

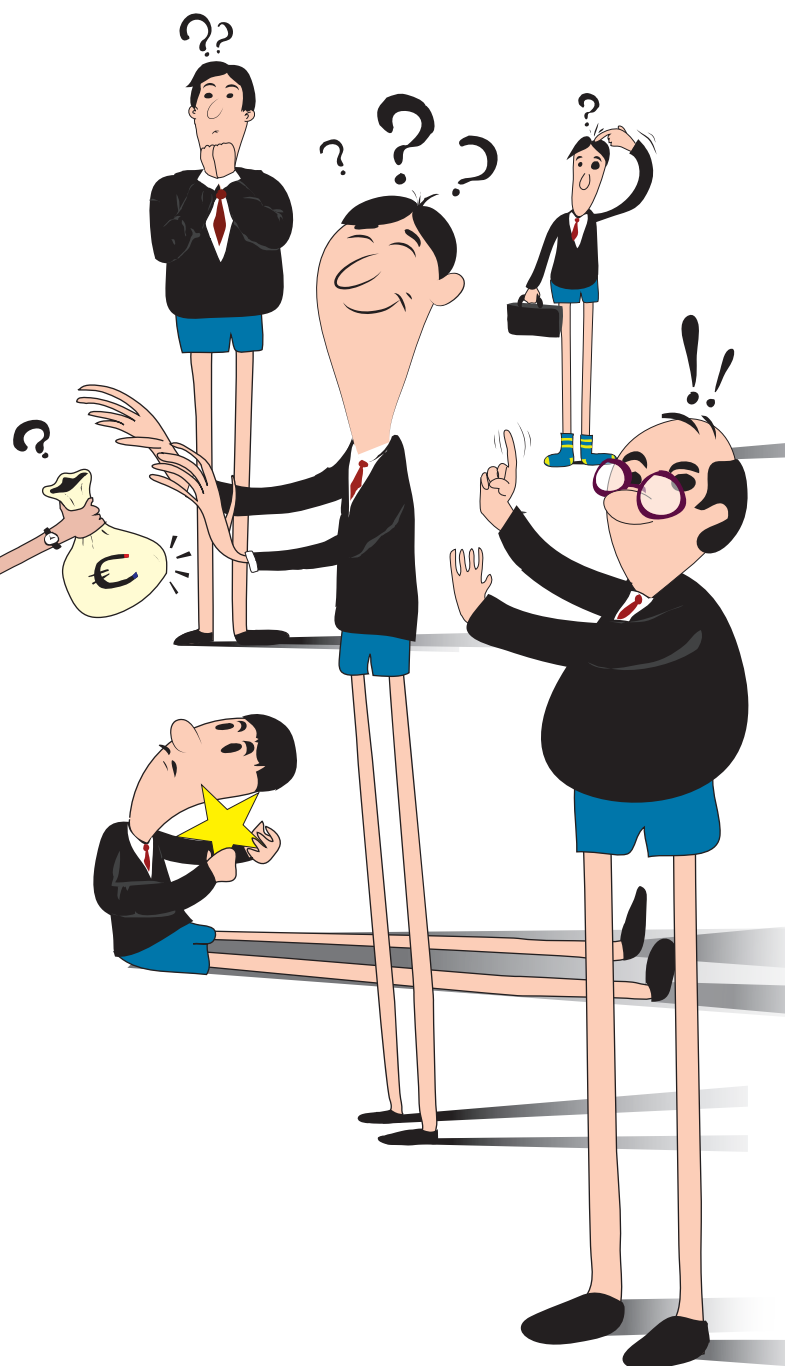
European pulse

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Foreword: **Rumours**

Vladan Žugić



An optimist is a person with too little information or with a selective memory. That's one of the many definition of an optimist which, although sarcastic, isn't too far from the truth. In the flood of positive news on the activities of the new prime minister who is currying favours with the masses that only yesterday stood on the other side of the trench, we should not forget Igor Lukšić's interview with Reuters. Asked whether the current or the former members of the Government could face corruption charges, Lukšić said that he "sees no case in which any member of the Government would deserve to face the prosecutors". "I just don't believe all these stories I hear, and I consider them rumours", Lukšić said. If honest, this statement clearly delineates the limits to which Lukšić's reforms are intended to go. What he did until now is certainly laudable, although it would be considered perfectly normal in any country with developed political culture – he sat at the same table with the representatives of the opposition, civil society, media, and made the workings of the executive much more transparent than his predecessor... The members of his cabinet are promising reforms of judiciary, public administration... On the other hand, all these reforms ought to be implemented by the same people because of whom the EC set up the famous seven conditions for negotiations in the first place. In spite of all this information, we should not be pessimists – Lukšić's cabinet is in the right track to fulfil Brussels' demands. But genuine reforms and a European leap of Montenegro will require a change of attitude, much more dialogue, and implementation of the laws instead of new changes and amendments. It will also require arrests and convictions in cases such as Zavala, and that road leads to the former or current members of the Government. Trust me, it's not just a rumour.

Calendar

01. january **Hungary takes over EU presidency** / Hungary took over the six-month presidency of EU from Belgium. The Hungarian prime minister **Viktor Orban** announced that the main focus of the presidency will be economic issues, the Roma strategy in Europe and plans for further enlargement of the EU. He said 2011 will be the most difficult year for EU in the last two decades.
06. january **Kukan: select a team for negotiations as soon as possible** / Montenegro should select a team that will negotiate with EU in the future as soon as possible, including all the best experts, said the head of the European Parliament delegation for South East Europe **Eduard Kukan**. He believes that NGO representatives should not be on the team, which met with disagreement on the part of the representatives of Montenegrin NGOs and a number of EU ambassadors in Podgorica, who reminded that several countries had involved the civil sector in the negotiations process.
14. january **Full de-criminalisation of libel in March** / Deputy prime minister **Duško Marković** announced that the Government will propose amendments to the Criminal Code in March, in order to fully decriminalise libel, as was also requested by EC in the Opinion on Montenegro. Montenegro partly decriminalised libel in 2003, by abolishing prison as a possible sanction in such cases. Marković and the head of EU Delegation **Leopold Maurer** agreed that the strengthening of judiciary independence will be enabled through amendments to the Constitution or laws and that it is up to Montenegro to choose the way in which to do it..
- 20 - 21. january **Montenegrin ministers for the first time at the Council of EU** / Ministers of Justice and Home Affairs **Duško Marković** and **Ivan Brajović** have for the first time participated in the workings of the Council of EU. Since Montenegro acquired the candidate status, its ministers participate in these meetings as observers.
27. january **The year of Montenegro's accession to EU will be known in 2014** / Montenegro and other West Balkan countries should find out the approximate date of accession to EU in 2014, during the Greek presidency, according to the plan for the so-called Thessaloniki 2, said the Greek Foreign Affairs Minister **Dimitris Drucas** after a meeting with Montenegrin representatives in Podgorica.

The Balkans New Normal

A closer look reveals that the Balkans currently is a mixture of Greek-style economic problems, Berlusconi-style politics, and Turkish-style enthusiasm when it comes to the EU's will to integrate the countries of the region.



