



**BALKANS AND MONTENEGRO AFTER
THE COUNCIL OF EU REFUSES TO OPEN
NEGOTIATIONS WITH SKOPJE AND TIRANA**

STICK WITHOUT CARROT



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COMMENT

**It's not
Macron's
fault**

IT'S NOT MACRON'S FAULT



Photo: Vijesti

By: Vladan Žugić

Mocking the European Union's (EU) inefficiency and lack of unity, Henry Kissinger once asked – which number should I call to speak to Europe?

For the Balkans, the answer right now is fairly obvious – local code +331, Paris.

The decision of the French President **Emmanuel Macron**, to block the opening of negotiations with North Macedonia, which even agreed to change its name in order to get ahead with its European dreams, and also Albania, supported by the Netherlands and Denmark, is a mistake. One we can only hope will be corrected soon.

From Montenegro's point of view, two issues are of key importance.

First, if Montenegro's chances of EU membership are going to suffer, this is not the fault of Macron, but of our political and judicial elite.

There is no place in the EU for Supreme Court presidents who think their third mandate is only their second; a Supreme Court president who advises the courts not to question the decisions of the Parliament, thus violating the principle of the division of powers; a Supreme Court president who fails to report a sale of land to the off-shore company of a controversial businessman, saying she used the proceeds to settle a debt and thus had no gain to report; a Judicial Council which is in acting state for over a year and half. Or with the Supreme State Prosecutor who has been publicly accused of corruption, who feels no responsibility for having had for five years a secretary who is now investigated for corruption; a Prosecutor's office that is refusing to press charges against the Speaker of the Parliament, although a prior court verdict confirmed that he had lied to court; a Prosecutor's office that is protecting those involved

into 'Envelope' affair; a Prosecutor's office that is equally protective of the former mayor of Podgorica who in just two cases defrauded the citizens of some 11 million euro (in the KIPS case, according to the verdict of the ECHR, and in Carine case, as confirmed by the verdict of the Montenegrin Supreme Court). Or with a Special State Prosecutor who concludes the vast majority of indictments based on testimonies of witness collaborators, as reproachfully noted by the European Commission in its latest report on Montenegro. Or with a ruling party that is willing to change the Constitution due to acting term of office instead of replacing the leading figures in judiciary, etc.

None of this is Macron's fault.

Second, France had blocked the membership of the United Kingdom in 1963 and 1967, together with the Netherlands said "no" to the European Constitution in 2005. The EU was shaken by the Brexit, by the migrants, by the crisis...

On the other hand, the EU took Bulgaria and Romania with all their problems, and before that Spain and Greece shortly after their respective dictators departed...

The entry to the EU is a matter of geo-strategy and current politics in the given state. Nevertheless, the EU is still here and still one of the most desirable places in the world to live.

The EU is not made like a car - to break down when some important part breaks – but like a bicycle: to keep going even if the pedals are not spinning.

When we will get a chance to ride that bicycle depends on various numbers in all 27 member states, but mostly it depends on ourselves.



BALKANS AND MONTENEGRO AFTER EU COUNCIL'S
DECISION NOT TO APPROVE NEGOTIATIONS WITH
NORTH MACEDONIA AND ALBANIA

STICK WITHOUT A CARROT



Photo: Private archive



By: **Predrag Nikolić**

Author is a journalist of weekly Monitor

Disappointment is the mildest word that can sum up statements made by officials of the Western Balkan countries and most of the leaders of the EU Member States, followed by the European Commission and the European Parliament, after EU Council decision to delay the opening of accession negotiations with Northern Macedonia and Albania.

Despite the EC recommendations to open negotiations, France vetoed Northern Macedonia, while the Netherlands and Denmark joined it in the case of Albania. Analysts say that this has happened due to political reasons within these countries.

It is a bit comforting that the resolution adopted by European Parliament condemns delaying negotiations with Albania and North Macedonia and supported the continuation of the enlargement policy to the Western Balkans. "It is not your fault, it is ours. You have done your job, we haven't done ours", said President of the European Council **Donald Tusk**, while outgoing Commission President **Jean-Claude Juncker** described it was 'historic mistake'.

