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Why Chapter 8 – Competition policy
will be among the most difficult ones to negotiate

interview

Chairman of the Institute Alternative
management board Stevo Muk

region

Why Brussels plans to help media in
the Western Balkans



Foreword: **Bad image**

Vladan Žugić

Charles Tannock knows very well that the media in Great Britain would jump to publish harsh criticism coming from a politician, like Montenegrin media did when **Nebojša Medojević** said that some representatives of EU member-states and some rapporteurs, among whom Tannock himself, make only positive assessments of the politics of the ruling elite in Montenegro, and that he has “reasonable doubts” they do not do it out of “their genuine appreciation and support for the politics of the ruling elite.” Charles Tannock also knows that he is able to file a law suit in Montenegro if he believes a text on this case would in his country be “good material for a legal process against the journalist and the media outlet.” He also knows very well that such a process before inefficient courts in Montenegro would last incomparably longer than it would in Britain. He also knows that in London they do not murder editors, beat up reporters, or destroy property of critical media whom the politicized elites aim to drain financially. All this, in other words, is stated in his draft resolution on Montenegro which he presented at the end of the month at the European Parliament (EP). His statements at the EP that Montenegro is a “shining” example of progress, that freedom of the press “blossoms,” that the opposition is unhappy because of the positive Progress Report by the Commission, regardless of the fact that even the Government refrained from calling the latest report positive..., has attracted an exaggerated attention and a brief euphoria among the ruling elite and its immediate circles, particularly the media ones. Being an MEP and rapporteur, Tannock legitimately stated his view of the state of affairs in Montenegro, which did not really match what he had said in the Resolution to be voted on and the Commission report. Different opinions to that of Mr Tannock were heard that day from other MEPs, for instance **Nikola Vuljanić**, even though the representative of the neighbouring Croatia probably had no contacts with Montenegrin NGOs or the opposition, who could work a lot harder to establish ties with European institutions’ representatives. They should do so to ensure a fuller and more diverse image of Montenegro in Brussels, which, as a high representative of the Government confessed to me in a private conversation, is much lower now than it was two years ago.

Calendar

- 07 November **Pejović: EUR 250 million of EU assistance until 2020** / During the previous seven-year budgeting period, the European Union allocated 245 million euro to Montenegro through various assistance funds, said the chief Montenegrin negotiator **Aleksandar Andrija Pejović**. “I expect we can count on the same level of EU support under the new financial framework 2014–2020, i.e. IPA”, Pejović said.
- 21 November **Still no agreement on the Resolution on European Integration** / Deputy Speaker of the Montenegrin Parliament **Branko Radulović** (DF) withdrew the draft Resolution on the manner, quality, and pace of Montenegro's integration into the EU, as DPS MP **Miodrag Vuković** withdrew his own signature from this document, after the Committee for European Integrations requested an amendment to the resolution, which would have enhanced the oversight powers of the Committee in this process.
- 25 November **Two-category Balkans** / After Croatia's EU accession, the Western Balkan countries could be divided into two categories: those with a de facto European future, above all Montenegro, and those practically without such perspective. This is one of the conclusions of yesterday's discussion in Brussels dedicated to the region which brought together, among others, the EC's General Director for enlargement, a high representative of the German government and the chief negotiators of Montenegro and Serbia. “Montenegro, Serbia, and Albania are the countries that are moving forward in integrations while the others stagnate, through their own fault or that of others”, said the Austrian expert **Florian Bieber**.
- 28 November **EU doesn't want another sickly economy** / German Ambassador to Montenegro **Pius Fischer** said he supports Montenegro's accession to EU, but says they do not want to see another sickly economy in the Union. He stressed that, given the high levels of public debt, Montenegro ought to improve the budget discipline, eradicate grey economy and improve tax collection. Fischer noted that the country's public debt soared from 27% in 2007 to more than 53% of GDP in 2013.
- 26 November **Only praise from Tannock** / EP rapporteur for Montenegro **Charles Tannock** included the “Recording” affair in his draft Resolution on the Montenegrin Progress Report, although during his earlier visit to Podgorica he said he was not planning to do so, and reiterated his praise for the European path of Montenegro. At the first discussion on the Resolution text, which may still change as other MEPs have until 5 December to submit their amendments to the draft resolution before the EP plenary discussion, Tannock said that Montenegro is a “shining example of progress” on the road to enlargement and that after Iceland's decision to withdraw from the membership negotiations Montenegro “should be viewed as the future 29th member state”. “If it continues at the right pace, the country could perhaps jump the bar and become a member even before 2020,” he said. The document, however, only repeats or paraphrases the observations listed in the EC's progress report.

Adjustment mechanism



Author is a Political Science professor at the University of North Carolina, USA

In the past couple of years, enlargement process continues under more difficult circumstances – if at all. The crisis resulted in citizen and EU leaders' growing doubts toward the idea of enlargement. Economic problems and poorly coordinated, chaotic EU response to the crisis also diminishes its power and attractiveness. Some claim that the enlargement process is practically dead and question whether the Western Balkan countries even want to join such an EU. On the other hand, Western Balkan candidate countries are a tough one. They are all bothered by problems which require comprehensive reform of their states and economies and it is not clear whether the EU pressure is enough to maintain the reform momentum.

However, year after year, EU member states continue to keep the enlargement process alive. For them, enlargement is also a matter of national interest, having in mind the inherent economic and geo-political benefits. In the case of Western Balkan countries, geo-political benefits are particularly important: compared to the post-socialist countries which already joined, Western Balkan region is a greater security challenge, while in the same time being less attractive in economic sense. And yet, this only strengthens support to the enlargement among EU leaders, also because democratization of the region is considered to be very important, while the price of integration of such small economies is virtually negligible.

Responding to the attractive force of the EU, political parties in majority of Western Balkan countries change their party programmes and start to implement new policies. This is what we call the adjustment mechanism. However, the EU pressure is more and more focused on the need to build independent institutions and fight against corruption, which becomes a serious threat to the wealth and power of well established elites. What may be good for the country is not necessarily good also for the corrupt elites. In addition to inter-party competition, the EU pressure is vital for eradicating their influence. The adjustment mechanism makes the leaders of post-authoritarian parties change their party orientations in order to stay in the game. And so, they start implementing EU integration reforms, including building the independent institutions, to make progress in the accession process. We had the chance to see the effects of this mechanism on the example of reforms HDZ made in Croatia. After HDZ returned to power in 2003, preparations

for the EU accession became the most important part of the programme of then Prime Minister **Ivo Sanader** – including judicial reform and the strengthening of institutions for fight against corruption. But he did not foresee that those independent institutions will one day turn against him. The same adjustment mechanism is found in the behaviour of the biggest ex-authoritarian parties in Serbia. Serbian Progressive Party, as well as SPS, made the EU accession process highest priority of the state. This does not come as a surprise because – throughout the history of post-communist transition – sometimes the most discredited political parties implement the most difficult reforms, also because they wish to prove that they really have changed. What Serbia needs most at this moment – same as other Western Balkan countries – is strong opposition and constant pressure of civil society, voters and other pressure groups to push for further reforms.

It is even more difficult to say how the EU pressure will affect reforms in Montenegro, a country which already got the green light for the start of accession negotiations; where all political parties had already declared commitment to the EU membership. However, the key difference between Montenegro and Serbia or Croatia is lack of the change of government, which makes it difficult to anticipate the effects of the adjustment mechanism in this country. Is the readiness of current government to meet the commitments from the EU accession process truly enough to create independent institutions, having in mind that those same politicians have always been in power? Or will the institutional reform create the conditions for greater competition between the political parties and greater role of civil society? It is still too early to say. It is certain that successful completion of accession negotiations will require vast reforms of Montenegrin state institutions, notably judiciary, which affects fight against corruption and organized crime. The question is whether it will be at all possible to consider such reforms successful if they don't result in putting Prime Minister **Milo Đukanović** and his companions who gained wealth through misuse of state resources and their connections with organised crime – behind bars.