Ivan Krastev

The Balkans is the European Union's untold success story. The EU's commitment to bringing the region within its borders remains firm. In September, Catherine Ashton, the EU's High Representative for Foreign Affairs, succeeded in breaking the deadlock in Serbia-Kosovo relations by bringing both sides back to the negotiating table. The EU's soft power remains as visible as ever. Moreover, just this month, the visa wall surrounding the region for the last two decades finally fell for everyone (with the exception of the Kosovo Albanians). It is as if the crisis in the EU's center had not reached its Balkan periphery. This, at least, is how the European Commission wants to see the Balkans, and how the region wants to present itself. But the reality is less reassuring. To understand this mixture, imagine a rainy election day in an unnamed country, and that almost three-quarters of the ballots are returned blank. The government demands that the elections be re-held, when the sun is shining. The result is terrifying: the protest increases, with 83% of the electorate voting without choosing a candidate. That is the plot of José Saramago's novel *Seeing* – an anti-utopian vision of post-political democracies where people are angry, the elite are conspiracy-minded and insecure, and social life is paralyzed. It is also a fair depiction of how citizens in the Balkans feel about their new political systems. Saramago's anywhere is the Balkans' everywhere. When asked by the latest Gallup Balkan Monitor poll to say whom they trust, most respondents expressed faith in the Church, the EU, and the United Nations, but were deeply suspicious of national institutions, including those that are elected. Ten years after the last war in the region, the Balkans still comprises an assemblage of frustrated protectorates and weak states. Bosnia and Kosovo are trapped in the labyrinth of the politics of semi-independence; Albania, Montenegro, and Macedonia are small and claustrophobic republics with populist and divisive governments and opposition forces that are discouraged and discouraging at the same time. Serbia has lost Kosovo, but it still has not found itself, while Croats are split over joining the EU, with a majority planning to vote against it. Serbs and Croats still disagree about history, but many agree that paying taxes is a waste of money, and most agree that no party or politician expresses their views. The EU has lost its magic, but it has not yet lost its importance. True, faced with the choice of keeping the constitutional name of their country or compromising with Greece for the benefit of joining the Union, Macedonians are sticking to

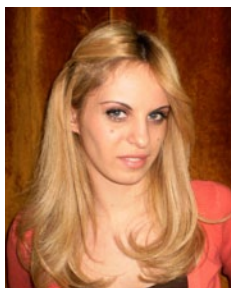
their guns. Serbs also say that it is more important to pretend that Kosovo is part of Serbia than it is to join the EU. But declarations are one thing and reality is another. It is clear that if the region's citizens are to have any realistic hope of a better life and political stability, it will be related to their country's EU prospects. And here is what makes the Balkans so important for understanding the new condition in Europe. People from the region still believe in the EU, but they are not sure that the EU believes in itself. Moreover, they no longer know how their economies will be able to grow in post-crisis Europe. Previously, there were two models for small economies seeking to incorporate themselves within the EU: the Irish model of radical market reforms, and the Greek model of creative bookkeeping and absorption of European funds. Now both models have derailed. The impact of the EU's current crisis in the Balkans can be best understood as a crisis of political imagination. Just two or three years ago, people in the region worried about living on the outskirts of Europe; now they worry about Europe itself. Once it was popular to tell Macedonians that they could become another Belgium. Now, one has to ask if Macedonians should want that outcome, given the wasteful and complicated way in which Belgium functions today. Indeed, no one promises that Belgium will not collapse in the next 10 or 20 years. How will the Balkans' multicultural institutions, built after a decade of war and fervent nationalism, be sustained at a time when leading European politicians are heard to say that multiculturalism is dead? How can institutional arrangements established to stop the war be transformed into an effective guarantee for a common future that includes EU membership? Focused on their own problems, Europeans do not have time to think about how the crisis in the EU impacts the countries on Europe's periphery. This should change. The Balkans' "new normality" is very much a reflection of Europe's.

Ivan Krastev is Chairman of the Centre for Liberal Strategies in Sofia, Permanent Fellow at the Vienna Institute for Human Sciences, and Executive Director of the International Commission on the Balkans.

Source: project-sindikate.org

Candidate status also means more EU funding

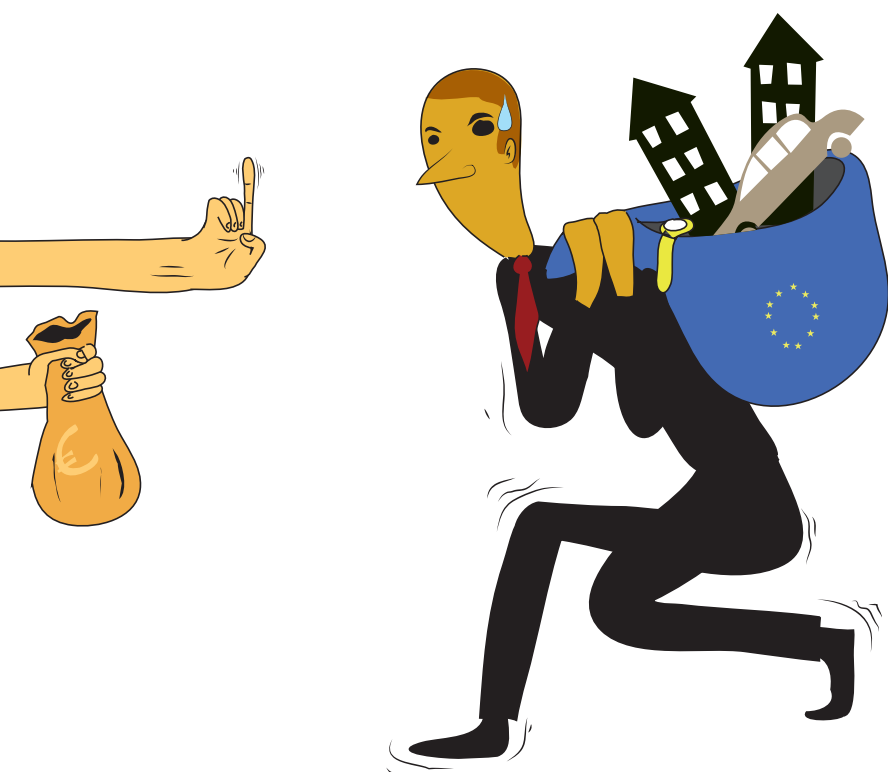
More money if we can prove we know how to spend it



Ana Manojlović

With the recent approval of the candidate status for membership in European Union, Montenegro gained access to all components of IPA funding (Instrument for Pre-Accession Assistance), but will only be able to use these funds once it demonstrates sufficient capacities to manage the projects financed by European money. In the best case scenario, this might not happen before 2013.

In order to access the funds in the other three IPA components, it is necessary to establish a decentralised implementation system (DIS), and accredit it with the European Commission. That means that Montenegro must gain the Commission's trust for spending the money of European taxpayers by succeeding in managing and controlling every step of the project according to European rules – from the project draft to procurement, implementation of final supervision, which it currently does in tandem with the EC experts. To become accredited to DIS means at the same time a better standing of Montenegrin administrative capacities in the eyes of EC, which at the moment judges them to be very weak. The EC officials have frequently warned the government to act more urgently and intensively to strengthen the administrative capacities, precisely because of DIS. Up until now Montenegro had the access to the first two IPA components – assistance in transition and institution-building and cross-border cooperation. For these two components, the EU set aside 220 million euros, or 35 million annually between 2007 and 2013. After it establishes and accredits DIS, Montenegro will also have access to the other three IPA components – regional development, human resource development and rural development. At the moment, it is hard to say how much will be set aside for us, because it all depends on the 2014–2020 EU budget, on which the discussion is



STRICTLY BY THE BOOK

Money from European funds must be used strictly according to the public procurement rules stipulated by EC for countries outside EU. All failures to observe the rules will be sanctioned, as seen in the examples of Romania, Bulgaria and Croatia.

In the Romanian case, 150 million euros intended to raise the competitiveness of agriculture were suspended in August 2008. In the same year 800 million euros of assistance was first suspended and then withdrawn from Bulgaria, together with accreditation of two government agencies in charge of managing the resources. In early 2008 Croatia also saw its finances from the 2006 PHARE fund temporarily frozen and its IPA funds reduced by five million euros because of the weaknesses in the implementation of the decentralised system for the management of EU funds. The funds resumed once the EC was convinced of Croatia's progress in this respect.

to begin this year. Judging by the experience of Croatia, the remaining three components could bring as much as the other two, which would mean around 70 million euros per year for Montenegro, or around 10% of the country's budget (excluding capital).

Head of operations of EU Delegation in Podgorica Nicola Bertolini says a candidate country can access all five IPA components. "The funds will be available, but Montenegro will only be allowed to use them if it demonstrates sufficient management capacities for that purpose. The EC will approve the transfer of man-



Nicola Bertolini

agement competencies when all structures for the management and control of the funds are in place and fully functional. This process will probably take another two years. which is why we expect Montenegro to gain full access to all IPA components no earlier than 2013", said Bertolini for European Pulse.

