

## Montenegro and the OSCE<sup>1</sup>

### *Introduction*

Although Montenegro was a part of Yugoslavia, and therefore shares the legacy of one of the founding fathers of the then Conference on Security and Co-operation in Europe (CSCE), independent Montenegrin interaction with the OSCE dates back to the late 1990s. One cannot but take into account the rich – and sometimes controversial – contribution that Yugoslavia made to the Conference, particularly, its activity in promoting the CSCE's values and ideas in a Europe that was riven by ideological divides. Belgrade hosted the CSCE follow-up meeting in 1977/78, and Yugoslavia actively contributed to the adoption of the Paris Charter, one of the CSCE's core documents.

At the same time, Yugoslavia was interesting from another point of view. The first ever CSCE/OSCE field operation – The CSCE Missions of Long Duration in Kosovo, Sandjak and Vojvodina – were deployed in the Federal Republic of Yugoslavia (FRY) in August 1992. The Committee of Senior Officials (CSO) took this step in order to “promote peace, avert violence and restore respect for human rights and fundamental freedoms”.<sup>2</sup> This certainly marked a turning point in the history of the Organization. The FRY is thus both the first OSCE participating State to have accepted an OSCE Mission on its territory and the first to have shut one down. Furthermore, the FRY is the only state to have been suspended from the work of the CSCE by decision of the CSO on 8 July 1992 within the scope of international sanctions in condemnation of its involvement in the war in Bosnia and Herzegovina.

To better explain the OSCE's role in Montenegro, I would like to briefly discuss the broader, regional context in which the Organization has over the years carried out various, sometimes extremely complex activities ranging from crisis management, post-conflict rehabilitation, reconciliation, and institution building to democratization, reform of public administration, and strengthening institutions and the rule of law. By means of the field operations it carried out in the 1990s, the Organization positioned itself as a serious international political actor and developed a strong influence in the Western Balkans, which served as a good basis for the OSCE's early engagement in Montenegro. At the same time, internal developments within the

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1 The opinions expressed in this contribution are the author's own and do not necessarily reflect the positions of the government of the Republic of Montenegro.

2 Committee of Senior Officials, 13th CSO Meeting, Helsinki, 29 June-7 July 1992, in: Arie Bloed (ed.), *The Conference on Security and Co-operation in Europe. Analysis and Basic Documents, 1972-1993*, Dordrecht 1993, pp. 950-952, here: p. 952.

FRY and an open political dispute between Belgrade and Podgorica as a result of a certain degree of movement towards more democracy in Montenegro had removed political hurdles for the OSCE's active involvement.

Three factors have definitively shaped the eight years of Montenegro's relationship with the OSCE:

First, the OSCE's appearance on the Montenegrin political map in the late 1990s was closely linked to the freshly launched reform process. This has remained the key motivating force of the OSCE presence in Montenegro and the most prominent aspect of its work. Second, the OSCE had already gained considerable experience in the region and was willing to assist Montenegro. Third, the Montenegrin authorities wanted to improve the image of their country; to move away from the negative legacy of the type of government that Yugoslavia had in the early 1990s; and to demonstrate political willingness to become a constructive partner to the international community.

"The case of Montenegro" can serve as an example of how constructive co-operation between the Organization and a participating state can be when the interests of the two partners meet. This short analysis will try to shed light on this relationship, emphasizing the specific political situation of a given historical moment and taking account of interest-driven interactions.

In terms of the mandate underpinning the OSCE's activities and the way in which the Organization implemented its tasks, the relationship between Montenegro and the OSCE can be said to have passed through three phases, each characterized by a different degree of involvement in the unique, rather complex, challenging, and sometimes very volatile internal political setting.

#### *The First Phase: 1999-2001. The OSCE as a Pioneer*

The OSCE's Office for Democratization and Human Rights (ODIHR) opened an office in Podgorica in late 1999, which became fully operational a few months later in the spring of 2000. The Permanent Council had never adopted a decision to establish a field presence in Podgorica in order to avoid legal, practical, and political objections that would have been raised by participating States during the discussions of a draft decision in the Council.