Source: Article published in the November issue of the Journal of Common Market Studies

Why Chapter 8 – Competition policy will be almost as difficult to negotiate with the EU as Chapters 23 and 24

The sin of state subventions



Svetlana Pešić

Why would Chapter 8 – Competition policy be difficult to negotiate with the European Union (EU) if it benefits the citizens, i.e. consumers by introducing regulations which prevent entrepreneurs from equating prices. For example, it prevents transport companies from agreeing on same, high ticket prices, from joining forces in order to create monopolies or share the market? Why would this Chapter be difficult to negotiate, if the country can support the development projects financially,

The European Commission said that 'KAP is a company in difficulties benefiting from State aid in a form and quantity still to be clearly defined.' In other words, it is unclear how much of the tax payers' money has been allocated to support this recently bankrupted company.



e.g. introducing Internet in scarcely populated mountain areas; or if it allows subventions for companies affected by natural disasters; or provide financial assistance to potentially successful companies in the amount of up to EUR 200.000 from the state budget? Yet, the history of enlargement shows that this Chapter proves to be among the most difficult for candidate countries. Namely, national political elites do not want to lose their voters who work in non-restructured companies, partially or entirely owned by the state, and so they reach for the state money whenever these companies need saving. Or, they sign off tax debts of entrepreneurs who financially support ruling political parties, thus disturbing healthy market competition.

In the past couple of years, Montenegrin government provided state subsidies – in a broad sense of the word – to Montenegro Airlines, Ironworks (before it was bought off by the Turkish investor), Railway company, state broadcasting company RTCG, daily newspaper Pobjeda, and KAP, thus violating relevant provisions of the Stabilisation and Association Agreement (SAA). Generally speaking, the competition *acquis* covers both anti-trust and State aid control policies. It includes rules and procedures to fight anti-competitive behaviour by companies (restrictive agreements between undertakings and abuse of dominant position), to scrutinize mergers between undertakings, and to prevent governments from granting State aid which distorts competition in the internal market. Decision on whether member state subventions are in line with EU single market rules can only be taken by supranational or independent organs. The exclusive right on deciding on whether or not state aid is justifiable is in the hands of the European Commission. Generally speaking, EU competition rules are directly applicable throughout the EU, while the member states need to cooperate fully with the European Commission in order to ensure proper implementation. The fact that Croatia, as the last country which went through the EU accession, closed Chapter 8 at the very end of the process, virtually at the same time as Chapter 23, speaks volumes about the importance which the EU attaches to the issue of market competition. The 2013 Progress Report on Montenegro, statements of EU officials and the Screening Report for Chapter 8 indicate that, in addition to Chapters 23 and 24,

accession negotiations on this chapter may be among the most difficult ones for Montenegro. In short, situation in Montenegro is as follows: the Law on Protection of Competition was adopted in 2012 and contains rules for initiating proceedings, inspections, the issue of Statements of Objections, cooperation with the Agency, confidentiality, timelines for issuing decisions, legal remedies, etc. Montenegro's Agency for Protection of Competition is not authorised to impose, reduce or waive fines, a possibility that is attributed only to judiciary bodies, based on the Law on misdemeanour and the Law on administrative disputes. For example, in Croatia and the majority of EU member states this agency is considerably strong; may issue fines; is influential and independent. Over the last three years 31 merger decisions were issued, five abuses of dominant position were established and three vertical and horizontal cooperation agreements. Once a year, the parliament examines the Agency's Annual Report, while the government appoints the Director and Deputy Director of the Agency. The European Commission made the following assessment on Montenegro: 'Although Montenegro has taken significant steps to align its legislation with the *acquis*, its legislation is not overall in line with it... Montenegro has set up a State aid authority but it now needs to ensure that it is operationally independent, mainly that its members cannot be affected by any conflict of interest and that its decisions cannot be overruled by the parliament. Montenegro also needs to establish a comprehensive inventory of all State aid measures covered by the Stabilisation and Association Agreement, which shall be the basis for an action plan on alignment of aid measures identified as incompatible. Montenegro also

The Commission Screening Report stipulates that at least four laws currently make up a legal basis for granting incompatible fiscal aid measures: Law on Personal Income Tax, Law on Corporate Profit Tax, Law on Business Zones (Business Development Incentive Programme) and Law on Free Zones.

needs to strengthen its administrative capacity and to build up an effective enforcement record. Particular attention needs to be given to state aid to the aluminium plant KAP as well as to fiscal aid schemes.' The Commission also said that 'KAP is a company in difficulties benefiting from state aid in a form and quantity still to be clearly defined.' In other words, it is unclear how much of the tax payers' money has been allocated to support this recently bankrupted company. The only investor who expressed interest in buying KAP's assets so far is a relatively unknown Montenegrin businessman. The European Commission also noted that 'in particular, a restructuring plan should be designed to restore the long-term viability of the plant, compensatory measures should be taken to minimize the impact of aid on competition and the contribution of any new investor from their own resources should be real and significant. In addition to this, the Commission also said that 'the enforcement record still needs considerable improvement, particularly as regards the economic and legal assessment of anti-trust and mergers cases.' Brussels also said that Montenegrin legislation in the area of state aid is not in line with the *acquis*. The Commission commended that Montenegro has adopted a regional aid map, although it remarked that the provisions for the granting of State aid to large investment projects are incomplete. Furthermore the Commission said that the rules for granting research and development aid also need to be brought in line with the *acquis*. 'In particular, the public funding of economic activities carried out by and in co-operation with research organizations needs to be included in the legislation. Moreover, some provisions need to be included, particularly provisions on the incentive effect of Research and Development projects, or completed.' When it comes to the rules on environmental aid, the European Commission noted that the Montenegrin



legislation in this area is incomplete and not in line with the *acquis*. The report in particular underlines that 'the provisions for the granting of state aid for increasing the level and standards of environmental protection, of state aid for investments into energy savings, of state aid for waste management and of state aid for the rehabilitation of contaminated sites should be

further developed in compliance with the *acquis*.' The report also stipulates that, in line with the *acquis*, the definition of SMEs should establish a distinction between SMEs and companies which are part of a group. The definitions of partner enterprises and linked enterprises are missing. When it comes to *fiscal aid and direct business taxation*, the European Commission

Accession negotiations depend on KAP and legislation



Secretary of the negotiation working group for Chapter 8 Marko Mrdak says that Montenegro has almost entirely aligned its national legislation with the *acquis* in the field of competition policy. He said that 'when the remaining bylaws in this field are adopted – hopefully by the end of 2014 – Montenegro's national legislation will have been fully aligned with the *acquis*.' The difficult part of the work concerns state aid: 'The working group will pay special attention to this issue in order to meet the requirements for opening and closing of this Chapter. In this context, Mrdak said that the Law on State Aid Control was adopted to regulate this issue, as well as that the emphasis

