drug smuggling chains, was attacked by two men who beat his head with metal rods and the doctors found: a concussion, broken right hand, injured ear

and bruised head and arms.

The only violence against journalists which ever merited a press conference on the part of state authorities was the shooting of the director and editor in chief of the daily *Dan* **Duško Jovanović** on 27 May 2004, who subsequently died from wounds. Jovanović was shot with an automatic gun in front of the editorial office of *Dan* in the centre of Podgorica, and the only person convicted to 30 years of jail is the karate master from Podgorica **Damir Mandić**.

On the website of Youth Initiative for Human Rights there is also the case of the closing of the radio *Free Montenegro*, under dubious circumstances and accompanied by threats to the editor **Miško Đukić** on 2 February 2008.

The criminals, who the public suspects were never found because of their links to influential friends in high public offices, have now been joined by one "mayor".

PROFESSOR MIODRAG LEKIĆ ABOUT EU'S OCCASIONAL PRAISE FOR MONTENEGRO

# Praise so that one day they can criticise

Former Montenegrin and Yugoslav diplomat, professor at the Faculty of Political Science of the LUISS University in Rome **Miodrag Lekić** said the assessments of the situation in Montenegro by EU representatives are "well intended", regardless whether they are positive or critical, since they all aim to bring Montenegro's reality closer to European standards and criteria.

Asked to give his opinion about occasional praise for Montenegro coming from the representatives of EU and EC, in spite of the fact that in many social segments the situation is far from rosy, Lekić said one should distinguish between the evaluations in the annual Report on the Progress of Montenegro and occasional assessments offered by individual officials of the European Commission or European Parliament.

"The former evaluations are official, derived according to specific, carefully constructed methodology. The occasional statements of the offi-



Miodrag Lekić

photo VIJESTI

the positive things, to stimulate progress also in other areas. On the other hand, they reserve the right to openly point out the shortcomings and insufficient progress in fulfilling the

## progress to EU?

The biggest problem is already emphasised in the reports coming from Brussels once a year. It is the legal functioning of the state, which involves several issues. First of all, the functioning of the judiciary must be taken to a higher level, by acquiring such degrees of autonomy and competence of the relevant institutions as to allow for effective fight against corruption and organised crime.

The main problem, in the broadest sense, is the still insufficient strength and capacity of institutions that would guarantee that the social processes are taking place according to democratic rules.

The strength of institutions does not come from making new ones. This is a misconception, which is not only wrong, but it also costs us a lot.

The strength of institutions comes

*Brussels promotes what is positive, in order to stimulate progress also in other areas, but on the other hand, they reserve the right to openly point out the shortcomings and the insufficient progress in fulfilling the European criteria. All these evaluations do not have the character of scientific precision, and can contain errors, but only in the short run. In other words, in the end they usually reach the objective assessment*

cial are also useful and should be taken seriously as any other political statement expressing points of view and interests", said Lekić in the interview for *European Pulse*.

According to him, positive assessments should probably be viewed in the light of several factors.

"First, it is important to emphasise

European criteria. All these evaluations do not have the nature of scientific precision, and there is always the possibility of occasional mistakes, but only in the short run. In other words, with time the picture becomes fairly objective", explained Lekić.

● **What will be the biggest challenge for Montenegro in its further**

from the people who lead them. Just like the impotence and the corruption of institutions is caused by the people at their helm.

● **What do you see as advantages of Montenegro compared to other states which are also aiming at EU membership?**

Montenegro's advantage could be the fact that it is a relatively small country, which could allow for easier adjustments to numerous European requirements, primarily the economic ones. It is a potential advantage, and it will not come about automatically, of its own accord.

● **To what extent is diplomacy important in the process of European integrations? Could, for instance, a candidate or potential candidate country be rewarded by Brussels with a permission to proceed in the integration process only on account of its successful democracy and lobbying, without fulfilling the requirements?**

Progress towards EU is primarily the national task of each country which aims at full membership in the EU.

Its diplomacy should accordingly support such aspirations. Its domain of action should have a dual orientation.

First of all, to promote competently the interests of its country towards the international community, in this case towards European Union. The task of diplomacy is to adequately

*The task of a diplomat is to adequately promote the real achievements of his or her country, without trying to deceive the interlocutor with propaganda, which in the final instance can only be counterproductive – for both the diplomat and his country*

ly present the real achievements of its country, without trying to deceive the interlocutor with propaganda, which in the final count can only be counterproductive – for the diplomat and for the country.

The second field of contribution of diplomatic representatives, in my opinion, is to openly draw the attention of their governments to the views, expectation, and demands that



the EU has towards our country. In this sense, it is also important that the Ministry of Foreign Affairs has certain autonomy, but especially that it maintains a positive approach, reputation and public image on the international, as well as internal levels.

The worst thing that can happen,

*The strength of institutions does not come from manufacturing new ones. This is a misconception which is not simply wrong, it also costs us a lot. The strength of institutions comes from the people who lead them. Just like the impotence and corruption of institutions are caused but those at their helm*

and such examples unfortunately exist, is to turn diplomacy and diplomats into propagators of the national polit-

ical and economic elites – either at home or abroad.

In short, diplomacy has an important role in the process of European integrations, but it also has its objective limits in this field.

● **France was the first to endorse Montenegro's application and it was subsequently placed on the agenda of the Council of Ministers, in spite of the initial resistance on the part of the**

official Paris and some other influential European centres. Is this success due to Montenegrin diplomacy?

The acceptance of our application is one of the many steps on the road to integration which should be neither overestimated nor underestimated. The most important part is yet to come.

I know very little of the alleged complexities according to which France and some other countries first opposed and then accepted application and I would rather not comment on this.

I know that these are serious countries which function according to their interests and careful diplomatic analyses. This is the primary factor affecting their foreign policy decisions, and among them probably the decision to let through Montenegrin application.

● **Should Montenegro look for a strong partner in one (or more) member states to help her on her road to EU, as was suggested by some insiders of the integration process?**

One supposes that the official Podgorica has some kind of calculation, as well as commitments to certain priorities in its foreign policy approach. A realistic assessment of the strong partners that could help in the integration process should be a part of this.

● **Which country could be a good partner for Montenegro?**

I believe Italy, France, Germany and Spain – but this does not exhaust the list of potential partners.

It is certainly not enough to simply draw a realistic assessment of important partners, it is essential to organise adequate diplomatic activity, both from Podgorica and in these countries.

V. ŽUGIĆ

ON A CONCEPT IN THE TRADITION OF EUROPEAN POLITICAL THOUGHT

# Can (should) a citizen disobey authorities to authority?

When **Miomir Mugoša**, the mayor of Podgorica, with the help of his son, an employee of the Ministry of Foreign



by **Vladimir Pavićević**

Affairs of Montenegro, attacked the editor and photo reporter of the daily *Vijesti* and injured them, the Montenegrin public once again faced the open question of the relationship between law and force. The ruling elite, having mastered the mechanisms of staying in power, quickly protected its sheriff, confirming that this is not about individual arrogance but about a way of ruling.