Montenegro's Chief negotiator with the European Union, **Aleksandar Drljevic**, says for *European pulse* he is sorry that, despite the results achieved by Northern Macedonia and Albania over the past period, the EU has not, as expected, set a date for the start of accession talks with those countries. He emphasized that such a decision would strengthen the European perspective of the Western Balkans and would be a strong incentive to further reforms that countries in the region implement. "With an understanding of all the internal problems which EU and the Member States are currently facing, our expectation is that, enlargement will be the focus of the Brussels administration by consensus of all members, and after consolidation and successful overcoming of these challenges," he assessed.

That this is not a negative message only to Tirana and Skopje but also to all other candidate and potential candidate countries, deems Dr. **Srdjan Cvijic**, Senior Policy Analyst in the Open Society European Policy Institute in Brussels.



Photo: govme



Photo: A. Anđić



In a statement for the *European Pulse*, he recalls that this is the 11th time that the EU Council does not follow the European Commission's recommendation to open negotiations with North Macedonia and the third time that the Commission recommendation is not followed in the case of Albania.

"The reason to oppose opening of negotiations is France's desire to change the methodology of the accession negotiations, which, according to Paris, does not completely represent the actual situation (Serbia and Montenegro make democratical regression but they are positioned at the head of the line, while North Macedonia is showing progress but lags behind in negotiations)," Cvijic explains.

He thinks that France's scepticism towards starting talks with North Macedonia and Albania is rooted in internal political reasons - fear that decision to start negotiations with Tirana and Skopje would harm President **Emanuel Macron** and his party at the upcoming local elections next March, but also that enlargement is hostage of high-level at EU level (EU reform, election of the new EC, etc).

"In this regard, the announcement of a change of accession negotiations methodology seems like the storm in a glass of water. Even if the negotiations were improved, they would still remain completely dependent on political reality in the member states. The problem is not the methodology, but the fact that for individual member states is not really crucial what is

happening in the candidate countries, but how the enlargement will affect their political chances at home. If they cared what is really happening in the Balkans, North Macedonia would have been given the green light by now. Albania should also get the green light, because after the opening accession talks, long and painstaking path to membership lay ahead," Cvijic emphasized.

Mateo Bonomi, research associate at the Rome International Affairs Institute (IAI), says for *European Pulse* that despite the fact that this decision is dramatic, it is not unexpected, given the fact that EU accession is not only technical, but also political process.



Photo: iai.it

"When it comes to negotiations with the EU, the success until now is very poor, technical process within the framework of EU accession does not work well. It is legitimate to question the credibility of the EU promises. This decision has visible destabilise region, when we took into account the statements of these countries (Albania and North Macedonia), but also the reaction of public. It is possible that this decision leads to the strengthening of neoliberal forces in these areas. Such a decision may also lead to a strengthening of neoliberal forces in these areas," claims Bonomi.

The Visegrad Group, comprising Hungary, Poland, the Czech Republic and Slovakia, also warned that the decision would destabilize the region and negatively affect the credibility and influence of the EU in the Western Balkan countries.

Foto: biepag.



Professor at the University of Graz, **Florian Biber**, did not have time to answer the questions for *European pulse*, but directed us to his article *Creating a new Casablanca*, recently published in the *Prishtina Insight*, which states: "The Western Balkans will not, as some fear, fall into Russian, Turkish or Chinese hands. Instead it will become a new Casablanca, a place where people are passing through, trying to leave, but remaining stuck – a place where different powers vie for influence and where money and power trumps norms and values."

Photo: Ptv.archive



Ana Novakovic, Executive Director of the Centre for Development of NGOs (CRNVO) and a member of the Working Group for Chapter 23, also believes that decline in enthusiasm and support to the EU accession process in the countries of the region may be expected.

"North Macedonia has fulfilled clear, not simple requirements set by the EU and has shown an unambiguous commitment to the European integration process. Opening negotiations was to be a recognition of these efforts, but also an additional incentive for a country that has shown the courage to make historic cuts in favour of further development. The EU's negative response to all North Macedonia's efforts raises justifiable question to all citizens of the region about the seriousness and consistency of the EU towards our countries in this process," stated Novakovic.

Montenegro opened EU accession negotiations in June 2012.

While analysts warn that in recent years, stagnation in fulfilling Brussels tasks is noticeable and that key Chapters 23 and 24 (Judiciary and fundamental rights and Justice, freedom, and security) records even regression, the Government assure public that everything goes according to plan.