However, the OSCE found justification for its presence in Podgorica in the political willingness of the Montenegrin authorities for stronger international engagement. "Pursuant to the observation of the May 1998 parliamentary elections in Montenegro, the ODIHR was requested by the authorities to remain represented in Montenegro through a local office. The ODIHR remained on the ground with a small international representation that was temporarily closed during the Kosovo war. Following the end of the armed conflict, the office was re-opened and expanded".<sup>3</sup> The re-opening of the Of-

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3 OSCE Office for Democratic Institutions and Human Rights, *Annual Report 2000*, 1 December 2000, p. 35.

Office was followed by the signing of the Memorandum of Understanding by the two partners in November 1999, which marked the beginning of the OSCE presence in Montenegro.

From the very beginning of its endeavours, the Office found itself in an extremely challenging situation – an equation with a number of unknowns. Montenegro had just broken off its relations with the Milošević regime in Belgrade, democratic reforms remained at the conceptual stage, society was polarized between the growing but not yet dominant democratic forces on one side and Milošević's resilient disciples and supporters on the other. However, to actively become engaged in such a situation was logical and in the nature of the Organization, as logical as Montenegrin interest in mitigating negative developments and strengthening democratic processes.

Although that first OSCE presence was originally deployed with a fairly modest mandate, which was a logical consequence of the internal developments in Montenegro mentioned above, the Office, which had been set up to assist in the initial stages of democratization, particularly in the area of election legislation, evolved into a fully fledged field operation (in terms of both projects and areas of activities) within a year. "Apart from observing the municipal by-elections on 11 June this year [2000], the office has been engaged in maintaining contacts with leaders of Government, opposition and civil society, as well as in monitoring and analysing domestic political developments."<sup>4</sup> In the field of democratization the office pursued numerous activities, notably in the fields of legal reform, gender issues, local self-government, and media. In this context, undoubtedly the prime virtue of the Office's work was to reflect the values and principles embodied in the core OSCE human dimension documents.

The first OSCE presence in Montenegro played a unique and unrepeatable role in the history of the OSCE and its field activities. Judged by its impact, deeds, and influence on the OSCE's later presences in the country – achieved despite the delicate political environment – the Office was a very useful, high-profile, and well regarded corrector and facilitator of Montenegrin political life. This was particularly true of the first ten months of its existence, in the period before Milošević was toppled.

To understand these positive results, it is necessary to comprehend the motivation, interests, and goals of the actors concerned at this particular moment and situation. First of all, Montenegro was open to genuine, thoroughgoing co-operation and ready to draw the benefits from it: For Montenegro, the ODIHR Office was not only a valuable partner assisting in various fields and boosting emerging democratic reforms. More importantly, it was an elegant and internationally recognized way out of almost ten years of self-isolation, social degradation, and economic decline. It was Montenegro's ticket to take part in the OSCE framework while the FRY was suspended.

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4 Ibid.

Last, and by no means least, the Office served Montenegro as a shield against the intrusion of Milošević's policies.

For the Organization, Montenegro was another test of its capacity to address an acute crisis and diffuse inflammatory disputes. Unlike the current decade, the 1990s were "the golden era" of the OSCE: As mentioned earlier, Montenegro fitted in well with the Organization's overall activities and efforts in the region. Furthermore, the OSCE's engagement in Montenegro at that time served as a springboard for its aspirations towards Belgrade, the only place in the region where the Organization had no success in setting up even an embryo of a long-term presence. The latter was critical for the decision to close down the Office in Montenegro after Milošević had been ousted. With the new signs of democracy in Serbia, Montenegro lost much of its attractiveness. The Office, which had from the very outset been part of a regional strategy and was never purely concerned with the co-operation entered into in Montenegro, had thus lost the main reason for its existence. As one would expect, the last defenders of its *raison d'être* were the Montenegrin authorities.