Montenegrin opposition, partly due to incompetence of its leaders, partly to its role as an accomplice in dividing the spoils, has been knocked out of the rink

***Civil disobedience is public, non-violent resistance to unjust laws or acts of government, where the citizens are those who feel this injustice the most. Every individual enters the community not in order to suffer injustice but to live under less unjust conditions***

long ago, and it turned the blade of its criticism on the insufficiently engaged and insufficiently courageous intellectuals, trying to transfer a part of responsibility for its failure to academia.

Montenegrin citizens thus found themselves in a situation where they are unable to distinguish clearly between the two evils, and consequently to find solace in the fact that they chose the lesser one.

The wear-out of political parties in Montenegro could direct the citizens either to try to organise a new political force, a formation with specifically civic orientation that could have a chance to become a real alternative, or to embrace

an almost forgotten concept which we know from the history of European political thought, the concept of civil disobedience.

## Development of the concept of civil disobedience

Civic disobedience is a concept developed in the framework of modern constitutionalism as a substitute for the pre-modern ideas of the limits and resistance to power. The first rudimentary forms of civil disobedience are already found with ancient Greeks, and the essence of resistance to the government which violates the laws of justice is contained in the verses spoken by **Antigone** in response to **Creon's** accusations:

"For it was not Zeus that had published me that edict;  
not such are the laws set among men by the justice  
who dwells with the gods below;  
nor deemed I that thy decrees were of such force,  
that a mortal could override the unwrit-

ten and unailing statutes of heaven. For their life is not of to-day or yesterday, but from all time, and no man knows when they were first put forth".

A powerful allegory of civil disobedience is given by **Žarko Šunderić** in his article "Civil disobedience as promethean crime". Describing the myth of chained Prometheus, he says: "This is the first case that the resistance against authority invites the question of conscience and morals. Until then, the notion of morality for the fickle Olympic gods meant almost nothing. This gap allows the myth to survive. The gods of mythology,

according to Euhemeros from Mesena, are nothing but heroes and prominent individuals who were proclaimed divine. When time is lost gods and myth appear. And when Prometheus appears the untouched divine world is seen from a distance and that is where his struggle becomes reality".

The immediate root of the idea of civil disobedience is found in the pre-modern constitutional struggles embodied in the medieval tractates on fight against tyrannical power. Writings by **Thomas Aquinas**, **Henry de Breton**, **Junius Stephanus Brutus**, **Marsilij Padovanski**, **William Ockam** and others speak about our right to reject tyranny and the conditions under which even killing the tyrant becomes legitimate.

Already Thomas Aquinas has written about the conditions under which rebellion against tyranny will be considered fair and even desirable. In a tyranny, the right to murder the tyrant becomes a legitimate weapon, claims Aquinas.

Of special interest are the studies of Henry de Breton and Brutus. In his work *De legibus et consuetudinibus Angliae*, published in mid-XIII century, Breton differentiates between political power and right, believing that there is a realm inside which the ruler is bound by the laws of the community. Whoever joins the community accepts the ruler, but "if the king is without reins, i.e. without law, they (the community) should rein him in".

The medieval heritage is one pillar of the concept of limitations on state authority. **Karl Friedrich** believes that the function of limiting the ruler as conceived by Breton lies with barons, free cities and above all the Church. In general, Friedrich finds, "the right to resist illegal rule was widely present in the medieval societies, on the continent as well as in England".

Brutus' *Vindiciae Contra Tyrannys* similarly confirms the link between

medieval constitutionalism and the beginnings of the idea of civil disobedience. "Hail to every citizen who resists and removes a tyrannical ruler". Brutus only reiterates this idea which is the foundation of the right of the community to rise against bad rule.

Civil disobedience, if we stick to the idea that this is a substitute for those pre-modern limitations of the rule used by the members of their communities when the common good or justice are endangered by those in power, is the limit to which an individual or elites in power can count on minimum legitimacy with regard to the members of their political communities. The moment when the citizens recognise injustice in an act coming from "above", resistance to such government will be considered fully legitimate and will be expressed through civil disobedience in the same way in which tyrannicide was considered perfectly justified in the Middle Ages.

#### Modern notions of civil disobedience

Every modern, democratic and constitutional society rests on the principle of citizenship. Civil disobedience represents that aspect of the principle of citizenship which allows the citizen to react in an extra-judicial, illegal way to the state authority in cases where the authorities come to endanger the common good and violate the principles of morals and justice which are the basis of a democratic, well-organised community. This concept springs from the understanding of citizen as the key figure in the political community who acts consciously, sensibly and freely within the field marked by the "imagined social contract".

In theory there are disagreements regarding definition of civil disobedience, but the key ingredients of the notion are the following:

- An act of civil disobedience is an act of disobedience to law. Within a wide range of possible opposition to authorities, civil disobedience is distinguished in that it resists a law which was illegally adopted, where its content is incompatible with the basic principles of justice. This is what makes such an act illegal, but not unjustified. In this form of resistance citizens oppose those acts of government which demonstrate lack of sense for just-



tice and common good within the community and can thus be considered illegitimate. This places the concept of civil

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disobedience more clearly between the principles of legality and legitimacy.

- An act of disobedience is not necessarily an act of civil disobedience. This means that only non-violent resistance can be considered part of this notion. Every use of force and violence is against the basic sense and meaning of the mechanism of civil disobedience. This form of action should serve as means of pressuring the decision makers. It arises when the existing pressure of public opinion is not enough and when it is necessary to mobilise additional support for the demands coming from the citizens. The character of this action makes the legitimacy of force and violence inconceivable and their use undesirable. The use of violent means is thus contrary to the spirit of civil protest and is part of a different strategy of violent resistance.

- An act of civil disobedience is a public, not a private act. A personal disagreement with some decision of political elites in power, or a law which was adopted by the legislature, does not constitute an act of civil disobedience. The decision of an individual to act against a

law cannot be the topic of this discussion as long as that act does not amount to a public act. This statement implies that the key significance of civil disobedience is to educate citizens for the public sphere where the public acts take place. The educational character of this act, in the sense of strengthening the political culture within one community, is greater than the significance of concrete opposition to an unjust law. "In democracy, education is not understood as an instrument of rule, but as a preparation of citizens to become ruler".

These are the three main characteristics of civil disobedience which are generally accepted by theorists. Civil disobedience is a public, non-violent resistance to unjust laws or acts of government, where the citizens are those who suffer the justice the most. Every individual enters the community not in order to suffer injustice but to live under less unjust conditions.

The rule of the sheriff of Podgorica as a pattern of behaviour of the ruling elite in Montenegro should awaken and strengthen the civic spirit and direct it towards struggle for justice and the rule of law. If somewhere at the beginning of the XXI century there exist conditions for civic action through the concept of civil disobedience that is certainly Montenegro. The question is whether the citizenship is sufficiently developed to the extent that it possesses enough strength for such undertakings and whether those who in Montenegro constitute its most active and most progressive segment are sufficiently brave to participate in the political fight as part of the civic block. The readiness of the latter to accept the risks which come with the struggle against arrogant rulers and inapt opposition brings the opportunity for change and a chance for Europeanisation of Montenegro. The challenges are enormous, the question is whether the players can raise to match them.