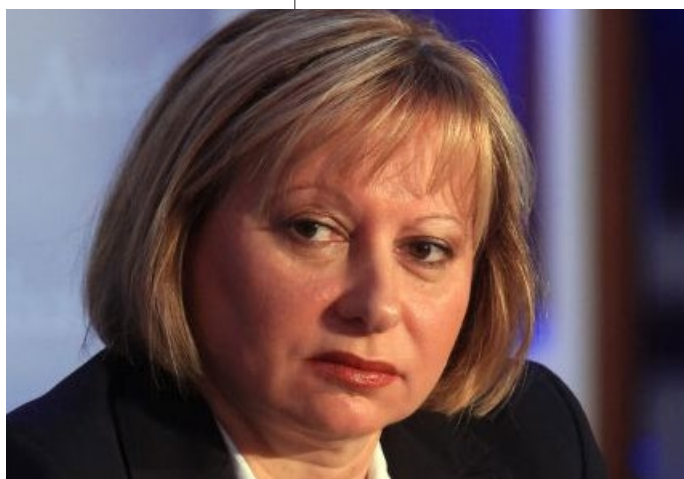
Marko Mrdak

in the following period will be on the harmonization with the 'soft' part of the *acquis*. Mrdak also said that state aid, as the constituent part of Chapter 8, deserves full attention and dedication, especially having in mind that the EU regulations on state aid are contained in the so called 'soft' legislation, which means that they are frequently being changed and amended. He underlined that 'our legal system prescribes more complicated procedures of legislation change, which further complicates activities directed toward complete harmonization with the *acquis*.' Mrdak also said that one should keep in mind that the EU *acquis* is 'way too big to be shrunk into a single decree which in a way contributed to the decision that – for this particular field – it would be best to follow the Croatian model.' This means that the country will publish relevant parts of the EU *acquis* as part of the national secondary legislation. In addition to this, Mrdak underlined that this chapter also includes a cross-cutting issue such as KAP – the largest Montenegrin company – which is not only important in the context of the EU integration process, but also in the context of social and economic policy, as well as in the context of party politics. 'Because this issue is so unique and of multiple importance, the developments in this context are closely monitored by a number of stakeholders, including those who assess the country's progress in the EU integration process, but also those who think about the economic system, its sustainability and general social welfare.' Mrdak also noted that, among all the important and challenging tasks contained in Chapter 8 the issues of national legislation and KAP will be the two most important indicators of how fast Montenegro's EU accession talks will be, and when this process is going to come to an end.

warned that Montenegrin legislation is not in line with the *acquis*. The screening report reads: 'At present, at least four laws provide a legal basis for granting incompatible fiscal aid measures: the Law on Personal Income Tax, the Law on Corporate Profit Tax, the Law on Business

Zones (Business Development Incentive Programme) and the Law on Free Zones.' It is clear that the adoption of these rules will be the end of partnership business in Montenegro

Price of negotiations depends on the country



Olga Spevec

Croatian Chief Negotiator for Chapter 8 **Olga Spevec** said that the most difficult issues for Croatia concerned state aid, having in mind that the then system was expected to be aligned with the rules of the EU *acquis*. Spevec noted that they were required to 'align their national legislation on tax subventions with the *acquis*, notably the Law on income taxation, Law on investment stimulation, Law on free zones, Law on areas of special national interest, etc. At the same time, she said, Croatia was supposed to align the practice in providing state subventions for e.g. tourism sector, textile industry and other industries with rules and regulations on State aid – before the negotiations were opened and after the EU had delivered the screening

report for this Chapter. Yet, the biggest challenge in the negotiations concerned harmonization of the system of support to particular industries of great economic importance for Croatia, such as ship-building (for six big shipyards) and the iron and steel industries (two steel companies). Spevec noted that 'the inherited system of providing state subventions and guarantees had to be changed, which required restructuring of both sectors. This did not necessarily imply privatization, because the EU did not care if the restructuring will be carried out by the state or the private investors. This process was started at the very beginning of the negotiations and lasted until the very end, and even after that. Namely, global financial crisis and economic crisis significantly contributed to the state of these industries, while some investors which won the tenders for some of these companies withdrew from business, so the tenders were often renewed. Spevec also said that it would be very difficult to give any recommendations to Montenegro because the situation in each country is different and every country has its own problems to worry about – there are no ready recipes. 'However, some experiences of other candidate countries can be used, among which timely preparation (establishment of relevant state institutions, active role of NGOs and the public, but also entrepreneurs) and harmonization of regulations, rules and conditions which will lead to meeting the membership conditions. A candidate country cannot change these rules, and the ticket to membership has a certain price which has to be paid. Whether the price will be too high depends entirely on the candidate country and its readiness to make certain compromises, sacrifices and changes in the way they think, the way they do business; and above all, timely changes which may help bring the price down to the lowest possible level. Therefore, knowledge and willingness for change in the context of introducing market criteria for business, strengthening the institutions which protect the market and competition, and the decrease of discretion competences at all state levels, especially in terms of state aid, may make the negotiating process less painful and more successful.

Stevo Muk does not expect that the government will soon provide tangible proof of the fight against high-level corruption

It's going to be a long run



In an interview for the European Pulse, Chairman of the Institute Alternative management board **Stevo Muk** said that in the next couple of months the government will not provide tangible proof that they have been fighting against high-level corruption, despite the fact that Chapters 23 and 24 had been opened. As he pointed out, this is because 'there is no special deadline or condition that the government needs to meet.' In this context, Muk said that it is more likely that this is going to be 'a marathon where the government will have to provide measurable results in the run up to the publication of the Progress Report and Reports on the implementation of Action Plans for Chapters 23 and 24.' He reminded that the government had managed to provide certain results in fight against organized crime, while there has been no progress in fight against corruption. On that note, he underlined that the assessment from this and the previous Progress Reports will remain valid as long as the fight against corruption stays at the current level. In addition to this, Muk noted that 'the government is under double pressure. On the one side, there is the pressure of the EU integration which requires it to deal with corruption and organized crime. On the other side, there is the pressure of the lack of national economic resources, usually divided among different interest lobbies. Under such pressure, internal break-ups are a possibility.

» Do you think that the constitutional changes will result in independent judiciary, having in mind that the candidates for the Constitutional Court judges, Judicial Council, Prosecutorial Council, and the Supreme State Prosecutor are recognized as active party members, rather than 'distinguished lawyers'?

Judging by everything that has happened, I can't say I'm an optimist. The candidates we got are, in fact, a reflection of limitations imposed by the politics and current human resource potential of the public administration and the judiciary. Among them, few could be called reform candidates who – apart from meeting the formal conditions – are also capable of making changes. My impression is that reform-oriented public, especially the parliamentary minority, NGOs and the media did not do enough to encourage and motivate people outside the ruling party system to enter the competition for judicial positions. The most recent example of the appointment of the Constitutional Court judges clearly shows that, at least when this institution is concerned, we cannot be optimistic. Also, it should be noted that this appointment was carried out in contravention of the Constitution. The appointment of the Supreme State Prosecutor is by far the most important for the future of fight against corruption and organized crime; and will show whether the constitutional reforms may bring about positive results in practice. It is possible that the government will continue to obstruct these processes in different ways and persist in maintaining the status quo.

My impression is that reform-oriented public, especially the parliamentary minority, NGOs and the media, did not do enough to encourage and motivate people outside the ruling party system to enter the competition for judicial positions

» Ruling coalition is proud that, after Croatia's accession to the EU, Montenegro is the next Western Balkan country in line for the membership, despite the fact that issues such as corruption, lack of administrative capacities, and poor media freedom indicate that the label of the leader in the Balkans is unfounded?

From the Brussels perspective, Montenegro has been the least problematic country in the region. Compared to the problems concerning relations between Serbia and Kosovo, internal crisis in B&H, and problems in Macedonia and Albania, Montenegro seemed like a positive example of a stable country. This way, it somewhat unrightfully gained the reputation which does not hold when the situation is perceived from an objective national perspective. For a long time, Montenegro held primacy over other countries of the region in the EU integration process. This is no longer the case because Montenegro is now running the race for the leader in the region side by side with some at least equally strong competitors. I believe that the new circumstances will help taking a more objective look on the results of the Montenegrin government, as well as that the competition will have positive effects on motivating us to work harder for better results.

» How do you view the announced investments from China, Russia, Middle East, Azerbaijan? How dangerous can this be for the EU integration path of Montenegro?