"I am convinced that even this latest EU decision concerning our neighbours will not have a negative impact on our path towards the EU and our commitment to the European integration process," emphasized Chief Negotiator Aleksandar Drljevic. "There is a firm commitment of the Government and the negotiating structure to continue fulfilling our obligations, not because of mere EU membership, but to provide a better quality of life for our citizens," he adds.

Drljevic also emphasized that Montenegro has opened 32 of the 33 chapters in the negotiations and that opening the last chapter relating to the competition is expected soon.

Bonomi assessed that opening chapters is a technical matter, and that if one country opens more chapters than the other candidates it does not mean that it has an advantage over the others. "No Balkan country will enter the EU alone. This does not necessarily mean that they will enter at the same time, but it is less likely that they will go in separately. And that certainly does not mean that the Balkan countries will be left 'alone'. The key is political will among EU member states. Promises may remain, but instruments of EU accession must change, they must work faster. Otherwise, prolongation just represents waste of confidence, energy and credibility," Bonomi said.

Cvijic points out that reforms in Montenegro are far from ideal and that very few chapters are temporarily closed, warning that the example of North Macedonia and Albania is negative incentive for domestic politicians. "Even a deep compromise and a great sacrifice (in political terms), such as changing the name of Macedonia to North Macedonia and other reforms, sometimes are not enough to make progress on the European path," told Cvijic.

"The problem in Montenegro is not the EU, but the authorities," assessed Ana Novakovic. She further explains that over the past seven years, the Montenegrin authorities had time and space to demonstrate an uncompromising commitment to addressing the most important issues, such as the rule of law, media freedom and the fight against organized crime. Instead, the authorities were committed solely to harmonizing legislation, deems Novakovic, and the new laws either do not apply or are used selectively to preserve power.

"The EU has clearly recognized this, and for many years in a row, its reports have emphasized the need for clear results in these key areas. Regardless of the further dynamics of enlargement, the decision-makers in Montenegro should finally show the invoked political will to establish the rule of law, to build free and professional institutions that will be the foundation of our society, regardless of who is in power. This is the most important task awaiting Montenegro, regardless of the EU and the potential date for membership. What Montenegrin citizens should not accept is the argument of the authorities that we are almost ready for the EU, but it has internal problems and it is not open for enlargement," concludes Novakovic.

Cvijic believes that despite the obvious problems, there is no alternative, i.e. plan B to Europe.

"In this situation, a phrase often repeated by local authorities, 'we do not do this (reform) for Europe's sake, but for our own sake' paradoxically gains increasing importance and becomes a reality. Due to the negative message from Brussels, primarily from Paris and several other capitals, the flag of the EU and reforms will take over local actors, civil society, citizens' movements, who have always fought for reforms not because of Europe but for a better and orderly life in Montenegro and others countries in the region," says Srdjan Cvijic.

As for the authorities in Montenegro, the only thing that is clear is that they are uncompromisingly committed to the plan of preserving their three-decade rule. President Djukanovic warned that this Brussels decision could have very negative consequences for the Western Balkans and the EU. When criticisms for political control of the media and the non-governmental sector came from Brussels last year, Djukanovic stated that Montenegro would reconsider its relations with the EU if Brussels starts hesitating enlargement, saying, among other things, "Montenegro is not out of necessity determined to be part of the EU".

And when it is not out of necessity, then, it seems, there is no need to hurry with the implementation of laws and reforms.