*The author is a lecturer at the Faculty of Political Sciences, University of Belgrade*

# Greetings from periphery

by Brano Mandić

Many sharp, but also blunt pens wondered in the last days: why do we need this journalistic misery? They are starting to beat us, in the worst possible way, in a way that you have to hold yourself not to snap the attacker's head off. It is the same mood that yielded these lines, as a modest advice to beginners.

The problem is that the university is churning out new people who lack one important trait of our profession: relentlessness. Saying that the private good should be subordinate to public is so trite that nobody buys it any more. There's nothing worse than when a waiter meets you with such a watery barf. That's why apathy spreads easily, at the speed of gossip down Njegoševa street. Nobody will blush at the fact that it was revealed that **Leopold Maurer** rents his place from the ruffian **Miomir dr Mugoša**, the captain of the capital. But we could



bullies and wild capitalists.

First of all, it is very difficult to criticise the authorities if you too have a lot of money. Or, in other words, it is tough to satanise the government as

*Operation "Saber" in Montenegro would amount to hara-kiri, which is why it is more advisable to aim at the small fish and parasites. They are the ones who weaken the resistance to banality, to evil. In the words of one theorist of literature: we are in need of an enormous influx of the ephemeral. So take up your fire thrower and haunt the counties, provoke the spy and the unseen of the corrupt*

quickly conclude that this may be the reason that Mr Leopold failed to comment on the attack at *Vijesti's* journalists.

I don't believe it, in my opinion European Commission just abstained from commenting. Just like the students, also students of journalism. Well, if such young mavericks are to end up in our newsrooms, one should meet them with a fatherly greeting. All of us who grew up in the nineties are already old enough for that.

Here, then, is some advice and ruminations on the following subject: how and why to fight unarmed against

a systematic killer-octopus if you got rich under its rule. Whether you like it or not, the people will always see you as a cut off feeler which still holds on to a bit of ink. A phony. And the government will see you as a threat and will take you seriously even when you're just kidding. I'm not saying that to be rich is to be a thief, just that the intelligence network will catch you on the radar much more easily. And it is not good if they know where you come from in all your righteousness.

Just the opposite, an unjust state should be fought by proletarians, for they have nothing to lose. Those who

live in houses on the periphery where there is no direct line to an armchair in the city centre and who are despised by the owner of TV IN because they come from the suburbs. Imagine a situation in which the owner of a TV insults the people who do not live in the city centre, provided you can figure out what it means to live in the city in a country like Montenegro, or in its centre. But let's go on...

Every proletarian should be educated and atheist. Whoever goes to church trusts in the rule of men for he is more concerned about the rule of God. He is preparing for the heart attack when he will meet his Creator. Thus, our hero must be a proletarian and an atheist.

Then, he or she should get a job in a paper, preferably starting with the city chronicle. Reaching a certain stage of professional maturity, the new recruits are sent to press conferences of political parties. There they learn the craft of hatred. They watch their logic being devoured from a few meters' distance and are spat on in accusatives instead of locatives.

You have no weapon but your dictaphone. You are a bearer of dictaphone, unless you rebel, throw a shoe or dream up an article. Then you get to write an opinion with a photo in the header. Choose a photo which shows you as proletarian and atheist. The money does not matter, you write for glory and, like **Bandini**, you write for posterity.

You get praised and SMS flattered as a proof that you succeeded, your criticism is becoming institutionalized. Now, that is a dangerous alley, when university professors start to read your articles it is time for you to go back to smoking skunk, at least that's not hard to get here.

Your goal is to try to say something true, to scribble a turning point for thought – a search for a perfect newspaper article, the holy scripture of the profession, be it in the form of grocery reports. For this you need a few numbers, if you don't want to look like a frustrated novelist exploding intimate inhibitions in a vulgar political ramble. Like a dragonfly above a two hundred meters deep swamp, you take off your suit and – hop! – you're on the quest for facts.

For starters, something sweet, for example: offices in the street of Ivan Milutinović. In 1992 this was the street of Đuro Salaj and the state rented these offices to a DPS-run enterprise "Pars". Ten years later the same building is property of "Prominent DOO", a new company of the same party. How did the tenant turn into the landlord? Easily, a change in the registry.

You're on the right track. In the beginning, don't mention the main players. We all know who the three biggest criminals are. For you, they are essentially irrelevant, for they can only be defeated by the system, in this case, in the language of Blind **Živana**, by killing each other "stabbed with golden knives".

Operation "Saber" in Montenegro would amount to hara-kiri, which is why it is more advisable to aim at the small fish and parasites. They are the ones who weaken the resistance to banality, to evil. In the words of one



theorist of literature: we are in need of an enormous influx of the ephemeral. So take up your fire thrower and haunt the counties, provoke the spy and the unseen of the corrupt.

Study carefully where the money is. Know who owns the bar where the main gang gathers, but don't drink your coffee there, lest those sick minds

*Study carefully where the money is. Know who owns the bar where the main gang gathers, but don't drink your coffee there, lest those sick minds pour something into your coffee or biography. Remember, you have no biography, and the following fact: those who steal public money are your enemies, and there is no fight but the social fight. Try to convince the "Barbarians" to, if they really have to, demolish Audis instead of homosexuals from Vojvodina. But never defend violence, for that is the job of the state*

pour something into your coffee or biography. Remember, you have no biography, and the following fact: those who steal public money are your enemies, and there is no fight but the social fight. Try to convince the "Barbarians" to, if they really have to, demolish Audis instead of homosexuals from Vojvodina. But never defend violence, for that is a job for the state.

Better wait for the big bag of money to burst into halves. There should be some will in the media to effectively transmit denunciations of the former partners now at war. I am not sure whether it matters who brings

the information as long as I can have it with an appropriate document, even a photocopy, you will tell yourself, like many researchers do. Here you can sink into a wealth of information spun by somebody much more powerful than yourself. There's a chance that you will become a servant to the powerful. So keep aiming in all directions and don't look too serious about it.

You're not a **James Bond**, you're only a scribbler: don't buy their story about how important you are, until you get buried by your writing. Criticise your bosses, as soon as you feel that they need you. That's how we arrive at a critical mind, which is a pleonasm, hopefully you learned that at the University. That mind is in a coma, as it is mostly represented by wretched politicians and people who never lived out the dream of a fair distribution of wealth. Juggling in an unpredictable discourse. Burning with the concern for their neighbour, which is so boring compared to the holy struggle for his majesty Ego.

So, my young colleague, forward to Pulitzer! Write about the equanim-

ity which plague the journalists of the so called middle generation. Fatigue, weariness which yawns and waits to be replaced by brigades of new kamikaze.

If you can't see this, do PR for some bank and don't think too much during weekdays. You will only worry about weekends, where to get good cocaine, a ticket to the front row in the national theatre, an easy chair and a parasol on a private beach. Swim or float, who cares.