#### *The Second Phase: 2001-2006: A Full-Scale Mission*

The OSCE reacted promptly to democratic change in Belgrade, adapting itself to the new reality and preparing a new type of field presence in the FRY, later the State Union of Serbia and Montenegro. Responding to a letter from the FRY, the Permanent Council welcomed the FRY as a participating State of the OSCE.<sup>5</sup> Soon after that, the Permanent Council passed a decision on the establishment of the OSCE Mission to the FRY, whose aim was to "provide assistance and expertise to the Yugoslav authorities [...] in the fields of democratization and the protection of human rights, including the rights of persons belonging to national minorities [...] the Mission will also assist and advise on the full implementation of legislation in areas covered by the mandate, and monitor the proper functioning and development of democratic institutions, processes and mechanisms [...] The Mission will assist in the restructuring and training of law enforcement agencies and the judiciary".<sup>6</sup> As a result, the ODIHR Office in Podgorica was closed down and a new office was opened with a different capacity, now under the auspices of the newly established Mission to the FRY. Though the Mission was active in all three OSCE dimensions, the bulk of its work was focused on democratization, the rule of law, and the enhancement of state institutions.

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5 Cf. OSCE Permanent Council, *Decision No. 380, Federal Republic of Yugoslavia*, PC.DEC/380, 10 November 2000.

6 OSCE Permanent Council, *Decision No. 401, Establishment of the OSCE Mission to the Federal Republic of Yugoslavia*, PC.DEC/401, 10 January 2001, p. 1.

At first glance, the situation looked ideal: The country had launched a broad programme of reform; there was political will for thoroughgoing co-operation with the OSCE; the Mission was established upon the invitation of the government. All the signs were good. This was a real window of opportunity for the OSCE's future engagement, and there were a number of areas where concrete assistance was needed. However, nothing is perfect. Political developments within the FRY, the Belgrade Agreement of February 2003, and the constitutional arrangement that was more or less imposed on the constituent parts of the new State Union of Serbia and Montenegro placed the Mission – renamed the “OSCE Mission to Serbia and Montenegro” by the OSCE Permanent Council on 13 February 2003<sup>7</sup> – in a highly peculiar situation. The environment in which it was operating was both polarized and volatile, there were many problems, and the future of the Union as a state looked bleak. Thus, alongside its explicit mandate, the Mission had an extremely demanding and, in some situations, testing subsidiary task to perform for the OSCE – to defuse tensions between the two constituent republics and to facilitate dialogue on the country's future and a potential Montenegrin referendum on independence. This task fell to the OSCE because the Organization had the largest and strongest, and, I dare say, the most efficient presence in Serbia and Montenegro of all international actors.

The co-operation between the OSCE Mission and the EU at this particular juncture was multifaceted, but two features were particularly important:

From the moment the OSCE Mission was deployed, its performance was seen as indispensable and indivisible from the country's overall efforts on the road to EU membership. The Organization has enjoyed a high profile in Montenegrin society, working hand-in-hand with the authorities and playing a productive role in numerous areas, from judicial and police reform, to the modernization of local self-government. The synergy between the Mission's work and the country's pro-EU agenda was obvious and broadly accepted across the Montenegrin political spectrum. In this context, the Mission's work, and particularly activities that went through its Office in Podgorica, were understood as a logical continuation of the previous efforts of the OSCE/ODIHR presence.