They don't strike me as dangerous. Investments from the countries you mentioned are more or less present in all EU member states, as well as countries which are currently part of the accession process. Moreover, for a small country like Montenegro, it could be strategically important that foreign direct investments are of diverse origin. In addition to this, a number of examples showed that the fact that the headquarters of some foreign investor are located in Western democracies does not guarantee there will be no corruption involved. Countries of the region fight for new investments and – if we want our share – we cannot discriminate between the smaller and the bigger ones; the more and the less welcome; or ban some of them. However, what is important is to make a wise choice, in line with the law and through transparent procedures, free of corruption, and mind the public interest. Investors which make the best offer un-

Government is under double pressure. On the one side, there is the pressure of the EU integration which requires it to deal with corruption and organized crime. On the other side, there is the pressure of the lack of national economic resources, usually divided among different interest lobbies. Under such pressure, internal break-ups are a possibility

der such circumstances are welcome no matter where they come from.

» What is your comment on the announced public administration reform? It has been an issue of interest for years now, two strategies have been prepared, new laws adopted..., but the impression is that there is no considerable progress in the sense of depolitization and professionalization?

Public administration reform is ongoing for ten years. However, the results are limited and the political will for meaningful reform is weak. It is unclear whether the best legislation can considerably change what decades of party- and employment through family connections have created. A system which has been functioning based on criteria which don't have anything to do with merit based employment for two decades would be difficult to change radically for the better even if the strong political will for such reform existed. This is why I believe that, like in any other reform process, it will take time to create an encouraging context, which above all means formal and true removal of the equation mark between a party and the state. Second aspect of reform refers to public administration sectors where it is obvious that the costs of public administration functioning are too high, where we have a surplus of employees, while some other very important sectors are seriously understaffed. The first aspect – regionalization of public administration is the end goal of the Public Administration Reorganization Plan, adopted by the government in 2013, which – however – does not provide answers to a number of questions, including on how they intend to meet certain goals set out in the reorganization plan. In addition to this, the Plan does not deal with the issue of new employment, required also in the context of the EU integration process.

V.Žugić



No wage increases due to the crisis

A ruling by the European Court of Justice upheld the ban on pay increases for EU institutions' staff from 2011. The ruling came in response to a dispute between the European Commission, which planned a regular pay increase for its staff, and the Council of EU, i.e. the member states, which opposed it due to the adverse economic circumstances. The Court ruled that the Commission should have taken into account the deterioration in the economic situation in Europe. The Commission proposed to raise the wages and pensions of 55.000 employees of EU institutions by 1.7% from 1 July 2011, but the Council rejected the proposal, and the Court was asked to decide in this dispute between two European institutions. Gross wages of EU civil servants range from EUR 2.600 to 4.400 at the entry-level up to EUR18.400 for senior operatives. They are also entitled to a variety of bonuses, including a premium for living outside their home country which can be up to 16% of the gross wage, as well as family benefits of around EUR400 per month per every child up to 26 years of age, as well as the tuition.

of all new citizenships lowered their rates significantly. Those are the UK, with 177.600 new citizens, or 9% less than in 2010, France with 114.600 (20% less), and Spain with 114.600. Of the largest host countries, only Germany recorded a small increase of 5%, up to 109.600 new citizens.

Less time and zeal for culture



Europeans are less involved in cultural activities today than they were five years ago, either as participants or as observers. The decline is notable in all cultural activities, except for cinema-going, which increased from 1% to 52%. These are the findings of the latest special Eurobarometer. The main reasons listed for this decline in cultural activity are the lack of interest and time and, to a lesser extent, money. The poll found that more than a half of respondents in Europe is using Internet to engage in cultural activities, and a third of them does it at least once a week. The least popular are visits to the opera, ballet or dances, which only attracted 12% of the respondents in 2012. If all cultural activities are taken together, from reading to visits to the museums, the most culturally engaged countries appear to be the northern EU members. The top place belongs to Sweden, where 43% of the respondents ranked their involvement in cultural activities as high or very high. The next best placed are Denmark (36%) and the Netherlands (34%).



Fewer naturalizations approved

According to the data collected by Eurostat, the EU member states approved 783.100 requests for citizenship in 2011, 4% less than in the previous year. The majority of new citizens are persons originating from Morocco, Turkey, Ecuador and India, while the countries which accepted the largest number of new citizens are the UK, France, Spain and Germany. The largest increase has been recorded in Hungary, which recently made its citizenship law less restrictive. The recent decline comes on the heel of three consecutive years in which the number of naturalizations increased, most of all because the few countries which approved 75%

Montenegro and the EU: Role and importance of the media in the process of European integration



The publication *“Montenegro and the EU: Media role and importance in the process of European integration”* is part of the “EU Info Bus: on the road to the EU!” project organized by the Centre for Civic Education (CCE) in cooperation with the Friedrich Ebert Stiftung and NGO Natura, with the support of the EU Delegation to Montenegro. The publication author, **Maja Vujašković Đureinović**, deals with the importance of communication in the European Union as one of the ways of reducing the identified communication deficit. She looks at historic events that underlined the need to improve communication between EU institutions and citizens. The problem was discussed in the light of the European public sphere in the making, whose full development requires Europeanization of national public sphere, i.e. enabling citizens in various European countries to discuss the same European topics in real time. In addition, she points to the importance of the media who, as the main channels for delivering the message from the European administration to the citizens and vice versa, are essential for further development of the European public sphere, regardless of numerous limitations they are facing in the current political and economical context. Finally, she discusses these issues in the context of a concrete example of Montenegro, a country in the EU accession process, and she analyzes the media contribution to the democratization of the accession process as one of key foreign policy priorities of Montenegro.

A part of the publication provides content analysis of three main dailies (Pobjeda, Vijesti, Dan) regarding the granting of the candidate status (17 December 2010) and visa liberalization (19 December 2009),

and of four dailies in 2012 (Vijesti, Pobjeda, Dan, Dnevne novine) related to the formal opening of accession negotiations (29 June 2012, intergovernmental conference), which comprised 140 articles. Additionally, there were two rounds of interviews with leading journalists and editors of Montenegrin media: Round One 2011 – TV Vijesti, RTCG, RTV Atlas, TV IN, TV Pink M; dailies Vijesti, Dan, Pobjeda; online Portal Analitika; MINA news agency, and Round Two 2013 – TV Vijesti, RTCG, RTV Atlas; dailies Vijesti, Dan, Pobjeda, Dnevne novine; online Portal Analitika; MINA new agency, comprising a total of 11 desks.

Finally, the publication conclusions recommend further development of the media and their reporting, development of the work of institutions tasked with successful guidance of the European integration process, but also of the EU Delegation and EU institutions.

The author believes that a popularization of EU topics would be aided by demystification of the EU, concluding that “Even though the Union is surely a complex system of rules, changing this abstract symbolism with interesting stories would encourage public interest and raise the level of public understanding of certain issues. The role of the media here is crucial. In cooperation with political institution they can, in the long run, alter the political identity of citizens and strengthen their future activity in the European public arena.”

The complete publication is available at: <http://media.cgo-cce.org/2013/10/CGiEUmediji.pdf>

Chapter 11: Agriculture and Rural Development



Prof. dr Milan Marković

Due to a wide range of specificities, agriculture requires a unique and consistent policy for several reasons: to protect the producers and consumers from price fluctuations, to ensure food security; to preserve rural areas; to maintain vitality of family households; and to apply the food safety system consistently. At the EU level, these tasks are covered by the Common Agricultural Policy (CAP), which has been developed and reformed over more than 50 years, and today represents the most complex of all EU policies. The CAP is a combination of internal competition, customs protection and high budgetary support (40-45% of the EU budget). The legal system of the CAP comprises two chapters of the *Acquis*: Chapter 11 - Agriculture and Rural Development and Chapter 12 - Food safety, Veterinary and Phytosanitary policy.