Earning the trust of European institutions is not easy, especially when money is involved. Nevertheless, the Ministry of Foreign Affairs and European Integrations (MFAEI) is aware of the difficulty of the task. State secretary for European integrations in MFAEI Slavica Milačić says for the European Pulse that the experiences of the new member states suggest that the money is not easy to get, and that Montenegro is facing a big challenge.

"We have already undertaken some activities in this direction, but it should be borne in mind that this is a long-term process, as evidenced by experiences of other countries that have been through the EU accession process. It is based on extensive preparation of background documents, and establishment of procedures and operative structures. Once DIS is accredited, certain funds from the IPA 2012 and 2013 programmes will be channelled through components III, IV and V, and the implementation will be done by the Montenegrin institutions with ex-ante control of the EU Delegation. Taking into consideration the fact that components III, IV and V are bound by the N+3 rule (N- the year when the financial agreement on the use of IPA funds was signed), the time period for the contracting and payment of projects is 3 years. This rule is only in place for components III, IV and V, while the programming of the first two IPA components will continue on the earlier principle of N+2", Milačić explained.

Components	2009	2010	2011	2012	2013
Transition assistance and institution building	45,601,430	39,483,458	39,959,128	40,872,310	38,513,885
Cross-border cooperation	15,898,570	15,601,136	15,869,158	16,142,542	16,698,384
Regional development	49,700,000	56,800,000	58,200,000	59,348,000	59,348,000
Human resources development	14,200,000	15,700,000	16,000,000	16,040,000	18,000,000
Rural development	25,800,000	25,800,0	25,800,000	27,268,000	27,700,000
Total	151,200,000	153,584,594	156,528,286	159,670,852	156,528,286159

Slavica Milačić



Neither she nor Bertolini were ready to venture a guess on the amount Montenegro could receive for the other three components.

“The precise amount of funds for the components III, IV and V is still unknown. This depends on the management transfer process and on the overall budget for the period in question. In fact, the current financial framework will last until 2013. In total, Montenegro will receive more than 220 million euros for the period 2007-2013”, Bertolini said, adding that in the period 2011-2013 Montenegro will still not qualify for additional funds as a candidate country. “The discussion on budget after 2013 is not over yet. For the period 2011-2013 the funds originally intended for the component I (assistance in transition and institution-building) will be partly reallocated to component III (regional development), IV (human resource development) and V (rural development). The exact amount is not known”, Bertolini said. Milačić confirmed that between now and 2013 there will be no increase in the funds intended for Montenegro. “The only difference in our use of IPA funds is that some money will be re-channelled to the other three components, in preparation for the future use of the structural and cohesion funds that will become available to Montenegro once it acquires full member-

ship in EU. Until now, Montenegro received approximately 35 million euros per year for IPA programmes between 2007 and 2010, and part of this money was also used to support of regional development projects, development of human resources, and rural development”, Milačić said. Nikša Tkalec, from the ministry of foreign affairs and European integrations of the Republic of Croatia says that, based on the Croatian experience, the key is in the coordination of the system, of rather in the preparations for its establishment.

“This facilitates strategic, long-term thinking about the needs of the system, speeds up the flow of information both within the country and with the European Commission, raises the learning curve because of widespread communication and feedback within the system and in general advances successful adoption of EU rules and procedures by a range of institutions in the country”, Nikša said.

According to him, coordination and management of the system must be sufficiently advanced within the whole public administration in order to ensure timely resources from all corners of public administration – legal assistance, additional staff, means of co-financing, additional projects, important decision-making...

“It is also crucial to preserve the existing experience and knowledge about the use and management of EU funds. This can be done through systemic and quality trainings and transfer of knowledge to the newly employed staff, and through mechanisms of employee motivation, including possibilities for more competitive salaries” Nikša said. His advice for Montenegro is to find out at the very beginning what are the priority areas for the use of EU funds and confirm this decision at the highest political level: “There might be high expectations of EU funds, but they can only be achieved gradually, and it is important to find out what are the priorities and what can wait”.

NGOs turn overnight from public enemy into a desirable partner for the government

Criticism isn't treason



Nedeljko Rudović

The appointment of Igor Lukšić as the new prime minister was accompanied with much skepticism: all the changes he brought were qualified as “cosmetic”, and nearly all circles of the Montenegrin public are convinced that Milo Đukanović will continue to rule from the shadow.

Even if his decision to organise the first meeting with NGOs, whom Đukanović referred to as “foreign spies, is pure marketing, it will have long-term consequences for the health of the Montenegrin society – a critical attitude will no more be considered an attack on public interests

Lukšić starts off with a big burden and will have to work very hard to cast off the suspicion that he is just a pawn of Đukanović. If he continues as he started, however, he could turn out to be a surprise and demonstrate that new energy and motivation aren't the only advantages of the change of guard in the top ranks of the executive. In the first month of his term, he made a number of moves which outline an entirely different policy that could become the blueprint for all future heads of the government who wish to keep moving Montenegro towards EU. While the civil society activists have been branded public enemies and foreign spies by the Government of Milo Đukanović, especially if had a critical penchant, for Lukšić they are partners. This was his public declaration after he met with representatives of the majority of renowned non-governmental organisations in early January. “Non-governmental organisations are not enemies of the Government”, Lukšić said. The prime minister said he organised the meeting with representatives of the civil sector in order to set an example of good communication and strengthen the awareness of mutual cooperation – not to score points

with the media. Even if his decision to organise the first meeting in the series of Consultation Days with the “yesterday's foreign agents who badmouth Montenegro even when they're abroad” is pure marketing, it has a deeper meaning and long-term consequences for the health of the Montenegrin society. A critical attitude will no more be considered an attack on public interests, but rather an invitation for reasoned dialogue and respect of procedures, which is one of the pillars of democracy.

Because the ministers are careful to follow the prime minister's example, and the officials copy their ministers. If anything functions flawlessly in our public administration it's the copying of those above. Hopefully, this will now mean fewer complaints about ministers ignoring the non-governmental organisations and violating the law on free access to information. Lukšić might not even be aware of the importance of his message. The bonus points this scored him in the important European capitals aside, he practically looked Montenegro in the eyes and realised the price for permanent conflicts may be too high. Deep divisions in a tiny states can only bring a waste of energy and time, and eventually stagnation and lingering on the periphery of European developments. Because even if all parties and civil society representatives came together, they could not put together an entirely competent and efficient Government.

So what exactly did Lukšić do? He only embraced some values of Western civilisation that his predecessor and those who blindly followed him could not or did not want to understand. Out of spite or stupidity, it does not matter any more, the important thing is that all the effort put in by the free media and the non-governmental sector are finally bearing fruit.

Director of the Human Resources Management Authority Svetlana Vuković

Short-listing for de-politicisation

Among the conditions for the opening of membership negotiations with Montenegro, European Commission asked the government to change the Law on public servants and employees and strengthen the Human Resources Management Authority in order to promote professionalism and de-politicisation of public administration. Director of the Human Resources Management Authority Svetlana Vuković said for the European Pulse that, according to the draft Action plan for fulfilling EC's recommendations, the new law on public servants and employees is among the governments' top priorities. The proposal, she said, will be prepared by the Ministry of Interior Affairs and Public Administration (MIAPA), with support of the Human Resources Management Authority and with assistance of the Norwegian Government and SIGMA. She said a study of the existing regulations and recommendations for the new law have already been prepared. "The summary of that document contains some 30 recommendations which ought to be part and parcel of the new law on public servants and employees", Vuković said.

» ***What would be the key novelties compared to the current legal framework?***

For each appointment, Human Resources Management Authority will be drafting a short list of a maximum of three to five candidates,



Svetlana Vuković

so that the head of every department will only be able to choose from this list and not, like until now, from an extended list of candidates. The Directorate will rank the candidates according to a number of criteria, such as prior experience, success at school, performance in the interviews and other tests, and all this will be elaborated in the new law and accompanying acts.

OBJECTIVE RECOMMENDATIONS ARE ALWAYS WELCOME

» ***It is commonly believed that a person recognised as supporter of the opposition cannot get a job in public administration. Is this true?***

I'd like you to visit the Directorate and ask the employees which party they belong to, which one they support... You would see that this story is nonsense.