TRANSPORT – SEEKING BEST SOLUTIONS FOR MONTENEGRO AND THE EU



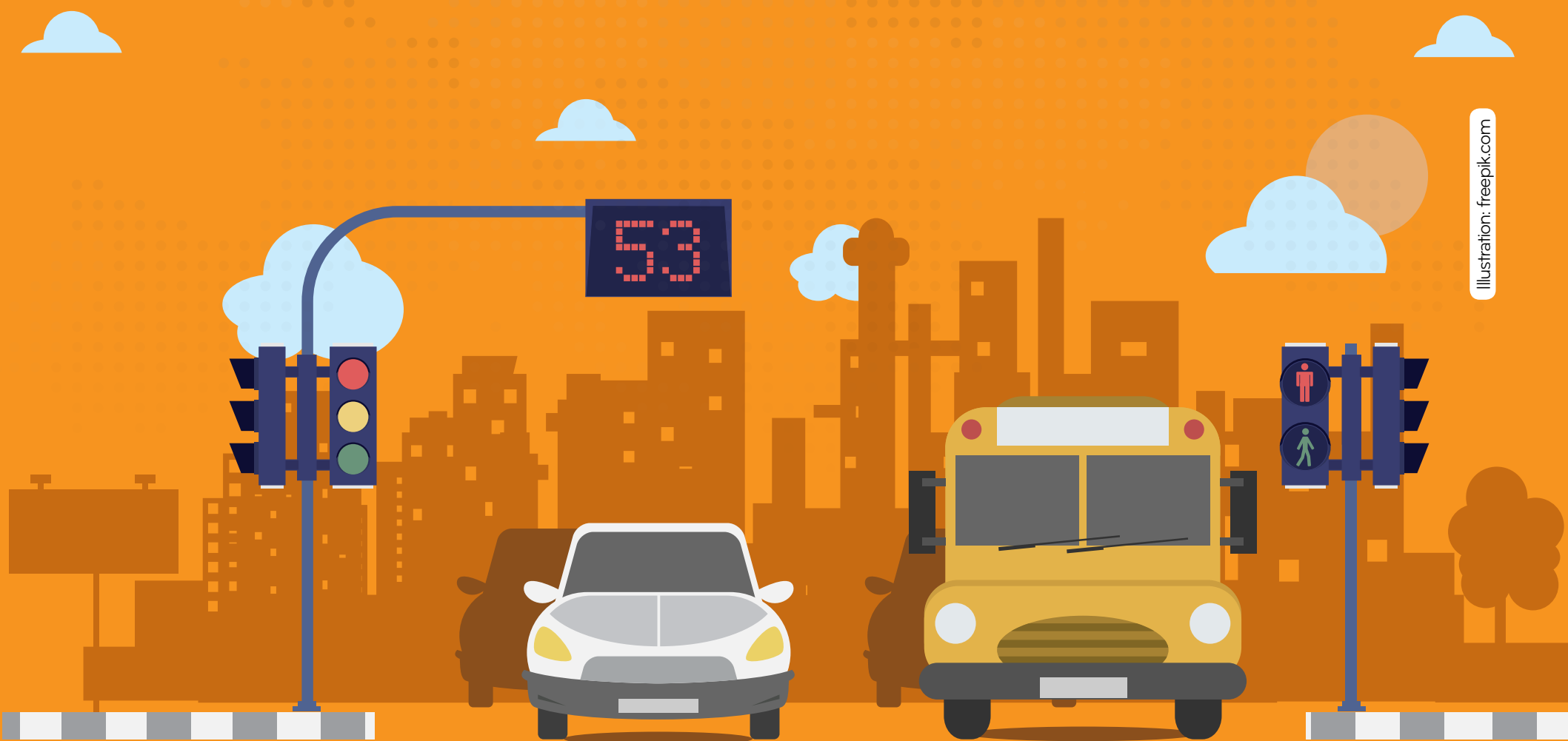
Photo: F. Rašović



By: Angelina Živković

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In the context of negotiations between Montenegro and the EU transport is covered by two chapters – Chapter 14 (Transport) and Chapter 21 (Trans-European Networks), which in addition to transportation also includes energy and telecommunications networks.

Transport policy serves to improve the functioning of the EU single market by ensuring safety, effectiveness, accessibility, and quality of transport services, protection of consumers of these services and of environment.

Chapter 14 is demanding insofar as it covers different forms of transport, each with its own voluminous body of acquis. This means that the chapter requires both specialized expertise for each form of transport, but also a degree of multi-disciplinary approach, as efficiency in transport can be obtained precisely by combining different modes of transportation. The chapter on Transport thus covers road transport, rail transport, internal water transport, combined transport, air and maritime transport,

and each of them requires alignment of technical, social, and safety standards.

In order to achieve good results in the accession process of Montenegro, it was necessary to define, an adequate strategic framework in this area, which in a holistic manner perceives the development of the transport infrastructure, the organization and functioning of the transport system, with the aim to harmonize the policy framework and financial instruments, in order to accelerate political and regulatory reforms.