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

## STATE AUDIT INSTITUTION

# Finger pointed at the reckless

State audit is one of the important mechanisms used to control the spending of



by Stevo Muk

the public money, i.e. taxpayers' money, a mechanism to fight corruption and encourage greater accountability and transparency in allocation of budget resources.

In April 2004 the Parliament adopted the Law on State Audit Institution establishing the State Audit Institution of the Republic of Montenegro (SAI) as a form of institutional, external, independent, expert and objective control of budget expenditures and management of state property in Montenegro.

SAI is an independent, autonomous state organ which functions according to the principles of the Declaration from Lima, adopted on the IX Congress of INTOSAI in Lima in 1977, the founding international document on legal organisation, status and functioning of public sector audit.

SAI conducts audit in accordance with the International Auditing Standards of INTOSAI. It is the highest instance of control of the management of budget and property of the state, local governments, public funds, Central Bank of Montenegro and other legal persons whose ownership structure involves the state.

SAI decides independently on

the subjects of its audit, its scope and form, and is obliged to conduct audit of the final budget report once a year. Further, SAI controls the legality and correctness, rationality, effectiveness and efficiency with which the public money has been spent and public property managed. It reports the findings of its audits to the Parliament of Montenegro in a yearly report, which is to be submitted to the Parliament and the Government by late October.

In July 2004, the Parliament of Montenegro appointed the president and members of the Senate of State Audit Institution, laying the legal and formal grounds for its functioning. Parliamentary committee for Economy, Finance and Environment selected six state auditors through

*Overall, the work of SAI so far contributed significantly to locate and reveal systemic and individual problems and inadequate practices in managing public finances*

public competition.

In this sense, we could say that SAI has been operational for full five years. This is quite sufficient to enable us to assess, at least in principle, the quality of its work and its scope, i.e. the changes which appeared as a result of SAI's work.

So far, SAI prepared audit reports of annual financial reports of the Development Fund, Office of the Protector of Human Rights and Freedoms, Directorate for Cadres, financial statements of the Railways of Montenegro for 2007, final budget report of the Municipality of Rožaje for 2007, control audit of the Ministry of Culture, Sports and Media and National Museum of Montenegro for 2007, Ministry of Defence for 2007, Veterinary

Authority for 2007, Agency for Telecommunications and Postal Services in 2007, Bureau for Hydro-meteorology for 2007, Constitutional Court for 2007, Pension Insurance Fund, annual financial report of the Ministry of Culture, Sports and Media for 2006, final budget report of the Municipality of Kolašin for 2006, Pension Insurance Fund for 2006, and final budget reports of the municipalities of Ulcinj and Nikšić for 2005.

SAI also audited the final budget report of Montenegro for 2005, 2006 and 2007.

One of the most important, or at least best known findings of SAI was the one related to the decision of the shareholders' board of the Railways of Montenegro to allow

enormous amounts to be given as severance pay to its members whose term expired. This finding sparked further research and media interest and led to the establishment of a working group of the Government to analyse this issue and create recommendations for public and other enterprises where the state is a majority owner.

SAI's reports provide a long list of shortcomings in the managing of public money in almost all public institutions under revision.

For example, the latest audit report on Development Fund finds that the Fund has, in the period under revision, "functioned outside of the system of the Treasury and conducted its accounting and financial reporting in line with the Law on



accounting and audit, paying no heed to the Law on Budget, which designates it as a public fund". Further, "The Fund did not provide complete documentation related to evaluation of investment projects in need of loans via commercial banks, in spite of the fact that the key purpose of an investment project is to serve as a basis for creditors' decision, as prescribed by the business policy of the Fund". Also, "The Fund does not conduct sufficient control of agreed commitments with respect to employment of persons registered with the Employment Bureau, or of the intended and actual purpose of loans. In this way it allows the contracting parties not to fulfil the commitments from the loan contract, and fails to ensure that the money is spent in accordance with the Programme of general requirements for financial support and approved investment plans".

Audit of the Office of Ombudsman finds that "the Ombudsman functions without a working plan and programme for 2008 and without internal regulations monitoring the expenditures on fuel, costs of land

and mobile phone lines, costs of representation for business trips etc., which is all essential to an efficient system of internal control". Further, the audit "has confirmed that in its acts of procurement the Ombudsman did not always observe the Law on Public Procurement, failing to conduct public procurement in a transparent way and in accordance with standing regulations".

*There was not one minister or high public official, director of a fund, public enterprise or institution, who bore any political consequences because of SAI's reports. In absence of information on whether the public institutions ever acted upon SAI's recommendations we can only hope that based on these findings the system and practices of the management of public money are indeed improving*

SAI's reports swarm with such and similar findings, and the subjects of audit are allowed, and expected to act upon its findings and recommendations, which is later controlled by SAI through extraordinary audit procedures. SAI submits its conclusions of audit and control audit to the Parliament, the Government and the Ministry of Finance.

The only control audit was conducted in the case of the Ministry of

Culture, Sports and Media and its conclusion was that "The Ministry made certain improvements and to some extent implemented recommendations...but some of the recommendations remain unimplemented or only partially implemented".

Overall, the work of SAI so far contributed significantly to locate and reveal systemic and individual problems and inadequate practices in managing public finances. Still, these achievements of SAI should become effective through changes in the concrete legal acts and practices within public institutions.

So far, to the best of our knowledge, there was not a single case of disciplinary sanctions, dismissal from public service or administrative or criminal charges on account of findings presented in SAI's audits. There was not one minister or high public official, director of a fund, public enterprise or institution, who bore any political consequences because of SAI's reports. In absence of information on whether the public institutions ever acted upon SAI's recommendations we can only hope that based on these findings the system and practices of the management of public money are indeed improving.

ment of public money are indeed improving.

The next chance for the public to learn about concrete improvements in this area will be the Annual Report which SAI is due to submit to the Parliament by the end of October.

*The author is the president of the Board of Directors of the Institute Alternative (IA)*

## WHY DO I WANT TO BE A CITIZEN OF EUROPEAN UNION

## Without party ID

European Union promotes economic development of its members, it protects the rights, freedoms and interests



by Huso Beli Brdakić

of its citizens, whether they are individuals, groups or minorities. In this way, as citizens of EU, we gain access to an economic space which today constitutes 1/3 of global GDP and is the largest single market in the world. First of all, I want to be a citizen of a Union of common democratic values.

**Montenegro's accession to EU has all the advantages, most importantly access to the single market and free movement of people and capital. The only downside is that we will have to work FOR REAL in order to earn enough**

People who know each other well can live together well. I want to be a citizen of Europe where I can travel, live, study and work in any other country of EU. This is especially important for us young people, researchers, scientists, experts... Everybody has a chance to apply and look for work in any country of EU.

In our country at the moment this is not the case. Our judiciary, education, health are in chaos, economy is weak. Every year a lot of students graduate from our universities, and their future and employment are uncertain. The key asset is an ID of a political party. Sometimes, this makes me wonder: Is it possible that a party ID matters more than a university diploma? Scarce demand on the job market and high unemployment generate a climate of general dissatisfaction. Citizens are dissatisfied, they don't trust political parties, they are angry with everyone and everything.