Chapter 11, which is CAP in the narrow sense, consists of two pillars. The first is *market-organization and direct support (subsidies) to producers*, and the second is the *rural development policy*. Measures within the first pillar are integrally financed from the common EU budget, while those in the second pillar require co-financing from the national budgets. From the total amount allocated annually to the CAP (around EUR58 billion), 80% goes to the first and 20% to the second pillar. The new regulations for the CAP 2014-2020 have already been prepared, and according to them some EUR60 billion will be spent on CAP annually in this period, of which 3/4 on the first, and 1/4 on the second pillar.

Direct payments are by far the largest item of CAP spending (67%). Their key purpose is to support the incomes of agricultural households. Payments do not depend on type or level of production (the so-called *de-coupled payments*), but are tied to the size of used agricultural land. To qualify for the support, the households need to maintain the farmland in good agro-ecological condition.

The rural development policy contains various measures, divided into three main groups: the first is aimed at strengthening the competitiveness of agriculture and forestry, the second at the sustainable use of resources, and the third at improving the quality of

life and expansion of economic activities in rural areas. The current EU policy comprises about 40 measures, and their application and investments depend primarily on the priorities designated by each member state in its rural development programme. Accession requirements in this area are numerous and varied. The first pillar requires the following:

- An administration for the management of CAP expenditures or an agency for subsidies with the capacity to collect and examine applications, correctly process the payments, submit the necessary documents in the EU rules-prescribed form, and maintain records of payments and of previous administrative and physical supervision;
- Integrated Administration and Control System (IACS), which includes: a computerized database, a system for identification of agricultural holdings, a system for identification and registration of animals, relevant registers of households;
- A network of accounting data on farms (FADN) and an authority responsible for the selection of households from which the data will be collected;
- An administration for regular monitoring of markets and prices;
- Producer organizations, which are formed at the initiative of producers and regulated in accordance with EU rules;
- An administration for the effective implementation of EU regulations in organic farming and quality control (protection geographical origin, geographical labels and guaranteed traditional specialties);
- A consistent application of the rules of the common market in certain sectors: different standards of sale, rules of classification, packaging and labelling.

In meeting the market requirements, the member countries should focus on the *public sector*, but the *private sector* also needs to improve the production, processing and marketing in order to increase the competitiveness of food production.

The second pillar - rural development policy – requires:

- That each member country has a committee for assessing the efficiency and quality of implementation of rural development programs, which is established in consultation with partners, and in whose work participates also the representative of the European Commission in an advisory capacity;
- An administration that will ensure the application of rigorous rules in the implementation of rural development, where the responsible authorities are appointed at the national level, and afterwards approved by the Commission;
- To provide identification of rural areas' needs; development, implementation and management of programs; control of financial flows and implemented measures; monitoring, reporting, control and evaluation of programs and individual measures.

In order to fulfill these functions, the administration has to meet EU regulations and to ensure participation of regional and local authorities, as well as of all social partners. With the Interim Agreement's January 2008 entry into force, the provisions on trade in agricultural products between Montenegro and the EU-27 have begun to apply, which contained in Chapter II of the Agreement (from Article 24 to Article 33), and from the SAA entry into force (May 2010) other provisions as well. The SAA provides Montenegro with access to the EU markets free of tariffs, except for young beef and wine, which are subject to an annual export quota of 800 t, and 16.000 hl, respectively. Conversely, the quota for tariff-free import of wine from the EU is 3.500 hl. The opening of the Montenegrin market for the EU-27 products is to proceed gradually: a) Interim Agreement removes all barriers for the least sensitive products; b) for less sensitive products, the protection is gradually eliminated within 5 years, while c) for sensitive products (meat, milk, fruits and vegetables produced in Montenegro) the protection is reduced by 10% each year over a period of 5 years, until it reaches 50% of the current level. Article 28 of the SAA is related to the Protocol on wine and alcoholic beverages, while Article 33 stipulates Montenegro must ensure the

protection of geographical origin and labels for agricultural products registered in the EU. It also envisages the possibility of registering Montenegrin geographical origin labels in the EU, in accordance with the Council Regulation (EC) 510/2006 and subsequent amendments. Agricultural development and harmonization of agricultural policies with the CAP in Montenegro are set down in the 2006 strategy paper "Montenegrin Agriculture and the European Union - Food Production and Rural Development". Starting with the concept of sustainable development and multi-functionality of agriculture, it delivers four goals: sustainable resources management, stable and acceptable food supply, provision of adequate living standards for rural population and increase of food producers' competitiveness. National Programme for Food Production and Rural Development (2009-2013) is a framework for harmonization of agricultural policies in Montenegro with the CAP. It contains elaborate measures of agricultural policy and a multi-annual plan budget for agriculture. The Law on Agriculture and Rural Development or the 'small constitution of Agriculture' brings, among other things, the legal framework for agricultural policy as defined by the Strategy. It prescribes the adoption of a number of by-laws, which enable effective implementation of the main legal provisions. Strengthening administrative capacity and institutions (professional and consulting services, laboratories) is an ever-ongoing process financed from the national budget and through pre-accession assistance. With candidate status, Montenegro gained access to the fifth IPA component, related to rural development. The IPARD Programme is in the process of being accepted by the Commission and its application will essentially represent a 'prep-school' for rural development policy implementation once Montenegro becomes member. The key preconditions for IPARD implementation are the establishment of a responsible body within the Ministry and the existence of a qualified agency for payments. Given the current state of agriculture, Montenegro must improve its absorptive capacity during the pre-accession period, in order to benefit from membership opportunities. Unlike Chapter 12, where the dominant principle is a 'must' rule, Chapter 11 contains numerous issues subject to negotiation, such as the type and amount of direct payments to producers, the selection of

measures for rural development, etc. This is even more challenging and demanding of the negotiating teams! The European Commission can allow certain transition periods, or additional deadlines to eliminate gaps in the implementation and ensure applicability of EU regulations. In preparing negotiations and the negotiating platform, Montenegro should learn from others' experience, but not copy them. Decisions should be made after

careful analysis and internal consultations. Gradualism is important: first understand the essence of the requirement, then create the necessary preconditions and finally introduce and implement new solutions. During the implementation of reforms and harmonisation with EU regulations, we must not lose the sight of the size and effective needs of our agriculture, and tailor our institutional and administrative capacities accordingly.

- The EU model will be an encouragement to Montenegrin agriculture, since it contains mechanisms of support to the small households, of which there are many in the EU27.
- In addition to the benefits of accessing a 500 million consumers-market, Montenegro will also benefit from generous financial support for direct payments and rural development, provided it fulfils the requirements and successfully conducts negotiations.
- The EU insists on "rigorous" rules in order to ensure well regulated and predictable market behaviour and deliver safe products to the consumers, but it also deploys a variety of tools to support the producer competitiveness and introduce EU standards.
- Contrary to common belief, the EU does not restrict development and growth of production - the restrictions currently applying to milk production will be abolished by April 2016, and the only remaining one is the restriction of planting rights for new vineyards.

Perhaps you did not know: Agriculture in EU 27

- Primary agriculture accounts for less than 2% of the GDP, and 5.1% of employment;
- Food sector, however, contributes about 10% to the GDP, and is one of the largest in the EU economy;
- The EU is simultaneously the largest exporter and importer of food in the world;
- More than 90% of the EU27 territory belongs to rural areas;
- The average household's size is 12.6 ha, and it varies from only 0.9 ha in Malta, 3.5 ha in Romania and Cyprus, to 89 ha in the Czech Republic;
- Gross salaries in EU27 agriculture are only around 70% of the average for the economy as a whole, which is one of the key reasons for the financial support;
- Family households have a long tradition and are subject to generous support of the EU;
- The EU strongly supports regional distinctiveness of products, which is a good opportunity for our agriculture.