» ***Then why is EC constantly chastising Montenegro for having a highly politicised administration?***

We are a small country. It is very hard not to know each other, which is often counter-productive. I can give you the example of my son – nobody thinks of him as a person competent to do certain work, everybody sees him as the son of Miodrag and Svetlana Vuković. We have to consider recommendations as part of somebody's competences, but these should be based on his or her work and attitude towards work, not on whom they know or do not know. Objective recommendations should be among the most important criteria for selection.

» This approach puts a lot of responsibility on the Human Resources Management Authority, because any complaints by candidates who believe they have been wronged, as well as the accusations of politicisation, will be aimed at the Directorate, instead of at the heads of departments, as until now?

This is true, and this is why the EC recommends that we strengthen the competencies and capacities of the Human Resources Management Authority as well.

There is always the danger that the criteria set by the Directorate might not fully reflect the quality of the candidates – sometimes the best students are not the best employees. This is why we are introducing trial work periods as a mandatory procedure. The new employees will have a supervisor who will assess their work and give an opinion on whether they deserve to continue working for public administration.

» How long will the trial period be?

We are thinking about one to three years. In Montenegro at the moment, we think one year might be enough.

» The objections of the candidates who think they have been wronged are mostly the same – there is nobody to complain against the selection decision. What is your opinion on this?

According to the existing law, the candidates can appeal the decision with the Commission for Complaints which, in my experience, always had an objective approach to these complaints. It is quite another matter whether the Commission's decisions were ever implemented.

» Aren't they binding for the employers?

They are, but nevertheless it often happens that the Commissions' decision is never acted upon. This is why one of the recommendations that was forwarded to the Ministry of Interior Affairs and Public Administration calls for the strengthening of the status and competencies of the Commission for Complaints, which should become a professionalised body.

» The conditions set by EC say it is necessary to establish a mechanism for "transparent and merit-based appointments and promotions". Will the new law also tackle these issues?

At the moment, there are certain jobs that can be performed by public servants or public employees with a certain level of qualifications and experience. Nobody was very much concerned about additional competences. For instance, if you are looking for a lawyer with expertise in European law, you need somebody with that specialisation, not just any lawyer who knows little about EU. There will also be a programme of trainings required by certain professions, and only those who complete the training will be able to move into these jobs.

» Will these competences be mandatory also for the heads of units, or will they continue to be party cadres, as until now?

The heads of units need, first of all, leadership and organisational abilities. In principle, they can also be politicians, but they have to create other cadres who will be competent and professional in performing certain jobs.

MIŠKO WAS AFRAID I WON'T BE ABLE TO LIVE WITH IT

» You are the wife of a highly ranked DPS official Miodrag Vuković. Did the foreigners ever mention this to you, and does it bother you in your work?

The foreigners we work with probably know about it, but they never mentioned it to me. Based on everything we did together so far, I believe they consider me a professional. This is much more interesting to the Montenegrins. I can only tell you that my highly ranked official was against my appointment as the head of the Human Resources Management Authority. He told me "Svetlana, are you ready to say "no" to the presidents of the government and the parliament?" I said I was, and in the five years I have been doing this job, neither the former nor the current prime minister ever intervened in my work. Moreover, I often meet people from the opposition parties, not as representatives of the opposition, but as friends. Again, we are a small country, we all know each other.

In late 2010 the EU become economically more integrated than ever before

Crisis to strengthen EU

In late 2010, European Union became economically more integrated than ever before in its history, in spite of the eurosceptical view of 2010 as the beginning of the end of the 27-nation block. Not that this view was entirely unfounded – nationalism on the rise, expulsions of Roma from France, differences over the ways to overcome crisis...

“We must all act together in order to allow the Euro to survive. Because if the Euro-zone doesn’t survive, the EU will not survive either”, was the dramatic warning by the president of the European Council Herman van Rompuy in January last year. Only 12 months later, the president of EU has less reason to worry about the survival of EU and Euro. At the latest meeting of the heads of states and governments of EU members in December last year, they all agreed on amendments to the Lisbon Treaty and on adoption of the European Stabilisation Mechanism (ESM), which is a European version of the International Monetary Fund (IMF).

At the latest meeting of the heads of states and governments of EU members in December last year, they all agreed on amendments to the Lisbon Treaty and on adoption of the European Stabilisation Mechanism (ESM), which is a European version of the International Monetary Fund (IMF).

On top of agreeing on this, until recently inconceivable mechanism, the leaders of EU member states announced they were “ready to do whatever is necessary” to preserve the stability of the Euro zone and of Euro as “the central node of European integrations”. Over the last year the common currency of 17 EU members (Estonia was the last one to join on 1 January 2011), became a target of speculations whose

first victims were Greece and Ireland, and it is still feared that Spain and Portugal might be the next. In spite of the initial hesitations, in May the leaders of EU agreed to help over-indebted Greece which could no longer pay its debts to the financial markets, and put together an assistance package of 110 billion euros over the next three years, out of which 80 billion was provided by EU members and 30 billion by IMF.

After it became clear that this was not enough to appease the markets, only a few days after putting together assistance for Athens, the EU members agreed on the need to establish a safety net to assist troubled Eurozone members. The safety net consists of the European Financial Stability Mechanism (EFSM), which allows EC to raise 60 billion euros on the financial markets that can be directed towards countries in crisis, and the European Financial Stability Fund (EFSF), which contains 440 billion euros of guarantees for Eurozone members. Together with 250 billion euros provided by IMF, the guarantees amount to 750 billion. Already in early December Ireland had a chance to feel the benefits of the mechanism, after it requested and received 85 billion euros from EU. The grey eminences from the world of economics, such as Joseph Stiglitz, immediately warned that the problem with the crisis mechanism is that it is temporary. The EU safety net was set to expire in June 2013.

However, the EU was practically forced to find a temporary solution, because the Lisbon treaty does not allow the possibility of mutual financial assistance, except in extraordinary circumstances. Germany made it clear that these funds will have to close down after three years, and that a permanent mechanism will require amendments of the Lisbon Treaty. Like any other idea which threatens the status quo in the

EU in the last few years, Berlin's suggestions met with major resistance. However, at the meeting in December, the EU leaders agreed on the changes to the Lisbon Treaty laying legal grounds for the introduction of a new European Stability Mechanism from mid-2013.

The most important novelty in this mechanism is that the private banks will have to bear part of the costs if country goes bankrupt. Germany insisted on this clause, saying that it was not fair to put all the burden on the taxpayers, and that some costs should be passed onto the speculators who land the money to these countries at practically no risk.

This is Germany's attempt to teach thrift and financial discipline to other EU members. Greece, which due to the benefits of the common currency could borrow at the same low rates as Germany on the financial markets, accumulated its debt for a long time without any consequences. In the future, the creditors will be careful which country they are landing to and under what conditions.

The most important novelty in ESM is that the private banks will now have to bear part of the costs if country goes bankrupt. Germany insisted on this clause, saying that it was not fair to put all the burden on the taxpayers, and that some costs should be passed onto the speculators who land the money to these countries at practically no risk.

Germany's approach is understandable, since 60% of its exports goes to the EU countries. This year, France and Germany promised, if timidly, to work on greater rapprochement between their economic and fiscal policies. The ESM mandates, among other, that the member states ought to present the main outline of their budgets to the European Commission before they can be adopted in the national parliaments.

At the end of 2010, the EU is economically more integrated than it ever was before, and economic interests have always been the main driver of European integration.



Nevertheless, one should take this integrationist leap with a grain of caution. Austerity measures can curtail the workers' rights and social protection, and social tensions are likely to strengthen the Euro-sceptic and radical political powers.

Moreover, the negotiations of the 2014-2020 budget are scheduled to begin this year. It is expected that the debate will pit the five rich old members – Germany, France, UK, Finland and the Netherlands who are the net contributors to the common budget, against most of the new member states who desperately need money to support further development and poorer regions. V.Ž.