Montenegro's accession to EU has all the advantages, most importantly access to the single market and free movement of

people and capital. The only downside is that we will have to work FOR REAL in order to earn enough. Imagine once on our streets everybody respecting the rules, using signalling lights and obeying speed limits. Imagine, when you go to do some administrative work, not having to wander from one desk to another and back, to keep bribe and corruption at a reasonable level...

It seems to me that citizens are fairly uninformed and that they cannot imagine what it would be like to have orderly, harmonised standards in all areas of existential importance, let alone to have everybody obey such standards. Our citizens are, naturally, afraid of changes, but they should be educated and allowed, each within his or her own abilities, to work on making these changes come true.

The funniest is when someone says: "We will never join Europe as servants!"

when we have already sold everything – all the most valuable resources, so that we can be servants in our own house to various European and unEuropean masters.

**The funniest is when someone says: "We will never join Europe as servants!" when we have already sold everything – all most valuable resources, so that we can be servants in our own house to various European and unEuropean masters**

I want to be a citizen of European Union which offers young people many opportunities to get to know other cul-



tures in the course of their studies or professional training. I want to forget queuing in front of embassies in order to be accorded or refused some European visa. Travelling and shopping became easier also for the EU citizens – border controls are a thing of the past.

Joining EU will not give instant results. We will not become rich overnight. We have to make it on our own, but with a strong partner like EU, this will not be a mission impossible. Joining EU has many advantages. Among other, Montenegrin citizens will be entitled to high quality health services in EU, we will be able to apply for jobs anywhere in this most advanced world economy, with a gigantic consumers' market.

But we can only join Europe if we have the culture.

When Montenegro signed the Stabilisation and Association Agreement, it committed itself to maintaining the political dialogue with EU and preparing itself for effective participation in the free movement of goods, services, people and capital. It also committed itself to harmonising its institutions and legislation with those of EU, enhancing cooperation with regard to implementation of laws, home affairs and

finances and developing comprehensive political cooperation with EU.

This process can only be successful if the entire society takes part in it, not only the Parliament, the Government and political parties, but also the non-governmental sector, workers, employers, entrepreneurs, youth...

Finally, I want to believe that I will be a citizen of EU by 2018 or 2020, which I believe is a realistic target for Montenegro's accession to EU.

*The author holds a diploma in information technology engineering. He attended VIII generation of European Integrations School*

# Germany returns to Europe

Parties of the ruling coalition in Germany, which consists of Social Democrats (SPD) and Conservatives (CDU/CSU) agreed on 18 August on a law which is necessary for Berlin to ratify the Lisbon Treaty whose adoption was frozen by a decision of the Constitutional Court.

The Court blocked ratification of the Lisbon Treaty in June, asking for a law that would guarantee the rights of the German Parliament.

CSU, the sister party of **Angela Merkel's** CDU in Bavaria, a traditional Eurosceptic, presented a list of demands that would limit the power of Brussels. The deal abolishes the previous obligation of the German government to consult the Parliament while drafting European legislation and to hold referendum about accession of new member states to EU.

"However, it guarantees that the Bundestag, the house of representatives, will be consulted on decisions that extend EU

competences. The German government will have to notify the Bundestag immediately about the changes in its European policies", said the conservative MP **Norbert Roettgen**.

The voting will take place on 8 October in Bundestag and on 18 October in Bundesrat, only nine days before parliamentary elections.

European officials fear that Germany will not be able to get the law through before the elections which would strengthen the opponents of the Treaty in the three countries that still have not ratified it: Czech Republic, Poland and Ireland.



## 10 000 bags lost daily

Air transport companies in the EU lose 10 000 bags daily, said the high European official for transport **Antonio Tajani**.

This means that on average one out of 64 travellers or two travellers on every full flight of a Boeing 737 or Airbus A320 cannot find their bag once they arrive at their destination.

This problem is particularly acute with connected flights, which account for almost one half of the total of lost luggage.

Most of the bags are found and returned to owners within 48 hours. However, about 15% are lost for longer than that or are never found.

"These numbers are better than for 2007, but the situation is still unacceptable and truly worrying", Tajani said.

European Commission will initiate a public discussion to get the suggestions from passengers and air companies in order to improve the situation and propose the solution in the course of 2010.

## The end of crisis in sight

The economy of Eurozone can expect moderate recovery in the first half of 2010, says International Monetary Fund.

"Recovery will probably be slow and subject to significant risks. The decline of economic activity should slow down in the remainder of 2009 and give way to moderate recovery in the beginning of 2010", says the IMF report. The experts of this international institution emphasise the small risk of continuing deflation.

The IMF confirmed the forecast published in June according to which the GDP of the Eurozone in this year should fall by 4.8% and next year by 0.3%.

## Bulgaria to adopt euro by 2012

Bulgaria intends to replace its domestic currency lev by euro in 2012 or 2013, said the Bulgarian finance minister **Simeon DANKOV**.

Bulgaria will fulfil all criteria for the adoption of euro by the end of this year, but if the budget deficit remains higher than 3% of GDP "this may postpone our entrance to the Eurozone by another two years", DANKOV added.

Bulgaria planned to introduce euro in 2010, but it failed to control the inflation and budget deficit.



## Know thy cheese

Italy wants to introduce the requirement of precise country of origin labelling on cheese and milk, said Italian agriculture minister **Luca Zaia**, who hopes to get EU support for it.

The draft regulation prescribes that a geographical origin sign should be placed on pasteurised milk, and that similar labelling should indicate the geographical origin of milk used to produce different cheeses. The draft will be submitted to the European Commission, which has 6

months to formulate an opinion.

Currently the requirement of geographic origin labelling exists for raw milk.

Almost 50% of milk sold in Italy comes from abroad. "The problem is very simple, in certain countries production costs are low, and I will not ask our farmers to produce at the same prices. Production costs in Italy are higher, and they are the guarantee of food safety", Zaia said.

## WHO WILL BE THE FIRST PRESIDENT OF EUROPE

# Gonzalez or Blair

Charismatic former prime minister of Spain **Felipe Gonzalez** became the prime candidate for the office of the first permanent president of the European Council in the last few weeks, although many have already seen former UK prime minister **Tony Blair** in that place.

Spaniards strongly support the candidacy of their former prime minister, according to a recent poll. The poll, conducted by Spanish think-tank Real Instituto Elcano, revealed that 42% of interviewees support Gonzalez for the EU post, while only 23% back Tony Blair. Gonzalez has already been endorsed for the position by EU high representative for foreign policy **Javier Solana**.

The Treaty of Lisbon, expected to enter into force in 2010, introduces two new European top jobs: a high-profile president who will chair EU summit meetings for a two-and-a-half year term and

a high representative for foreign and security policy. The Lisbon treaty changes some features of the latter position compared to the office currently occupied by Solana, who will remain on duty until a new person is appointed.

The President is elected by the European Council, by a qualified majority, for a term of two and a half years, renewable once.

European Council also has the right to end the President's term in office in the event of an impediment or serious misconduct.