Source: publication "Europe in my town – what are we negotiating and what the negotiations with the EU are bringing to us?", published as part of the project "Europe in my town", which was implemented by the Centre for Civic Education (CCE) during 2011 and 2012, in cooperation with the Centre for Monitoring (CEMI) from Podgorica and Civic Initiatives (CI) from Belgrade, with the support of the EU Delegation in Montenegro.

Corruption in public-private partnerships and urbanism

As part of “*Corruption at the local level – Zero tolerance!*” project, Centre for Civic Education (CCE) organized two panel discussions, in cooperation with Institute Alternative (IA), NGO Bonum and NGO NADA. The project is financed by the European Union, and co-financed by the Norwegian Embassy. The panel discussion “*Public-private partnerships at the local level*” was organized on 28 December in Budva. The speakers were **Miodrag Marković**, head of the Anti-Corruption Office in the municipality of Budva; **Vesna Madrapa**, advisor for legal affairs to the Secretariat of spatial planning and sustainable development of Budva; **Jovana Marović**, research coordinator in Institute Alternative (IA); and **Boris Marić**, senior legal adviser at the Centre for Civic Education (CCE). Vesna Madrapa laid out the key steps to limit and prevent corruption in this area: first, ensure documentation transparency, especially with regards to documents concerning planning, construction and environmental impact evaluation. She concluded that thorough work on the planning documentation would help create a positive environment for public-private partnerships in strategic projects. Jovana Marović expressed her concern with the current legal framework and agreed that “the contracts signed under the title of public-private partnerships are still unavailable to the wider public, which also violates the legal provision about public access to this information.” Boris Marić and Miodrag Marković agreed that there are many problems in the availability of contracts in public-private partnerships, but also in the large variability of land prices, as the land is sold without prior studies on the value of the location, which can only be to the detriment of the municipality and its budget. At the second panel discussion, *Urbanism at the local level in Montenegro – at risk of corruption* which took place on 29 November in Podgorica, the speakers were **Daliborke Uljarević**, executive director of CCE, Prof. Dr **Jelisava Kalezić**, Democratic Front MP, **Borislav Vukićević**, architect and a columnist for daily *Vijesti* and **Mirko Bošković**, journalist for the Radio Television Montenegro (RTCG). Daliborka Uljarević noted that the “space suffers a similar fate to our society, in the sense of devastation”, and that “Budvanization became a synonym for chaos in space”. She also pointed out that initially the devastating construction drive took place with assistance of blatant violations of the law, whereas today the corruption is built into the plans themselves, making it a more dangerous species of legalized corruption. Uljarević expressed her concern over the unwillingness of local authorities to identify and address this problem. Jelisaveta Kalezić emphasised the detrimental effects of the public land sale, especially in the more central areas. “The city gives up a long-lasting value in favour of a private interest, and by selling the land now it loses the ability to profit from its increasing value”, Kalezić said. She described manipulation



with spatial planning and preferential deals with favourite investors as “corruption metastasis”, thinly veiled by the Law on public procurement. Borislav Vukićević pointed to some concrete examples of urban devastation, especially the area of the Tabački most in Podgorica, Hotel Montenegro and the similar fate that probably awaits hotel Podgorica. “In our society there is a tendency to open all doors for a person with enough capital, and adapt our urbanization plans to their needs”, Vukićević warned. Mirko Bošković presented his preliminary findings on this issue, following his research for the TV programme “*Pandora’s box*”, which is soon to appear on RTCG. In addition to the main speakers, the discussions were attended by the members of the city councils of Budva and Podgorica, municipal employees, NGO representatives, media and students. The project “*Corruption at the local level – Zero tolerance*” aims to strengthen the role of civil society organisations, local administration and public institutions in developing policies, overseeing their implementation and organising awareness-raising campaigns to reduce corruption in the local communities of Montenegro. It is being conducted in 14 municipalities: *Podgorica, Cetinje, Nikšić, Danilovgrad, Herceg Novi, Kotor, Tivat, Budva, Bar, Rožaje, Pljevlja, Mojkovac, Kolašin, Plužine*.

What does UK Prime Minister David Cameron's statement that "free movement within Europe needs to be less free" have shown

The crisis strains the thin strings of EU solidarity

British Prime Minister **David Cameron** once again infuriated the European public by stating that "free movement within Europe needs to be less free." In a column published by London's *Financial Times*, Mr Cameron announced a set of measures through which the UK government aims to limit the rights of immigrants from other EU members. Newcomers will no longer have unemployment compensations in the first three months, and the payments to them will be completely abolished if ascertained they have no "real prospect of finding a job." Also, the newly arrived immigrant will no longer be entitled to social aid for housing, and those caught begging or sleeping in the streets will be deported with an entry ban of 12 months. These measures, which will enter into force by year's end, are only a beginning. Cameron warns that it is necessary to introduce new measures that would slow down access to labour markets in other member states so no large migration waves would take place. "One [way] would be to require a new country to reach a certain income or economic output per head before full free movement was allowed. Individual member states could be freed to impose a cap if their inflow from the EU reached a certain number in a single year," adds Cameron, announcing that this will be one of the conditions for negotiations of Britain's stay in the European Union after the 2017 referendum. This proposal by UK Prime Minister would practically suspend one of the fundamental freedoms established in the European treaties, allowing freedom of movement, living, and work to all EU citizens anywhere in the EU, as well as same rights to social benefits as local population. A harsh response from the employment commissioner **László Andor** is therefore not surprising, where he warned Cameron there was no need for him to cause "hysteria" by one-sided rhetoric and incomplete presentation of facts, and noted that problems caused by cross-border movement should be discussed through dialogue. Domestic policy commissioner **Cecilia Malmström** said freedom of movement is a fundamental right of European citizens, whereas the judiciary commissioner **Viviane Reding** said there was "no negotiation on the freedom of movement" and that if "Great Britain wants to remain part of the single market it must accept the right to limitless freedom of movement." Many observers try

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to explain the latest blunder by the UK Prime Minister as political games: the elections are nearing, and the anti-European far right threatens to steal Cameron's right centre votes. What is worrying, though, is that the anti-immigration sentiments have been on the rise for a while. The UK is traditionally among the most open European countries: after the first large wave of enlargement in 2004, the UK and Ireland were the only members who did not use the right of seven-year moratorium on the entry of Eastern European citizens. But this time the crisis has taken its toll, and the nearing of 1 January, when citizens of Bulgaria and Romania will start enjoying the same rights, has caused panic. According to latest public opinion surveys by YouGov agency, over 50% Britons would support government measures to limit free entry of other Europeans, even if that would mean reduced movement of British citizens elsewhere in the EU. What is even worse is that the UK is only saying very loudly what most others think. In responding to the Commission reactions, British interior minister **Theresa May** warned that in this discussion Brussels is clearly "on the wrong side" and that other member-states, such as Germany, the Netherlands, and Austria are also concerned over the consequences of

Interior ministers of the UK, Austria, Germany, and the Netherlands have sent a letter to the European Commission in which they warn that immigrants from other members are making "great pressure" on the capacities of schools, health, and other public services, and that a great number of immigrants seeks social aid, often without legal basis, putting additional strains on social care systems of their host countries

uncontrolled movement of labour force. The minister is sadly right. If no other member-state has gone so far in insisting on the limit to the freedom of movement, the protests against “Polish plumbers” and “social tourism” are spreading like wildfire. Earlier this year, interior ministers of the UK, Austria, Germany, and the Netherlands have sent a letter to the European Commission in which they warn that immigrants from other members are making “great pressure” on the capacities of schools, health, and other public services, and that a great number of immigrants seeks social aid, often without legal basis, putting additional strains on social care systems of their host countries. Just a few days after the address of the British PM, two largest German parties, the Christian Democratic Union (CDU) and the Social Democratic Party (SPD) have signed a post-election coalition agreement where they announced, among other things, measures for tackling “poverty migration within the EU.” The agreement so far has no concrete measures, but it seeks amendments to national and European laws in ways that would limit the migrants’ access to social benefits and enable temporary bans on entry for the citizens who attempted to misuse the social care system. In spite of the growing hysteria, the Commission insists there is no reason to panic. In response to four countries’ letter on immigration problems, the Commission responded that none of those states had thus far submitted any data pointing to the problem of “social tourism,” and that Britain had recently admitted it has no such information, as citizenship information is not required for social care. According to Commission estimates, European immigrants are usually young people going abroad seeking employment, and the percentage of employment among immigrants is higher than employment in domestic populations and the percentage of those living on social benefits is much smaller. In difficult times, however, emotions often trump data. It is evident that the economic crisis has additionally strained the already thin strings of solidarity, not only among EU member states, but within them as well. For a long time, Germans have no patience for “lazy Greeks,” whose state is slowly collapsing under the pressure of austerity measures, and now they don’t want the immigrants from the countries where those same measures led to a great rise in unemployment and pauperisation. The poorest