Curse of the soap opera



Brano Mandić

1. The ancient trick works every time: the spark has been thrown on the Church matters and now we can debate identity to our hearts' content. The heros are the same, we know what the end will be. But we are still curious and eager for saucy details. The supreme spin or media upheaval, either way everything turns around the church above my hometown, Bar, where, on top of Mount Rumija, put up illegally by a well organised church. We know everything, but it's not boring, we even know that the confessional chieftan ill not end up in jail, we know the church will sooner or later be removed etc. Still, it's not bad, we get worked up about Amfilohije's curses, like Kubrick before every chapter of Barry Lindon we get the narrator telling us what we're going to see and we're still happily gobbling down the plot. So with the many political scandals, just, unlike the said movie, these are ruled by the aesthetic of the ugly, increasingly leaning towards badly short burlesque.

It's not like the homo politicus in European Union has been entirely cured of scandals and bizarre twists, which are essentially irrelevant to the standard of living. Aren't the EU voters still mobilised by all sorts of nonsense? Of course they are! Then where's the difference? Their institutions are a tat stronger, and the ridicule doesn't often spill into the domain of the so-called "big issues"

Psychologists (and our grannies) reached the conclusion that a child can be told a fairy tale 50 times over without losing interest, always exclaiming the same oh! When the hunter pulls the Grandmother and the Little Red Riding Hood out of the wolf's bely. So, are we mentally retarded as a nation, or, in technical terms, have we been struck by infantile regression? I wouldn't say so. Across the pond, in Italy, the same soap opera unfolds. There the main hero is not a priest but the prime minister. Like in Montenegro, the public knows everything, but still breathlessly follows the events. Probably

there will be also be some wisecrack over there explaining that the price of electricity is more important than Berlusconi's bed. Perhaps it is more important, but that doesn't help. People like the kind of politics that has evolved in the Mediterranean, they love the masquerade and the circus, the analytical and ironic variations on the same themes.

2. The irrational in politics is an underrated category, especially in a world of constant repetition of boring European laws and recommendations which have swamped the media. Several generations that have gotten used to the politics of the nineties when curses were a commonplace in parliamentary debates are now feeling the return of old excitement and latching onto it like monkeys, although not without a shade of melancholy. The price of electricity will go up anyway, we reason, perhaps not so drastically, but nevertheless the bills will be terrible, why don't we take our mind off it with this grey old man spewing entertaining curses? Or with another old men whose greys have been dyed and concubines taken care of? It's not like the homo politicus in European Union has been entirely cured of scandals and bizarre twists, which are essentially irrelevant to the standard of living. Wasn't fascism itself a great irrational story whose source of power was precisely its complete detachment from reality? Aren't the EU voters still mobilised by all sorts of nonsense? Of course they are! Then where's the difference? Out there in the big wide world some countries have a tat stronger institutions, and the ridicule doesn't often spill into the domain of the so-called "big issues": economic rights, political freedoms and other Copenhagen frills.

3. Montenegrin institutions are maimed, but they're eager to prove themselves, sending the first message that they're not to be toyed with. The crux of the matter is that one unseemly little tin church isn't a question of identity but of the rule of law. When the state approaches

the problem this way, deadly serious, without a trace of intention to debate with uniformed individuals (a cassock is a kind of uniform), then all curses and necromancy will be in vain, and the anathema will remain in the collective memory as a political tool from the end of the twentieth century. More importantly, the arrests in Budva... Now there's no way back, they must get into the grit. If they fail to prove and carefully draw out the legal truth – we will have a comedy, worse than ever before. The courts are facing a high bar, they ought to do overtime for the homeland, while Brussels, our second mother, is watching and taking notes.

4. As soon as the first Black Maria showed up on the front porch of a high official, all European phrases were forgotten and the process of European integrations got the shape of a home affair. Before Zavala, European integrations were a thing for the TV, visually covered by images of red carpets and champagne toasts. Now the TV editors can “cover” the stories of European integrations with a cop car racing at full speed, a ninja squad or a wide angle shot of the jail in Spu'. Symbolically, this is a big change, and the most boring quote from the acquis

The moment the first Black Maria showed up on the front porch of a high official, all European phrases were forgotten and the process of European integrations got the shape of a home affair. Now the TV editors can “cover” the stories of European integrations with a cop car racing at full speed, a ninja squad or a wide angle shot of the jail in Spu'.

commands more attention and understanding when visually embodied in a thriller with rotating blue lights. European integrations are thus becoming a domestic issue, which they always have been, but it was hard to grasp this truth through the clamminess of cabinet tirades and protocols.

5. I started to work for an Internet portal. The speed of information is essential, that's the whole point of the said job. The readers, ac-

cording to the experts, are most drawn to the portals in crisis times. When there is a dearth of details on an event everybody wants to follow. In those circumstances, if you throw the audience a decent update, they're yours forever. I hope that in the future there will be events to be followed from one minute to the next. This is a huge professional challenge, because the people are hungry for any proof and confirmation in times when the heads are rolling. The citizens of Budva, it seems to me, are still in disbelief, they are looking for news asap, they are ready to make a million clicks just to make sure it's all true and it's still going on. Here I see a chance for a managing position in the portal. That my personal chances are identical to the big chance for the country is a lucky coincidence. And the internet editions are such that there will always be a chance of “soft news”: to re-print some juicy curse or an underaged beauty giggling while the old rascal dies his hair. Hopefully it will be an interesting year or, as the common folk would say: there's no news without breaking news!



We won't know whose fault it will be if Montenegro doesn't get the opening date for negotiations

CCE's proposals
and comments
on government's draft plan

According to the Centre for Civic Education (CCE), the draft Action Plan for the monitoring of implementation of the recommendations from the European Commission's Opinion offers a foundation for the fulfilment of the seven conditions set by Brussels and identifies the necessary steps to achieve swifter democratisation and de-politicisation of institutions, but there is nevertheless space for substantial improvements. In CCE's opinion, just like the many previous documents, the Action Plan (AP) is encumbered by development of strategies, additional actions plans, information, reports etc, as well as by continuous changes and amendments to the laws, but it does not envisage monitoring and analysis of the implementation of all these acts, which raises

According to CCE, it is important that the State Audit Authority (SAA) conducts reviews of the finances of the University of Montenegro and other educational institutions more regularly and carefully, including filing charges with the relevant authorities, primarily the Prosecution, for all identified irregularities.

concerns that the plan is in fact not focusing on results. "This suggests a lack of political will to establish a consistent legal system ensuring implementation of the laws and other regulations and fulfilment of the rights and duties of citizens", states CCE in the proposals and comments on the draft AP. According to CCE, a system of accountability of the prospective executors of the commitments undertaken in the AP should have been a self-evident recommendation. CCE reminds that the Article 11 of the Constitution states that "the relations of power are founded upon balance and mutual control...", which is why the competencies of the Parliament should be reviewed with regard to the adoption of strategies, monitoring of the executive and judiciary and the obligation to establish a revision committee to investigate the facts and circumstances related to the work of parties under review. In order to fulfil the EC's condition of the strengthening of the legislative and monitoring role of the Parlia-

ment, CCE recommends a review of the Parliament's competencies with regard to selection and appointment of certain officials and qualified majority vote. CCE believes that the fact that the AP does not envisage a Law on Parliament is a serious failure of this document as concerns the improvement of the legislative and oversight role of the Parliament. "The law could regulate clearly the relations with other branches of power, NGOs and other domestic and international subjects, and especially the procedures for the preparation and adoption of laws and other acts, as well as the procedures and content of parliamentary oversight and control of the executive and judiciary powers", states the CCE document, which was also submitted to the relevant authorities. As for the EC's condition regarding the rule of law, CCE believes that the AP was conceived in such a way as to make any genuine changes very difficult, in terms of securing a better constitutional and legal framework for independence of judiciary and the judges and offering better guarantees of the right to just and impartial trial within reasonable time. In order to advance towards securing the independence of the courts and judges, CCE believes it is necessary to guarantee, within Article 86 of the Constitution, immunity for judges as well as for the MPs and ministries, and that the head of the Constitutional Court should be appointed by the same procedures as the presidents of other courts – by the Judiciary Council or by a two-third majority vote in the Parliament. To ensure independence and autonomy of the Judiciary Council, as well as of the courts and judges, CCE recommends structuring it in a way that would prevent the minister of justice, the MPs or the presidents of courts from becoming members of the Council. According to this NGO, the Judiciary Council should consist of judges of the basic and higher courts appointed by conferences of these courts; NGO representatives appointed in accordance to strictly set criteria; and representatives of the Chamber of Lawyers and of the Legal Department of the University of Montenegro, appointed through transparent, legally prescribed procedures. "The Judiciary Council

should be responsible for determining the budget of every court individually, which would also include funds for resolving the housing and other needs of the judges, and providing incentives for the judges and experts. There can be no independent courts as long as the president of the Supreme Court is illegally managing the court budget, directing the funds according to his or her whims and thus “disciplining” the courts”, states CCE in its proposals and comments. CCE also finds that it is necessary to define in the Constitution the membership, appointment procedures and competencies of the Prosecutors’ Council, analogue to the membership, appointment procedures and competencies of the Judiciary Council, in order to ensure its genuine independence. In