The task of the President is to chair, organise and prepare meetings of the European Council and report on these meetings to the European Parliament, as well as to represent the EU in relations with third countries. The president of the European Council must not simultaneously hold a national office.

Gonzalez and former British



Prime Minister Tony Blair remain the two main candidates for the post of president, with **Paavo Lipponen** and **Wolfgang Schussel**, ex-government heads from Finland and Austria respectively, also mooted as candidates.

Should the Lisbon Treaty enter into force by the end of 2009, the EU's first permanent president will be introduced under the Spanish EU Presidency in the first half of 2010, a fact that Solana thinks should work in Gonzalez's favour.

"A relationship between two Spaniards – and I know them well – will be very positive, very constructive, and would bring added value," Solana said, referring to relations between **Jose Luis Rodriguez Zapatero**, the Spanish prime minister, and Gonzalez.

A 2008 poll by Harris interactive identified Tony Blair as the preferred candidate for the job of EU president among Europeans as a whole, and while the more recent Spanish poll may not reflect views across Europe,

## IBERIAN DOMINANCE

Like in the case of Blair, however, Gonzalez's candidacy isn't without its critics or potential stumbling blocks.

At the press conference which saw him endorse Gonzalez, Solana was asked to comment on the risk of an 'Iberian overload' should a Spaniard take the job of EU Council president, with **Jose Manuel Barroso** from the neighbouring Portugal being re-confirmed as head of the Commission.

"It's a question for others to respond to," said Solana, amid laughter from the audience.

There is also the more serious question over Gonzalez's role in Spain's counter-terrorism actions against ETA in the 1980s. The four-term former Spanish prime minister has consistently denied any knowledge of how a shadowy organisation called the Anti-Terrorist Liberation Group, apparently with police and military support, killed 27 people whom its members believed were terrorists. The involvement of the then prime minister has never been proven.



Felipe Gonzalez



Tony Blair

Gonzalez's candidacy has looked increasingly strong of late, with Blair's position having weakened, especially after he lost support of the French President **Nicolas Sarkozy**.

In 2007 Sarkozy strongly supported the idea of 'President Blair'. However, he has since shifted his support to the former Spanish premier.

**Jean-Marie Colombani**, *Le Monde's* former editor, said that Sarkozy's change of heart was due to Blair's failure to achieve anything as EU envoy to the Middle East, and "the polemic over his actions on the Iraq war".

"Sarkozy wants Gonzalez. He doesn't care if he's a Socialist. He thinks he's best because he'd be the embodiment of a strong president; it would make Europe's first leader a man with ideas about Europe... who wouldn't let member governments continue fiddling around instead of moving to the next stage."

Mr Gonzalez is an experienced player with a gift for connecting with people, and – with Spain being just a middle-ranking force in the EU – he presents no threat to the pecking order.

Other member states are wary of Tony Blair, who was long tout-

ed as the potential candidate for the job, fearing that he would be a divisive influence.

Gonzalez well known as a man who never made a political enemy. His decisive but non-aggressive style converted even **Margaret Thatcher** into a fan.

His spokesman, **Joaquim Tajar**, says that "the problem is that Mr Gonzalez can be very resistant". The Catalan Socialist party wanted to raise Mr Gonzalez's profile during the European election campaign by declaring that he would stand for the EU presidency, but he vetoed it. "Felipe needs to be asked," an insider said. "He won't contest a fight, his pride won't let him".

Another potential stumbling block for Blair materialised earlier this month, when former UK EU Commissioner **Chris Patten** announced that he would be "very positive" towards the idea of becoming Europe's first foreign minister. The former governor of Hong Kong told the *Financial Times* that while he was not campaigning for the job, "if I was approached, which I think is unlikely, I would certainly be very positive about it".

Patten, who served as EU commissioner for external relations, is popular in Brussels and has already attracted support from **Daniel Cohn-Bendit**, co-chair of the Greens in the European Parliament.

His candidacy is likely to attract the support of those who dislike Blair, say analysts, and with two candidates from the same country unlikely to succeed, Patten's strong candidacy may prove.

V.Ž.–V.Š.

## WHO IS GONZALEZ

Before disappearing from the scene in a 1996 political scandal, Gonzalez presided over the Spanish government for 13 – overseeing rapid economic modernisation of Spain and securing its entry into the EU.

Gonzalez heads the Socialist Party and is an experienced politician who never in his long career took an uncalculated step, and his recent actions suggest that he is getting ready for a campaign. His third-term government collapsed in sleaze in 1996, and his standing suffered after the "dirty war" in which government-sponsored death squads targeted Eta Basque separatists.

Formidable at 67, Gonzalez took active part in the campaign for European elections in Spain, filling stadiums with what observers reckoned was the most convincing analysis of Europe's future by any EU politician.

"It seems Europe is waiting for Obama to pull the cart, and the rest of us will follow. Europe has been adrift for 20 years," the former premier said in his many public appearances.

## WHAT IS ASKED OF MONTENEGRO IN THE EUROPEAN COMMISSION'S QUESTIONNAIRE?

# Precise and concrete

After the European Enlargement commissioner **Olli Rehn** handed the Questionnaire to the Prime Minister **Milo Đukanović** on the 22 July, the Government announced that all public administration services are ready to start answering the 2 178 questions prepared for Montenegro by the European Commission. This is at the same time the very beginning of the decision making process on Montenegro's candidacy for membership in the EU.

The Questionnaire, which the European Pulse had a chance to inspect consists of three parts, named after the three Copenhagen criteria: Political Criteria, Economic Criteria and Acquis, i.e. the ability of the state to assume the obligations of membership in EU. The latter takes up the largest part of the questionnaire, and consists of 33 chapters.

The number of questions per chapter varies significantly, indicating that there are



certain areas in which the EC requires more detailed and precise information. Thus Chapter 19, dedicated to social policy and employment contains 187 questions. There is one less question in Chapter 23 on justice,

freedom and security, while picture of the situation of the judiciary can be glimpsed through answers to 167 questions

The Questionnaire calls for clear, concrete and very precise answers. Thus in the chapter on social policy, next to the general question "How are social partners currently involved in the EU integration process?" there is a number of additional questions asking for details regarding the existence of a tripartite committee created for this purpose, as well as for description of the role that social partners play in different preparatory activities and discussions in the framework of European integration.

Most of the questions in this area contain several items that require further explanations, and frequently also a number of additional questions, which calls for greater attention but also increases the difficulty of the process, since, as emphasised by the minister for European integrations **Gordana Đurović**, this effectively raises the number of questions from the original 2 178 to around 4 000.

Similar "complex" questions can be found in the chapter on judiciary, which seems to be of special interest to Brussels, and encompasses everything from the role and functioning of the Centre for education of judges and prosecutors to the annual budget for judiciary. Special attention has been given to the mechanisms ensuring the independence of judges and autonomy of the prosecutors, and the Government is asked to list "any complaints about the independence of judiciary" and explain how such cases were resolved.