For a long time now, Germans have no patience for “lazy Greeks,” whose state is slowly collapsing under the pressure of austerity measures, and now they don’t want the immigrants from the countries where those same measures led to a great rise in unemployment and pauperisation. The poorest have it the worst. The rhetoric of “social tourism” is merely a poorly disguised allusion to Eastern European Roma, who have troubles finding jobs even in their home countries and are of late a target of racist attacks by extreme right-wing organizations

have it the worst. The rhetoric of “social tourism” is merely a poorly disguised allusion to Eastern European Roma, who have troubles finding jobs even in their home countries and are of late a target of racist attacks by extreme right-wing organizations. In Hungary, a far right party “Jobbik” has for years led anti-Roma campaigns, and in 2009 they established a paramilitary organisation Hungarian Guard, which came to prominence by marching through Roma settlements and attacking Roma families. The Hungarian Guard soon became outlawed, but in the meantime similar organizations emerged in virtually all Eastern European states. In the Czech Republic, over 100 persons were arrested during anti-Roma marches, which did not stop the demonstrators from hosting a similar series of protests in September, including an attempted attack on Roma settlement in Ostrava. A few days ago, in Slovakia’s biggest district of Banske Bistrica, a self-proclaimed neo-Nazi was elected, who used his own money to buy off an entire settlement from the municipality at the outskirts only to have a right to evacuate the Roma. It is no wonder the Roma decide more and more to move to the West, only to be met by hardly better circumstances where they are soon to be denied right of settlement. On the other hand, the Eastern Europeans are anxious that the West views them as Roma and claim it was precisely them who are to blame for announced restrictions in freedom of movement – which just fuels the intolerance and discrimination. This mechanism is well known to us due to the issue of Balkans “false asylum seekers.” It is discomforting to realize that years of reform and EU membership are no guarantee for the poorest citizens of new member states.

EC adopts draft guidelines for support to media freedom in the Balkans over then next seven years

No independent media no rule of law



Political influence on the media, unlimited state power through the so-called “government advertising,” lack ownership transparency, threats to journalists as well as their low incomes and social standing are just some of the problems EU hopes to address through targeted support

European Commission adopted draft guidelines for EU support to media freedom in the enlargement countries for the period 2014-2020. The guidelines are adopted in recognition of the fact that the media in these countries had been facing numerous problems which must be addressed for democracy to become fully functional. Political influence on the media, unlimited power of the state through the so-called “government advertising,” lack of ownership transparency, threats to journalists as well as their low incomes and social standing are just some of the problems EU hopes to address through targeted support. The investment from the international community to strengthen independent media in Western Balkan countries has gradually been withdrawn, and this trend is not likely to reverse, notes the European Commission in the Draft guidelines for support to the freedom and integrity of the media in enlargement countries 2014-2020. In this landscape only a few independent media outlets have managed to survive. Moreover, some have been absorbed by the crony system whereas others are surviving with meagre resources. “Media politicization and media clientelism are at the core of the most serious problems faced by the media. In the Western Balkans, the economic crisis combined with the global growing public preference for free internet-based media have led to a reduction of resources for established media and further increased the

pressure on professional journalism”, warns the Commission in the draft Guidelines. “And when job opportunities decline, journalists as a community have proved to be weak to develop and protect common professional and labour standards,” it adds. The specific problems noted in the Commission document are: lack of transparency in public support to the media, lack of transparency in media ownership, dismal economic standing of the journalists who are often hired without proper employment contracts, which fosters self-censorship. Other major problems include: the independence of regulatory bodies is neither stable nor sufficiently safeguarded by the law; the judiciary is too often used as a tool to silence the critical voices; while the public broadcasters lack editorial independence, financial sustainability, or the mechanism of accountability for the services they provide to the citizens. The guidelines will form part of the pre-accession assistance strategy, and lay out a mechanism for continuous monitoring. Media representatives and other stakeholders have been asked to submit their proposals by mid-December. The Commission believes that endeavours to improve transparency, anti-corruption efforts and demand for accountable and transparent politics can only succeed if independent media are allowed access to information and have the capacity to process information and make it available to the public. “The present media situation poses risks to the full transition towards stable transparent democracies and effective institutions”, warns the document. For this reason, the media became part of the Copenhagen political criteria for EU accession. As the EU does not have specific *acquis* on media, the reference for the adoption



of media strategies and laws are the Council of Europe standards, derived from the European Convention on Human Rights. The Brussels has decided to use its leverage and improve the situation in the enlargement countries through pre-accession negotiations. Media-related issues will be tackled under Chapter 23 – Judiciary and Fundamental Rights – while for those not yet negotiating will a similar but separate mechanism will be developed. Based on the progress reports and previous events at which the EU representatives met local actors to discuss the problems of the media in EU enlargement countries, another conference – SpeakUp2 – was held in Brussels this June, to outline the priorities for improving the present situation. The Guidelines note that a better media system will require long-term engagement, as the identified tasks cannot be accomplished by ad-hoc assistance actions: e.g. establishing a functioning self-regulation and changing the mind-set of judiciary. Once developed, the assistance programmes might stretch up to 5 years, and the EC also looks forward to cooperating with other international institutions, such as CoE and OSCE. The development of strategies and laws should take place with proper consultation with the media community and civil society, including in particular journalist professional organisations, think-tanks and human rights organizations. To ensure effectiveness of assistance approach, the Commission will continue to raise as political the issues of freedom of expression and media with the governments in the enlargement countries, and to underline their importance for membership. Based

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on the present situation and priorities, the Commission developed a results framework to improve the situation. As emphasized in the Guidelines, all stakeholders should participate in this process. It is the task of the parliaments to assess the media situation and adopt the laws in line with EU standards. It is the responsibility of the state to protect journalists' professional rights. Concerning this problem, the EC will also explore with

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partners options for accompanying measures to contribute to legal and physical protection of journalists. It is still very common in some accession countries that politicians and state officials attempt to silence media criticism by suing journalists, and far too often the judiciary takes the side of the state and its officials. This requires further training about the European Convention on Human Rights and the case law that had been developed on its basis. The regulatory bodies are pivotal financing and preventing excessive ownership concentration or its close affiliation with to enforcing the rules for transparency of political interests. In addition to this, the Commission will also focus on raising the level of professionalism in the media, investing in the training of journalists and increasing the capacities of journalists' professional associations. This will also include efforts to improve poor labour relations at media outlets, including absence of proper work contracts, which can often lead to self-censorship.