The plan should contain, among other: procedures to ensure transparency of employment, promotion based on professionalism, work, and knowledge; responsibility for neglect or unprofessional performance of work duties; a transparent and objective approach to the housing and other needs of the employees, as well as the long awaited creation of staff dossiers, as a powerful tool against nepotism and corruption

the part regard the fight against corruption, CCE states that it is necessary to implement profound changes in the approach to this problem from the standpoint of the content and procedures, which has not been done in the AP. This is why CCE recommends, among other, identifying facts and circumstances that constitute a fertile ground for corruption, such as the concentration of competencies (authority and power), especially of discretionary kind, in the hands of one person or a small circle of subordinate and closely connected persons. “Long, irrational, expensive and exhausting procedures, unlimited mandates in jobs whose description ranks them as high corruption risk posts; lack of accountability for the violations of laws and other regulations as well as for withholding the data requested in line with the Law on Free Access to information; lack of adequate regulations on the conflict of interests, as well as of an objective, impartial and responsible commission for the prevention and sanctioning of improper actions...” states CCE in its

proposals and comments. CCE emphasises that with regard to Brussels’ demands for the reform of public administration the AP makes the Government’s intention to finally start genuine reforms to strengthen the administrative capacities “highly questionable”. “The plan should contain, among other: procedures to ensure transparency of employment, promotion based on professionalism, work, and knowledge; responsibility for neglect or unprofessional performance of work duties; a transparent and objective approach to the housing and other needs of the employees, as well as the long awaited creation of staff dossiers, as a powerful tool against nepotism and corruption; etc”. With respect to the media, CCE is against public funding of the Journalists’ Self-Regulation Body, as being funded by the Government would compromise its independence. In this context, CCE recommends adopting a systemic law that would bring all regulatory bodies under the same administrative framework, “provided they have not been devoid of all purpose by Government financing”. CCE supports the proposals put forth by the Human Rights Action for decriminalisation of libel and adequate assessment of non-material damage. Also, CCE insists that in addition to the training of prosecutors and judges in the case law of the European Court for Human Rights, this case law ought to start being implemented in Montenegro. CCE reminds that RTCG, as a public service, also needs to display greater transparency. “It is necessary to define a measure that would force RTCG to make public all contracts made by the management with third parties since the coming into force of the package of media laws in 2002, and of the Law on Public Procurement, in line with the standing legal procedures. Also, the earnings of the employees must be made public”, states CCE, which is also advocating adoption of a Law on media concentration. With regard to the civil society, CCE agrees with the detailed comments submitted on this issue by the Coalition “Cooperation for success”, also drafted partly by CCE, in cooperation with partner organisations Centre for Development of NGOs and Institute Alternative.

From local to global



Blagota Marunović

The author is employed in the Parliament of Montenegro. He attended Xth generation of the European Integration School

Membership of European Union is a contractual relation which accords the member states certain rights and privileges, but also duties. Montenegro and its citizens are consciously hurrying towards the fast train “Europe”, without asking the price of the ticket. To risk it, to play the game of (for) fortune with EU membership? In spite of the current state (of mind, economy, politics etc) in which the Montenegrin society finds itself, it has dared to change centuries-old ways of thinking, customs and cultural patterns. This metamorphosis will be the only one in the Montenegrin history not to be accompanied by a great dose of scepticism. Moreover, it quickly became the key point of reference for the Montenegrin state, the citizens and even bishops. Does it mean that we really recognise it as a necessity, or have Montenegrins always felt European, as the founders of one of its oldest states? The time is coming when Montenegro, described, sung and slowly written off as the country of Spartan warriors, Balkan Vikings and fighters for the right,

honour and freedom as the only known and acknowledged social criteria will have to fight for another kind of freedom. In whichever guise it came, freedom has always been the only true struggle of this people.

The new wave freedom will be gently served to us, we won't even notice its covertly imposed essence. This is freedom decorated with yellow stars, like a Christmas tree, full of colours and diversity, at the first glance shiny and idyllic. As such, it makes one think of home and security, in fact it represents this elegant tree, but without a root, planted by men too imperfect, although with a noble idea of uniting unique cultures under the roof of economic interests.

As a citizen of Montenegro and, for a while, resident of the Republic of France, the combination of experiences of living in these two rather different countries gave me a specific perception of EU. I was lucky to study in a multi-ethnic, multi-cultural environment, with



students from 40 different countries of the world, mostly advocates of European unification. On the other hand, I have had a chance to meet the daughter of Jean-Marie Le Pen and his close collaborators, and have spent hours discussing with these people and with many French dissidents and people of other profiles. These experiences shaped me partly as a Europhile – a man who profoundly supports the noble goal of the pacifist and emphatic EU intentions, but also partly as a Eurosceptic (anti-dogmatic) – through one of the three categories of this notion: rational, irrational and the so-called category of combined motives.

From the perspective of these two extremely different opinions, but in relation to our reality and an attempt to rationalise it, as well as with understanding of today's bureaucratic politics and uncertainty of EU's future, I would like to single out some of these categories or reasons for which I wish to be a citizen of EU.

When speaking about rational motivation, I mean judging based on material interests brought to me or my society by membership in EU. This is beyond question, given the economic situation of EU member states, their rapid growth from the moment they entered EU, introduction of euro, establishment of the single market etc. The advantage of personal opportunities, with reference to the times in which we lived for the last twenty or so years, economic progress entailing better standards and greater opportunities, all vouchsafe that the material criteria of the Montenegrin people will be satisfied by membership in EU.

Combined motives are best illustrated by the hypothesis of the so-called rapprochement mechanism according to which attitudes and (or) trust in the European institutions follow from the trust in national institutions. Here Euroscepticism serves the purpose of Europhilia, which means that in relation to the cur-

rent resources, institutions and policies it works to ensure faster and better fulfilment of the final goals of European integrations, and as a notion necessary in a new anti-dogmatic society.

In this article, I will only offer a summary of my main ideas and arguments about EU. It should not be thought of as an intention originating in anti-globalism (Europhobia) but rather in the Freud's vision of civilised alter-globalism under the slogan written all over "Berlin" walls of Europe: "Think global, act local".



Let's volunteer

On 8 January the European Union began the year of volunteering, with the aim of motivating the citizens of the 27 member states to volunteer, but also to develop a better legal framework for this area, to raise its visibility and recognition and provide funding for volunteer organisations. It is estimated that around 100 million Europeans volunteers and that they contribute between 0.5% and 5% of the gross domestic product of EU member states. Volunteering could also contribute to recovery of EU's economy. According to a Eurobarometer survey published in November 2010, most Europeans (34%) volunteer in a sports organization, 22% for cultural, educational or artistic purposes, 17% in humanitarian organisations, 16% in church organisations... According to the same survey, the most active volunteers are the Dutch – 54%, whereas the Greeks (12%) are the least active.

A story of Greek captains

Recently the High Court of Greece decided that all European citizens have the right to work as captains and first mates on the commercial ships sailing under the Greek flag, after a warning issued to this country by the European Commission. Greek State Council approved the new presidential decree removing limitations on employment of captains and first mates with other nationalities, provided they are European citizens with an "adequate" knowledge of the Greek language. The EU court ruled against Greece in two cases complaining about these limitations, refusing the Greek arguments that captains and first mates ought to be of Greek nationality because their office grants them responsibilities of pertaining to police, judges and notaries..