Thus one of the questions in this area

*The questions can be very different – from the procedural and technical ones, such as "Is there a national anti-corruption strategy? What is its status?" to the very direct "What are the practical results of anti-corruption efforts in Montenegro?"*

## FROM SILK WORMS TO THE LAST OLIVE

Whatever the impression the EC will gather from the answers to this Questionnaire, one thing is certain: for the Government and administration of Montenegro this is an extremely useful exercise, and a unique opportunity to learn many things about this country that they perhaps didn't know before.

The Questionnaire contains extremely diverse questions of varying scope, from the very general: "Does Montenegro have a Constitutional Court?", to those that go into such detail that some could find in them a good justification of those arguments that frequently accuse EC of being obsessed with sometimes unusual details.

Thus, for instance, in the chapter on agriculture Brussels asks for a very detailed description of trade measures, import and export specifications, certificates, customs control procedures, bank guarantees for trade and production, subsidy schemes and registers of farmers' plots for exactly 23 agricultural products among which are cotton and silkworms.

The chapter on agriculture also has a comprehensive statistical annex requiring, among other, data on the number of dairy and other cows, average carcass weight of calves, as well as data on the existence of a computerised information system containing the number and distribution of olive trees in the country.

is: "Please describe the selection, promotion and disciplinary procedures of judges and prosecutors and indicate how they relate to the accountability and independence of the judiciary", while the chapter also calls for details on the selection procedures for trainees, appointment of judges to different territorial or administrative units and allocation of cases.

Independence in the performance of public functions is an issue which reappears in several chapters of the Questionnaire, such as those on public administration, public enterprises and statistical office, which goes to show that European Commission is very interested in the ability of the executive and judiciary powers to fight corruption.

In Chapter 23, on judiciary, corruption takes up an entire block of questions in which the EC asks whether there is a concrete anti-corruption initiative set by the law, and if there is, how is it being implemented, but also whether there are particular priority areas in which corruption is more prominent and what extra measures the Government has taken in such cases.

The questions can be very different – from the procedural and technical ones, such as "Is there a national anti-corruption strategy? What is its status?" to the very direct "What are the practical results of anti-corruption efforts in Montenegro?".

Another issue which receives a lot of attention in the Questionnaire is the issue of human resources, and not only with regard to the capacities of public administration, which is something we are already used to hearing from the Commission in all official reports on Montenegro, but also in a variety of aspects of functioning of Montenegrin state and the economy. Questions asking for a

## INTENSIVE WORK

In order to ensure high quality response to the Questionnaire the Government established a Commission for European Integrations, 7 groups working directly on the Questionnaire and 2 for political and economic criteria. It also established 35 sub-groups in order to enhance coordination among different areas and levels of responsibility. A total of 600 persons will be working on it, and the answers should be completed in the course of September and October. From 3 September onwards the Government will receive weekly information on realisation of the project, as well as on potential problems. According to minister Đurović, her ministry is already preparing the first such information.

However, there are also questions which are not "sufficiently clear", and further explanations have been asked from the European Commission. There are also those that crosscut the areas of interests so the responsible entity and mode of coordination between institutions have not been designated yet.

As planned, the verification process will start in November and by then all answers must be ready. More details can be expected after the European Commission publishes its opinion on Montenegro's candidacy. According to earlier announcements, this could already happen by mid 2010.

detailed description of the formal requirement and content of training feature in almost all chapters: from public administration, judges and prosecutors, police, doctors, midwives and nurses to architects, people working on the preservation of film heritage, customs,

interested in the details of the educational reform, especially with regard to the new subjects and forms of education which recently entered our educational system: continuous learning, interactive and applied learning, as well as education on human

*Special attention has been given to the mechanisms ensuring the independence of judges and autonomy of the prosecutors, and the Government is asked to list "any complaints about the independence of judiciary" and explain how such cases were resolved*

fisheries and phytosanitary inspections.

Most of these questions call for a formal description of the training system in order to check for their compatibility with the European standards, but Brussels is also

rights and freedoms, environment and principles of entrepreneurship in all fields of study.

The chapter on education itself takes up some fifty questions. It contains several sub-chapters dealing with additional training of young people outside of the formal system, the transition period between education and employment, as well as a block of questions on "adapting to change", i.e. adjusting the Montenegrin educational system to the political, technological and social changes in Europe and the world. One could expect the Government to run into trouble answering some of these questions, such as "Please provide information on the promotion of sense of initiative and entrepreneurship as a basic competence for young people within the different levels of education".

With the exception of a number of such "more abstract" questions, most of the Questionnaire asks for very concrete and precise information, and in some cases the EC even supplied blank forms and tables so that the data can be organised in the clearest possible manner.

M. REBRONJA i V. ŠČEPANOVIĆ

## NGO SECTOR IN FOCUS

Civil society is also an area which provokes EC's curiosity. The answer to this section of the Questionnaire will contain a list of all registered NGOs, associations and foundations active in Montenegro.

EC asks: "What is the legal status of non-governmental organizations, associations and foundations, means of financing, what is the definition of their status as taxpayers as well as limits on membership and activities?", but also what justifications can be used to limit the freedom of association and activities, if any? EC also wants to know which institution in the country has the legitimacy to impose such limitations.

The answer to the questions concerning the civil sector should also contain an explanation on the implementation of the prescribed freedom of association within public administration in general, and specifically for the army, police and judiciary and "whether the right to become a member or not has been stipulated and protected by the trade unions?"

So far the Government of Montenegro did not contact the NGO sector about this question, which could certainly result in more precise information.

CCE and Friedrich Ebert Stiftung publicise AN ADVERTISEMENT for participants of XIV generation of



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The right to participate have candidates who want to contribute to development of democracy and civic society in Montenegro. All candidates are welcome, regardless of age, gender, nationality, religion or personal convictions, with the indication that advantage have activists of the political parties and non-governmental organisations and all individuals who are showing high level of social activism.

Moderator of the School is professor Radovan Radonjic, PhD, and beside him eminent domestic and foreign lecturers will be working with participants.

All interested candidates may submit their application with short biography not later than **220 September 2009** on the address:

**Centar za građansko obrazovanje**  
(for "Democracy School")

**Njegoševa 36, I sprat, 81 000 Podgorica**

**Tel/Fax: 020 / 665 327**

**E-mail: [info@cgo-cce.org](mailto:info@cgo-cce.org)**

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The right to participate have all high school pupils from the territory of the Municipality of Podgorica, who want to contribute to development of civic society. All candidates are welcome, regardless of gender, nationality, religion or personal convictions.

Lectures will be held by the CCE training team through the different workshops within the framework of following fields: democracy, tolerance, human and minority rights, identity, active citizenship, gender equality, conflicts and their non-violent resolution, team work and team buildig, leadership within the team, attitudes, stereotypes and prejudices, public relations, as well as issues related to the European integration.

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### NON-GOVERNMENTAL ORGANISATIONS IN EUROPEAN UNION



## EUROPEAN TRADE UNION CONFEDERATION

European confederation of trade unions (ETUC) is founded in 1973 with the goal to be a unique voice of the workers across Europe in front of the European institution. Today it gathers 82 trade union organizations active in 36 European countries.