Chapter 14 encompasses nine Montenegrin national regulations within the strategic framework regulating this area. Primarily, there is an innovated Transport development strategy of Montenegro for period 2019-2035, with the accompanying Action Plan 2019 - 2020, which was adopted by the Government of Montenegro at the end of June this year. From a negotiation perspective, the Strategy is all the more significant as it deals specifically with the EU context

and the objectives of the development of the Trans-European Transport Network (TEN-T). In addition to the main Transport development strategy of Montenegro, it is important to emphasize that further elaboration of the strategic framework is addressed through individual sectoral strategies and national programmes such as the Railway Development Strategy, National Road Safety Strategy, National Air Traffic Relief Programme, Ship and port facility security, etc.

Particularly noteworthy is the remarkable progress made in the field of transport by signing the Treaty establishing the Transport Community (for the Western Balkans region) by the EC and the Western Balkans Six Prime Ministers in Trieste in 2017. The seat of the Permanent Secretariat of the Transport Community, which is an international organization, was elected by consensus to be in the region (Belgrade). The Secretariat will administratively facilitate the implementation of the Treaty and monitor its implementation. Montenegro is a full-fledged signatory to this Treaty, which, specifically recognizing the integrated character of international transport, expresses an interest to create, on the basis of the relevant acquis, a Transport Community between the EU and the contracting parties of Southeast Europe (Western Balkans region), based on the gradual integration of the transport markets of the contracting parties. The Treaty uses the term *gradual integration*, as it has been considered that the integration of transport markets cannot be achieved in a single step, but through a transition, which will be facilitated by certain arrangements of limited duration.

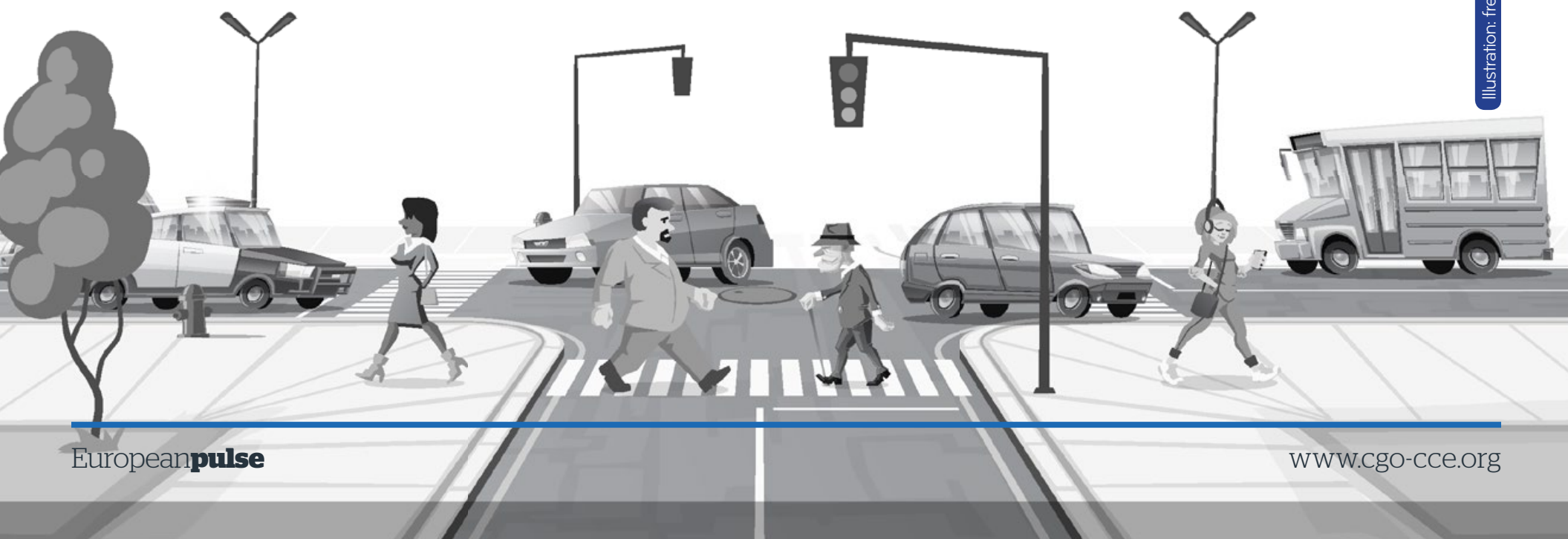
On the other hand, specifically in Chapter 14, we have about 170 national regulations in the legislative framework, of which as many as 42 different laws have been enacted since the EC negotiating position was submitted in 2014. In addition to the implemented activities, it should be noted that we are in a very challenging stage of the negotiation process when it comes to transport. It is necessary to maintain continuity, but also to ensure a further dynamic continuation of transposition of the EU acquis in this field, both in the legislative framework and in the field of strengthening administrative capacities and institutions, with the aim of contributing to better implementation of what has been turned into laws and bylaws.