Fight the Romanian way

Romania should adopt stricter punishments for embezzlement of European funds, warns the European Commissioner for taxes and custom union Algirdas [emeta. "I have the feeling that the efforts to fight embezzlement have stagnated in the last 18 months", [emeta told France presse. According to him, "in 73% of the cases submitted by the European Anti-Fraud Office (OLAF) between 2008 and 2010, the Romanian authorities completely failed to act".

Helicopters in civil disguise

European Union and the Italian Government agreed to recover more than 25 million euros of illegal state aid Italy granted to the helicopter manufacturer AugustaWestland. The agreement puts an end to the long-term dispute between Brussels and Rome regarding the extent to which state aid for military projects was used to give an unfair advantage to the civil sector. In the second half of the 1990s, the Italian government approved aid to AugustaWestland for development of a new military helicopter A139 and a tilt-rotor which allows for vertical take off and landing of its aircrafts. After it received the funding, the company also initiated a development project on a civil helicopter AW139.

Europe still wasting energy

European Commission called on the member states to "undertake concrete steps" to meet the energy saving target of 20% by 2010. "Raising the share of renewable energy sources in consumption to 20% seems realistic at the moment, but regarding energy efficiency we will only be able to reduce consumption by some 10% if the current situation continues", said the president of EC Jose Manuel Barroso. According to the EC, until now the EU reduced its energy consumption by "9 to 11%".

How the Eastern EU members, with the exception of Bulgaria and Romania, overcame the economic crisis

Recovery through exports and competitiveness

The eight East European countries that joined the EU in 2004 are bouncing back more quickly from the economic crisis than their Western neighbours, but Bulgaria and Romania, which joined three years later, are not out of the woods yet, according to the latest statistics. Eastern Europe has experienced its worst economic recession since the Second World War, forcing EU countries such as Hungary, Latvia and Romania to request international assistance. However, last month the World Bank published its regular 'EU10' report, noting that a rebound was visible in the economies of the EU newcomers in 2010.

2011 forecast	GDP growth %	Inflation %	Unemployment %
Slovenia	1.9	2.0	7.2
Lithuania	2.8	2.3	16.9
Latvia	3.3	1.1	17.7
Estonia	4.4	3.6	15.1
Euro area	1.5	1.8	10
EU 27	1.7	2.1	9.5

Poland: The locomotive of recovery

The WB and the EC both note that the recovery in Eastern Europe has so far been driven by Poland. Poland was the only EU member to avoid recession and instead achieved economic growth in 2009, growing by 1.7%. Its GDP growth for 2011 is expected to be 3.9%, while projected average growth for the euro area stands at 1.5% and at 1.7% for the EU-27 as a whole. The Euro 2012 football championships, jointly organised by Poland and Ukraine, are seen as a boost to public investment. This, however, will be accompanied by a rise of public debt, which could reach 53 to 53.5% of GDP. It is expected that Poland will do anything to prevent this, as under the Polish constitution an increase in public debt above 55% triggers mandatory spending cuts and tax increases, which the Government will try to avoid as the country is facing general elections in 2011.

Czech Republic: gradual improvement

The Czech economy suffered heavily from the global crisis due to the high degree of trade openness in the country's economy and its export dependence. In line with the gradually improving global economic environment, real GDP growth turned positive in the third quarter of 2009. In addition, the Czech banking sector has remained strong. Experts agreed that growth had been driven by demand from neighbouring Germany, but the domestic demand, has not picked up yet. The WB expects the country's growth to reach around 2.6% in 2011, but the country also adopted a package of budgetary cuts which could slow down the recovery, and more robust growth is only expected in 2012.

Slovakia: saved by the Euro

According to the World Bank's economic outlook, Slovakia can expect growth of 4.2% in 2011. The Commission had put this figure at 3%. The Slovak recovery confirmed earlier suggestions that the country's euro adoption in January 2009 made a major contribution to Slovak competitiveness, resulting in faster growth. For 2011 and 2012, it is assumed that better usage of EU funds, together with a revival of highway projects and a gradual improvement in global economic prospects, will have an overall positive impact on investment growth.

Hungary: wrestling with the crisis

Research companies rate Hungary's short-term growth prospects around 2.9% in 2011.

In October 2008, Hungary became the first country to receive an EU bailout from EU and IMF. After implementing the stabilisation package, the economy soon returned to normal. Like in the Czech Republic and Slovakia, recovery is mostly driven by exports and by global demand which exceeded all expectations in 2010. On the other hand, rising unemployment and a recent devaluation of the forint which brought growing interest rates in foreign currency denominated loans limit the growth of domestic demand.

V.Ž.-V.Š.

Mediation increasingly common in civic and economic disputes in Montenegro

More trustworthy and faster than courts



Milica Novaković

Centre for Mediation of Montenegro, which opened in mid-2008, has increasingly been replacing the courts in civic and economic disputes. Only in 2010 570 out of 742 have been successfully resolved through mediation. In the last three years mediators from the Centre were involved in 1722 cases, 1174 of which (68%) were successfully concluded.

Director of the Centre **Miroslav Knežević** said for the European Reporter that although “it is still far from the good practices of highly developed democratic states” Montenegro has the best results in the region.

“International experts and the national expert public find that we have gone the furthest in developing mediation in the region. We also get delegation from the neighbouring countries asking us to explain our methods for achieving such enviable results”, he said, adding that the success of the Centre has been more appreciated by the international than by the national public.

Mediation is very important in family disputes, where it is mandatory for the judge to offer mediation to the parties, as well as for those who wish to see the return of their assets that have been frozen in protracted court cases, says director of the Centre for Mediation Miroslav Knežević

Mediators of the Centre for Mediation are most frequently involved in cases of family disputes, where it is mandatory for a judge to offer mediation to the parties. In economic terms, according to Knežević, economic disputes are the most important category.

“For all parties in a dispute it is extremely important to free up the assets that have been frozen by long court cases. Besides, by solving such disputes successfully, we create a positive business climate which is favourable to investors”, Knežević explains.

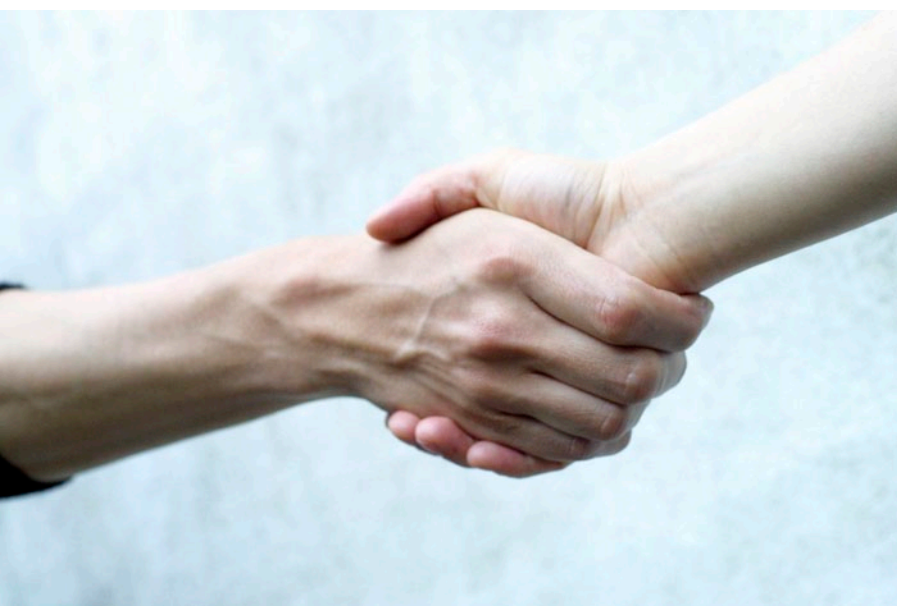
Mediation is also an important tool for sorting out the disputes in construction companies, because “it costs a lot of money to have the construction site and workers idle”. Centre for Mediation took off a lot of burden from the Montenegrin courts and enable the judges to deal with more serious cases which cannot be mediated.