The main scope of the organization is to promote the establishment of so called European social model that would simultaneously enable development and stability of the European societies and economical growth which would lead to the improvement of social and economic status of the workers and their families, full enjoyment of human and civic rights and high level of living standard.

European social model is the concept that mixes sustainable economic growth with continuous improvement of living and working conditions. Concept of the European social model is based on full employment, quality social protection, equal opportunities, quality working places, full social inclusion and openness of the decision making process for all citizens.

ETUC believes that the practice of consulting workers on the issues important for them, developed social dialogue and good working conditions are the key for successful economic growth, improvement of the economy, better productivity, competitiveness and economic development.

Strong social dimension and balanced macroeconomic development that includes total fulfillment of working and civic rights is the basis of work of the ETUC and therefore it is involved in creation of all important national and EU policies regarding the issues of workers and trade unions. Through its extensive working experience ETUC has developed the cooperation with all important EU institutions.

Every spring a tripartite social summit is held where the actual state and progress made in the field of Lisbon strategy 2000/10 is considered in relation to the trade unions and labour rights. ETUC regularly participates at this summit.

ETUC has a status of consultative body in the European social committee and is also included in the work of the European agencies active in the field of professional development, improvement of living standard and working conditions and health care and safety on work improvement. Organization is an active part of the annual meetings with ECOFIN, European central bank, EC and social partners that are held twice a year in the framework of so called Macroeconomic dialogue.

More information on numerous ETUC activities is available on web site: **[www.etuc.org](http://www.etuc.org)**

**Prepared by: Petar ĐUKANOVIĆ**



Centre for Civic Education, Centre for development of non-governmental organisations and European movement in Montenegro with the support of Foundation Open Society Institute- Office in Montenegro, are publicizing an

## ADVERTISEMENT

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# EUROPEAN INTEGRATIONS SCHOOL

School of European Integrations is composed of 9 modules totally lasting four months, and it comprises a wide spectrum of theoretical and practical knowledge from the field of European Integration.

The lectures are held two times per week, and each lecture lasts for two hours (with the possibility of additional lectures), as well as through the topic oriented seminars.

Prominent domestic and foreign lecturers and experts, representatives of diplomatic corps in our country and other guests will familiarize the participants of the School with the history, development and functioning of integrative processes, contemporary status of European institutions, their influence on our society, cooperation perspectives in this field and EU funds.

The right to participate have the candidates whose priority is to gain new knowledge in above-mentioned fields and to contribute to the affirmation of ideas, meaning and standards of European integrations in Montenegro.

All candidates are welcome regardless of their age, gender, nationality, religion or personal beliefs, indicating that the priority have all candidates who show high level of social activism in governmental, non-governmental, party, trade-union, commercial, scientific and cultural framework.

Expenses for the School are covered by FOSI, CCE, EMiM and CDNGO, with the obligation of the participants to attend at least 80% of the programme.

Upon completion of the School participants receive a diploma and gain right for further professional training.

Application with short biography (CV) should be sent not later than **20 September 2009**, on the contact address:

**Centre for Development of NGOs (for "European Integration School")**

Dalmatinska 78, 81 000 Podgorica

Tel/fax: 020 219 120, 219-121, 219-122

Email: [crnvo@crnvo.me](mailto:crnvo@crnvo.me) ili [info@cgo-cce.org](mailto:info@cgo-cce.org)



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# HUMAN RIGHTS AND MINORITY RIGHTS SCHOOL

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School comprises 4 modules lasting totally five months. The courses will be held twice a week for 2 hours. All expenses are covered by the Centre for Civic Education with support of the Commission for allocation of part of lottery games, and with obligation of the participant to attend not less than 80% of the programme.

Human rights and minority rights school provides wide theoretical and practical knowledge on concept of human rights, affirms the culture of human rights, inspiring and motivating people to stand for their rights, as well as for those who are not able to do that on their own and to empower them to have more direct influence within society in future.

Upon finishing of the School the participants shall receive a certificate and be eligible for further educational development.

The right to participate have candidates who want to contribute to respect of human rights in Montenegro. All candidates are welcome, regardless of age, gender, nationality, religion or personal convictions, with the indication that advantage have activists of the political parties and non-governmental organisations, media professionals, lawyers, young leaders, students and all individuals who are showing high level of social activism.

Prominent domestic and foreign lecturers will be working with the participants.

All interested candidates may submit their application with short biography not later than **20 September**, on the address:

**Centre for Civic Education (for "Škola ljudskih i manjinskih prava")**

Njegoševa 36, I sprat, 81 000 Podgorica

Tel/Fax: 020 / 665 327

E-mail: [info@cgo-cce.org](mailto:info@cgo-cce.org) [www.cgo-cce.org](http://www.cgo-cce.org)

## FOR THIS ISSUE WE RECOMMEND:

## HD POSITIONS AT THE VIENNA UNIVERSITY

The University of Vienna announces the vacancy of 12 PhD positions for college assistants within the interdisciplinary doctoral college Empowerment through Human Rights.

Duration of the posts is 3 years each; 20 hours part-time employment at the University of Vienna

for the whole period. During this period, the college assistants will work together in the interdisciplinary group and will each write a stand-alone PhD thesis. College assistants can seek participation in related research activities within the institutions involved to an extent of another 20 hours.

The deadline for application is 30 September 2009; interviews with applicants will be conducted from 15 October onwards; the planned starting date for all 12 positions is 1 January 2010.

Further Information: <http://human-rights.univie.ac.at/index.php?id=57396#c148092>

## SHELL CENTENARY AND SHELL CENTENARY CHEVENING SCHOLARSHIPS

Applicable to: Oxford University

The Shell Centenary scholarships are funded by The Shell Centenary Scholarship Fund (TSCSF) and the University of Oxford. A number of scholarships are also jointly funded with the UK Foreign and Commonwealth Office, and are known as Shell Centenary Chevening Scholarships.

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**Closing deadline:** 23 January 2009 (Application Deadline 2) for admission to Oxford

01 March 2009 for the Shell scholarship

More information on: [http://www.admin.ox.ac.uk/studentfund-ing/scholarship\\_profiles/shell.shtml](http://www.admin.ox.ac.uk/studentfund-ing/scholarship_profiles/shell.shtml)

## WEIDENFELD SCHOLARCHIPS

The Weidenfeld Scholarships and Leadership Programme will support up to 40 Scholars in the 2010–2011 academic year. The programme is launched in May 2007 for outstanding postgraduate and graduate students and young professionals, primarily from Eastern Europe, Russia, Central Asia, North Africa and the Middle East, at Oxford University complemented by a comprehensive leadership development programme.

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Additional information about the programme, the criteria for eligibility and the application process could be found on the Institute for Strategic Dialogue website [www.strategicdialogue.org](http://www.strategicdialogue.org)

For further information about the Weidenfeld Scholarships and Leadership Programme, please contact Victoria Fraser, the Weidenfeld Scholarships Programme Associate, at [vfraser@strategicdialogue.org](mailto:vfraser@strategicdialogue.org) or by telephone at +44 207 493 9333.

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