Izvor: Euractiv

Discrimination in the legal framework and in Montenegrin reality

Between 22 and 24 November 2013 Centre for Civic Education (CCE) hosted a seminar “*Discrimination in the legal framework and in Montenegrin reality – how to improve the present situation?*” as part of the regional project “*Civil society networking on critical human rights values in Serbia, Montenegro and Kosovo*”, implemented with European Commission financial support. The seminar brought together 25 participants, representatives of non-governmental organizations dealing with the rights of women, LGBT persons, Roma and youth, as well as individuals interested in becoming involved in the fight against discrimination. The seminar was conducted by CCE’s trainers, **Tamara Milaš**, Petar Đukanović, **Ana Vujošević** and Daliborka Uljarević, who, combining theoretical and practical instruction, walked the participants through the normative and institutional framework of anti-discrimination in Montenegro, focusing especially on certain areas and case studies. The second part of the training was dedicated to capacity building of the participants in developing project ideas and managing projects in this area. The project “Civil society networking on vulnerable human rights in Serbia, Kosovo and Montenegro” is implemented by the Coalition for Equality (KORAK), which consists of the Lawyers’ Committee for Human Rights (YUCOM), Belgrade Human Rights Centre CHRIS, Network of Human Rights Committees in Serbia, Gay-Straight Alliance from Serbia, Humanitarian Law Fund Kosovo, Youth Initiative for Human Rights from Kosovo, Centre for Civic Education (CCE) from Montenegro and LGBT Forum Progress from Montenegro.

SOS line to report corruption to inspection bodies

As part of its project “Inspection against corruption”, implemented in the framework of the Criminal Justice Civil Society Programme financed by the US State Department, Centre for Civic Education (CCE) opened an SOS line for reporting corruption to Montenegrin inspection bodies. All citizens, as well as legal entities, can report specific examples of corruption to CCE at 020/665-112 between 08 and 16h on working days, and to the Inspection Authority at 080/555-555 at any day and hour. The SOS line is an activity within “Inspection against corruption” project, whose goal is to monitor the activities and strengthen the capacities of the Inspection Authority as the most immediate address for the citizens to counter corruption and bad practices in Montenegro. CCE will submit all complaints to the Inspectorate and monitor their responses. The final beneficiaries of these activities are citizens of Montenegro who will profit from greater accountability and capacity of the Inspection Authority to prevent and fight corruption in its most direct form.

Writing public policy proposals

Balkan Civil Society Development Network (BCSDN) organized, on 6 November 2013 in Tirana, in cooperation with the Institute for Democracy and Mediation (IDM), training on advocacy and public policy proposal writing for the organisations whose projects are financed by the Slovak and Balkan Public Policy Fund (SBPPF). The training was attended by 11 representatives of non-governmental organisations from Albania, Bosnia and Herzegovina and Montenegro, which receive funding from SBPPF. The projects are expected to result in issue-specific studies that will help advocate EU membership from a broader viewpoint. These activities are financed by EU as part of the project “*IPA Civil Society Balkan Acquis – Strengthening the potential for advocacy and monitoring by civil society organisation*”. In addition to organisations from Bosnia and Herzegovina and Albania, the training was attended by representatives of four non-governmental organisations from Montenegro: Centre for Civic Education (CCE), Institute Alternative (IA), SOS line from Podgorica and Centre for Civic Freedoms. CCE was represented by **Tamara Milaš**, CCE programme associate.

Opening of the negotiating process for Chapter 23 – are we ready or not?

Centre for Development of Non-Governmental Organizations (CDNGO) organized, on 15 November 2013 a round table titled “*Opening of the negotiating process for Chapter 23 – Judiciary and Fundamental Rights. Are we ready or not?*” The speakers at the introductory session were **Ana Novaković**, director of CDNGO, **Snežana Radović** Director General of the Directorate for European Integrations, **Slaven Radunović** president of the Committee for European Integration and **Alberto Cammarata**, deputy head of the EU Delegation to Montenegro.

Reform of the judiciary was discussed by **Branka Lakočević**, head of the Working Group for Chapter 23, **Azra Jasavić**, member of the Committee for Political System, Judiciary and Administration of the Parliament of Montenegro and **Tea Gorjanc Prelević**, executive director of Human Rights Action. The second panel, on the fight against corruption, featured presentations by **Svetlana Rajković**, deputy Minister for International Cooperation and European Integration in the Ministry of Justice, **Aleksandar Damjanović**, member of the National Commission for the implementation of the Strategy for the fight against corruption and organized crime and **Jovana Marović**, research coordinator in NGO Institute Alternative. The topic of the third panel were human rights, development and sustainability of the civil society, with contributions from **Blanka Radošević-Marović**, deputy Minister for Human Rights in the Ministry for Human and Minority Rights, **Veselin Vukčević** director general of the Directorate for Public Administration and Local Government of the Ministry of Interior Affairs of Montenegro, **Marina Vujačić** executive director of the Association of Youth with Disabilities and **Ana Novaković**, executive Director of CDNGO. The conclusion of the discussion, which included active participation of the representatives of NGOs and local governments, was that Chapter 23 contains the most sensitive issues for any country wishing to complete the transition process, and that this chapter will be the key test of Montenegro’s political will to advance genuine reforms in the direction of depoliticizing judiciary, fighting corruption more effectively and ensuring complete protection of human rights. It also emphasized the importance of the new Agency for Anti-Corruption, envisaged by the Action Plan for the opening of chapter 23, whose task is to bring under one roof various responsibilities which are currently in the domain of several anti-corruption institutions. **Ana Vujošević**, CCE programme coordinator for EU integration and **Radovan Ognjenović**, intern in the EU integration programme, participated in the discussion on behalf of CCE.

Igman initiative session on the challenges of regional cooperation

24th session of the Igman Initiative focused on the topic: “*New challenges and perspectives for regional cooperation*”. The meeting was held on 22 and 23 November 2013 in Bečići, and was opened by **Igor Lukšić**, the deputy prime minister of Montenegro and Minister of Foreign Affairs and European Integrations. In the introductory session the participants were also addressed by co-presidents of the Igman Initiative from Bosnia and Herzegovina, Croatia, Serbia and Montenegro. During the two-day programme the participants discussed the state and perspectives of regional cooperation among the Western Balkan Six, and the opportunities to extend the experience and achievements of the Igman Initiative to other outstanding issues of regional importance, and expanding the model of the Dayton Four along the lines of the Nordic model to the wider region. They also spoke about the positive trends and the remaining crisis points in the region, as well as about the new tasks and challenges which are currently facing the Igman Initiative. The session ended with conclusions about the future development of Igman initiative according to the Nordic model of cooperation among neighbouring countries. Among the participants of the event was also **Mirela Rebronja**, coordinator of the CCE’s human rights programme.

Global Change Leaders Programme for Women

The Global Change Leaders Program is a seven-week education program offered by Coady Institute's International Centre for Women's Leadership. It enables women from developing countries to strengthen their leadership capacities in order to contribute to innovation and change in their organizations and communities. Through a shared learning environment with other emerging women leaders from around the world, participants are exposed to a range of experiences and the beginnings of a potentially lifelong network of support.

For 2014, the Global Change Leaders Program consists of two main components:

- August 25 – October 10, 2014: A seven week on-site intensive course at the Coady International Institute in Antigonish, Nova Scotia (Canada) where a collaborative relationship is fostered among facilitators and participants to draw out lessons and insights from their rich and diverse experiences.
- October 1, 2014 – March 31, 2015: Participants will benefit from one-on-one mentoring from experienced women leaders upon their return home for up to six months to follow on the application of learning into practice. Mentors and mentees will be matched during the residency period based on specific needs and geographic locations. Participants will also join a global alumni network of women leaders.

This program is targeted to emerging women leaders from developing countries who are working on development issues, providing successful candidates with a full scholarship that includes tuition, travel, accommodations, and meals. Program participants also benefit from the guidance and mentorship of accomplished women leaders from around the world. Applications are now being accepted for the 2014 Global Change Leaders Program.

Deadline for applications: 17 January 2014 at 11:59 EST.

Read more at: <http://coady.stfx.ca/themes/women/gcl/>

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