However, regardless of what the future policy and dynamics of EU enlargement may be, we will keep working hard and contributing to the development of the transport sector and the transport system of Montenegro - primarily to provide our citizens with higher standards of road transport safety, increased accessibility and mobility, better quality of services, better and faster flow of passenger and goods, all with the aim of further integration of Montenegro into regional economic trends, which will be accompanied by political and economic cooperation.

Also, observing the transport area from the EC's perspective, our most important partner in the path of Montenegro's EU accession, the final benchmarks for the Chapter 14 - Transport policy relate to the needs of: compliance with the EU acquis relating to tool, road transport, rules on the weight and dimensions of heavy goods vehicles and passenger vehicles, common rules for admission to the occupation of road operator, for access to the market of international road transport of cargo and for access to the international market of transport services by coach and tour buses, then Montenegro should provide a competent, independent and efficient regulatory and railway safety body and ensure compliance with EU standards on safety and interoperability, to align with the acquis on passenger rights in all areas of transport, as well as full compliance with the acquis on air traffic management.

Montenegro is making progress in all these segments, which is commendable, but it should certainly serve as a further motivation to get acquainted with all these requirements in detail and find the best solutions that will serve tomorrow for an adequate and timely implementation, to mutual satisfaction, both for Montenegro and its citizens, and for the EU.

Implementation of adequate transport policy is even more important when taken into account that transport is the sector serving as generator of economic development of the country's internal and external integration, boosting integration of the Western Balkans, both among these countries and with the EU, which is a key factor for increasing competitiveness, stimulating growth and job creation.



Culture for everyone



Photo: J. Martinović



By: Ksenija Martinović

The author is Master of Public and Urban Policy of the University of Glasgow (UK), currently engaged in EU projects at the Central European Initiative (CEI) in Trieste

Illustration: freepik.com



Italy is one of the six European countries that established the European Coal and Steel Community (ECSC), in the early 1950s - the community that preceded today's European Union. However, its cultural and historical significance for Europe dates much earlier. I believe that is why most people's first thought of Italy (besides the inevitable Italian cuisine, fashion and / or football) is antique and its numerous cultural and historical monuments.

Out of the app. 378 UNESCO World Heritage sites in Europe, the largest number are in Italy - even 55. Hence, it is not surprising that Italy is making great efforts to preserve them, constantly investing in their maintenance and improvement. For this purpose, they allocate significant financial resources and thus provide their valorisation. Understanding the concept of "valorisation" is exactly what in this area is the main difference between Italy and Montenegro.

In comparison to Montenegro, the valorisation of cultural heritage sites in Italy is far from entailing the lease to investors that will revive them by accommodations and accompanying tourist contents. Valorisation of cultural and historical objects in Italy means creating new value for cultural and historical sites in a manner that will make them *accessible* to everyone, regardless of socio-economic status.

Entrance to almost all places of cultural significance in some part of the year is open to everyone, in order to enable those with lower purchasing power to visit them and get acquainted with the content they offer. Thus, every first Sunday of the month there is free admission to state-owned museums, galleries, monuments and archaeological sites, while EU residents under the age of 18 pay no admission throughout the year. Additionally, they create partnerships to make privately-owned or municipal-

owned cultural sites economically accessible, and thereby remove barriers to the enjoyment of cultural rights.

Commendably, in Italy they are investing in innovative solutions that will make cultural heritage "accessible to all". Today, thanks to this concept, wheelchair users can independently visit the most famous archaeological sites, such as the Pompeii Archaeological Site and Roman Forum in Rome. When it is not possible to do physical reconstruction of objects, it is invested in accompanying content, such as virtual reality programmes that allow to "enter" into physically inaccessible areas of cultural heritage. Of course, none of these interventions are done without the inclusion of beneficiaries and their opinion, which is added value of inclusion.