“Both the courts and the parties are having an easier time now. The courts have fewer cases, and the plaintiffs and the accused do not have to hire expensive lawyers. Nevertheless, the biggest beneficiary is the society itself, because this is the most civilised way of solving conflicts”, Knežević said. The mediation procedure in the Centre starts when the court forwards the case to them. The Centre then contacts the mediator, the parties, and organises a mediation meeting in order to reach an agreement.

“Sometimes it doesn’t work out. Also, there is no rule as to the length of the process. Sometimes we find a solution quickly, but sometimes it only works at the tenth meeting. The most important thing is to find a common interest, because that makes it easier to find a solution”, he said.

European countries have different practices: in Norway, mediation is only used in criminal proceedings, while in Slovenia until recently it could only be accessed through four courts. In France, the law on court proceedings creates incentives for the judges to use and monitor

reconciliation among the parties conducted by third persons. Mediation is mandatory in some cases, e.g. in labour disputes or family-related cases, while in economic disputes it is strictly voluntary. The parties have the option of getting a court confirmation of the mediation agreement, which gives it the legal force of a court verdict.



In Germany, depending on the type of dispute the judges can invite the parties for negotiations. This way, through mediation alone and before the main consideration of the case, around 20% of the cases can be solved.

The difference between mediation in Montenegro and in the developed EU countries is that mediation takes place before lodging the court case, and about 70% of the cases are solved in this way. "Mediation companies are highly developed, and the parties often prefer to approach them than to go to the courts. It is also important that the mediation procedure guarantees secrecy, discretion, as well as respect for the cultural values of an individual, his or her needs...unlike the courts, which function according to the legal norms, we look for a solution based on common interests", Knežević explains. He adds that in those countries where the citizens have a different mentality, there are

more likely to approach the mediators and only turn to courts when everything else has failed.

The EU is an active advocate of alternative forms of dispute resolution, such as mediation. The Directive on mediation in civic and economic disputes has been adopted in 2008. The member states have until 21 May 2011 to implement the directive.

According to the recommendations of the Council of Europe to the governments of the member states, they should allow mediation in all appropriate cases, and undertake or improve the measures to ensure progressive implementation of the principles of mediation in civic matters. "Civic matters" here include the rights and duties of legal nature in the spheres of economy, labour relations and consumers' rights, excluding administrative and criminal cases.

Some of EU's recommendations are already being implemented by the Centre, which also organised some 50 different activities in order to promote mediation. Among other, it organised trainings for mediators and judges of all Montenegrin courts, seminars for lawyers, and published a handbook informing the citizens about mediation and its benefits in conflict-resolution. Montenegrin Centre for Mediation has local branches in Bijelo Polje and Kotor, and it recently also opened an office in Cetinje.

DEMOCRACY SCHOOL

- school for learning democracy from theory to practice -

School comprises 5 modules lasting totally four months. The courses will be held once or twice a week for two hours. All expenses are covered by the foundation Friedrich Ebert and Centre for Civic Education, with obligation of the participants to attend not less than 80% of the programme. 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 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 15 February 2011

HUMAN RIGHTS SCHOOL

- school for learning human rights from theory to practice -

School consists of 3 modules for a total of two months. Classes will be held once or twice a week for two hours. All expenses are covered by the CCE with support of the Norwegian Foreign Ministry, through the regional project on human rights education in Western Balkans, and with obligation of the participant to attend not less than 80% of the programme. Human 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. 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 organizations, young leaders, students and all individuals who are showing high level of social activism. Expert lecturers will be working with the participants through the presentations, workshops, film projects and theatre dealing with broad spectrum of human rights issues. If you are want to know, to listen the others, to understand those who are different, and you are open, courageous, concerning about the environment in which you are leaving and eager to contribute to the development of culture of human rights in Montenegro, new Human rights school is the choice for you!!

All interested candidates may submit their application with short biography
not later than 4. February 2011

In the framework of the new educational programme

"Contemporary tendencies of critical thought"

CCE organises

A cycle of lectures on Herbert Marcuse

one of the members of the Frankfurt Institut for Social researches, philosopher,
sociologist, and political theorist.

Moderator of the seminar will be Filip Kovačević, PhD

Lectures and discussions will take place in the CCE premises, every Thursday from 7:30 p.m.

In order to apply, send your biography (CV) and motivation letter

on e-mail address info@cgo-cce.org, no later than February 16, 2011, at 5 p.m.

Due to the limited number of participants, please respect the application deadlines.

International platform for cooperation on undocumented migrants

PICUM - the Platform for International Cooperation on Undocumented Migrants, is a non-governmental organisation (NGO) that aims to promote respect for the human rights of undocumented migrants within Europe. PICUM also tries to cooperate with networks and organisations in other parts of the world. Moreover, PICUM provides a direct link between the grassroots level, where undocumented migrants' experience is most visible, and the European level, where policies relating to them are deliberated. PICUM reports on issues regarding undocumented migrants through its members' experiences and simultaneously monitors developments within the European institutions. This approach mainstreams undocumented migrants' concerns into key policy debates and the political agenda of European institutions. The initiative to establish PICUM was taken by several grassroots organisations from Belgium, the Netherlands, and Germany who provided assistance to undocumented migrants in the area of housing, healthcare, labour rights and education.

PICUM was established to ensure that EU policies aimed at immigration management conformed to member states' obligations under regional and international human rights standards. PICUM now leads an independent network of over 100 member organisations and 105 individual members providing humanitarian support and assistance to undocumented migrants in 25 countries across Europe. PICUM is a leading expert in Europe on the human rights of undocumented migrants. An important part of PICUM's task involves monitoring the realities facing undocumented migrants and ensuring that violations of their fundamental human rights, so often hidden and ignored, are extensively reported so the situation can be addressed and improved. PICUM has made considerable advances in tracing the realities facing undocumented migrants and increasing understanding of their vulnerable position, through its regular monthly publication.

For more about the organisation, please visit:
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Balkan Fellowship for Journalistic Excellence programme

Robert Bosch Stiftung and ERSTE Foundation, in cooperation with the Balkan Investigative Reporting Network, BIRN, are pleased to announce the launch of the fifth Balkan Fellowship for Journalistic Excellence programme. Each year, 10 Balkan journalists are chosen, through open competition, to receive funding and professional support to research and report on a topic of regional and European importance. Experienced journalists are encouraged to apply and submit research proposals on 2011's theme: JUSTICE.

Successful fellowship applicants will receive:

- A bursary of €2,000, a travel allowance of up to €2,000 and the chance to participate in a 7-month programme of professional development
- The opportunity to travel across the region to produce an in-depth report of regional and European significance
- Training from internationally recognised journalists and experts
- The opportunity to have their work published Europe-wide and become a member of a growing network for journalistic excellence in the Balkans

Applicants must: 1) be a citizen of Albania, Bosnia-Herzegovina, Bulgaria, Croatia, Kosovo, Macedonia, Montenegro, Romania or Serbia; 2) have demonstrable experience in journalism; 3) be able to communicate fluently in English; 4) obtain the agreement of his/her employer to participate in the fellowship (where applicable).

The programme features an introductory seminar held in May 2011 in Vienna, mentorship of each fellow's research and reporting, individual research trips to countries in the region and the EU, as well as a concluding seminar and award ceremony held in November 2011 in Berlin. Experienced editors from the BIRN provide hands-on support to fellows throughout their work, while the seminars in Vienna and Berlin ensure participants learn about current issues of concern in the EU, meet Austrian and German political and economic figures and establish contact with the fellowship's media partners: Süddeutsche Zeitung and Der Standard.

An independent selection committee will select 3 winning articles and award €4,000, €3,000 and €1,000 to the top three prize-winning fellows.

The fellows final reports are disseminated in all local languages and in English, and are published in an e-book that can be accessed and downloaded from the fellowship website: fellowship.birn.eu.com

Deadline: 1 March, 2011. Application forms and guidelines are available on the website: fellowship.birn.eu.com

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