Numerous EU funds are also used for this purpose and exactly one of the projects I am working on is evaluation of small and medium-sized museums to make them accessible to all. Through this project changes in the Udine Archaeological Museum have been made, and nowadays persons with disabilities can access it independently, they can touch replicas of original exhibits, read explanations in Braille or watch sign language recordings. This valorisation has made the museum more accessible to older people too, for whom is created enough space for a break during the tour, while simplified and comprehensible content is organized for children, in line with their age, i.e. children's guides through the museum.

These are just some of the examples of the Italian "valorisation" of cultural sites, which undoubtedly have motivated all of us who live there to visit cultural and historical sites more, appreciate their importance and get an opportunity to learn.

Disclaimer: Text reflects solely the views of author and does not necessarily reflect the position of the CEI

CORRUPTION REMAINS CHALLENGE FOR LOCAL SELF-GOVERNMENTS

MORE EFFECTIVE RESPONSE TO LOCAL CORRUPTION IS NEEDED



Prepared by:
Maja Marinović



Photo: UNDP

Corruption has strong and negative impact on the economic growth and quality of life of people in Montenegro, weakening key economic functions of the public sector, increasing the level of non-transparency and limiting overall progress, which particularly reflects at the local level, according to the new annual report on corruption at the local level produced by the Centre for Civic Education (CCE) and the Center for Monitoring and Research – CeMI as part of the project "Let's Put Corruption into Museum!"

The report notes concerning low number of corruption cases initiated in 2017 and 2018, with remark that significant number of key basic state prosecution offices did not have cases of this type of crime at all. When analysing prosecuted and resolved high corruption cases and money laundering at the local level, an increase in the number of unresolved reported cases of high corruption is noted. Thus, in 2017, there are more reported cases than in 2018, but the number of unresolved cases is lower in 2017 than in 2018. The number of unresolved high corruption indictments is increasing, so at the end of 2017 that number was 33, and 53 pending indictments at the end of 2018. Therefore, it is recommended that a more determined fight against corruption at the local level should be conducted within the basic state prosecution offices and basic courts.

When it comes to the implementation of mechanisms for prevention and fight against corruption at the local level in Montenegro, the practice of inertia of municipal administrations in relation to the commitments defined by national documents continues, including the lack of proactivity, i.e. initiatives for their own designed activities, states the report. Furthermore, it is also assessed that the activities of the central government in establishing the institutional and legislative anti-corruption framework still do not have visible effect on the local level government in the area of implementation of adequate anti-corruption policies and mechanisms.

This is supported by the argument that integrity plans, as new mechanism for preventing the emergence and development of corrupt behaviour within the local self-government bodies in

Montenegro, in the so far implementation, proven to be dysfunctional.

The data point to continuation of the trend of failure to implement key measures that should contribute to the prevention of corruption at the local level such as, for example, employment of the staff with appropriate qualifications and filling of systematized workplaces in the specific organizational units. This indicates that integrity plans fail to break the party employment system in municipalities, which is one of the strongest causes and consequences of corruption at the local level, concludes the report among other.

In 2018, total revenues of all local governments in Montenegro were € 287 702 936,37. The consolidated debt of Montenegrin municipalities for 2018 amounts about € 151.33 million. Local authorities remain rather closed when it comes to releasing detailed data on spending and allocations of money from the state budget. Since 2006, State Audit Institution (SAI) has published 27 audit reports, i.e. 21 reports on the audit of final budget for 19 municipalities (for the municipalities of Ulcinj and Kolasin, such audits have been conducted twice), as well as five control audit reports (one cumulative audit report for five municipalities and four for individual municipalities), and one audit report on the allocation of funds from the Equalization Fund. The report itself assessed SAI's findings for three municipalities from different regions and for different years. The SAI reports for the Capital of Cetinje (for 2013), the Municipality of Budva (for 2014), and the Municipality of Kolasin (for 2017) were taken as samples. Excerpts from these reports that have been processed point to some of the examples of improper disposal of state money, although not in the same proportions and with the same consequences.

The CCE implements the project "Let's put corruption into museum!" in cooperation with NGO Center for Monitoring and Research (CeMI), NGO Bonum from Pljevlja, NGO UL-Info from Ulcinj and NGO Za Druga from Petrovac, in cooperation with the Anti-corruption Agency, and with the support of the EU Delegation to Montenegro and Ministry of Public Administration.

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