At the same time, ever since the formation of the State Union of Serbia and Montenegro, the Mission had occasionally pretended – more or less openly – to play the questionable role of an official interpreter and analyst of the EU position on the future of the State Union. Although this would have been understood as driven by the Mission's unique situation when compared to other international agencies in Montenegro, in practice it opened up a dilemma of how far it could go in performing this non-original OSCE task. Because it was on the spot, in the area of conflicting interests between diamet-

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<sup>7</sup> Cf. OSCE Permanent Council, *Decision No. 533, Renaming the OSCE Mission to the Federal Republic of Yugoslavia*, PC.DEC/533, 13 February 2003.

rically opposed political forces, the Mission could not but assist, and its support was widely accepted. On the other hand, at an exceptionally sensitive time, by stepping out from the original scope of the work envisaged by its mandate and interpreting its task and goals more broadly, the Mission ran the risk of failing to give due recognition to the legitimate political forces that were advocating the independence of Montenegro as a legitimate goal – and which appeared to be prevailing. A very narrow line divides the neutral provision of expertise from the exclusive protection of a specific political position (of those who were legitimately striving to preserve Serbia and Montenegro). The OSCE and the Mission had to tread watchfully on this thin “path of neutrality” in order to safeguard its objectivity and enjoy the full respect and confidence of all the parties concerned. Although it did stumble from this path a couple of times in the first few years, in the months leading up to the referendum on independence, the Organization and the Mission did exactly what was required of them.

To complete this picture, one should bear in mind the broader political stage on which this play was being acted out. That includes not only the cohabitation of Serbia and Montenegro in one state, and the (im)balance of their interests and strengths, but also the different ways in which they were perceived by the international community. Even more significantly, the interests and plans developed by global political actors following the democratic transformation in Belgrade critically influenced the situation in Montenegro at that moment. Under the new circumstances, Montenegro was not the focus of the international community and the OSCE, especially at first. Nonetheless, the new and less encouraging circumstances did not change the main course of Montenegro’s policies, but only determined the rate of progress.

Apart from the strategic goal of independence, which lay outside the mainstream of European thought at that time, other key priorities set by the Montenegrin authorities, such as democratization, strengthening state institutions, and reform in the police sector and the judiciary, did correspond entirely with the aims of the OSCE. Montenegro widely accepted the Mission and its mandate, and co-operated closely with it on various projects. In this, the second phase of the OSCE’s engagement in Montenegro, the Mission was ready for the continuation and acceleration of overall democratic reform in the very unusual situation of an internationally recognized state whose future was limited or at least uncertain. In such a peculiar situation, there was no other logic but to abide by universal standards and values as overarching principles. This was the common denominator for interaction between the OSCE and Montenegro in that delicate period. Once again, Montenegro, while strengthening practical co-operation with the OSCE and the Mission, wanted to demonstrate its commitment to Europe. The OSCE, on the other hand, had an interest in preserving its strong role in this changing society and influencing processes from the inside.

## *The Montenegrin Referendum*

The litmus test for both sides was the referendum on independence: It gave Montenegro a chance to show its political maturity and respect for democratic practice and standards, while the OSCE was able to demonstrate its experience in this matter and its even-handedness. Both sides undertook legal and political activities, and there were many points of intersection:

The OSCE was actively involved in work on the referendum legislation from the outset. During 2001 and 2002, when the question of the referendum was raised for the first time, OSCE experts made several appraisals of the existing legislation, and gave recommendations and suggestions on how to improve it.<sup>8</sup> Assessing Montenegro's referendum legislation was a highly sensitive aspect of the OSCE's overall election-related activity that required the Organization to become involved at an early stage and to play a major role. Furthermore, it was yet another chance to take an inside role in coordinating a course of action that was universally perceived as close to what the OSCE was created for in the first place. The Organization therefore emphasized its indispensable role in the drafting of legislation, which was built on its long experience in elections as well as ODIHR's previous co-operation with the Montenegrin authorities and the existing field presence in the FRY.

At the same time, international and regional circumstances were unfavourable with regard to both the timing and the very idea of a referendum and therefore required a considered strategy to neutralize the potential discontent of those who did not agree to its being held, and to Montenegro's display of the clear political will to co-operate closely with international actors. For the sake of legitimacy and in acknowledgement of the OSCE's role in this area, Montenegro deliberately invited the Organization to take a full range of action. At this early stage, the Montenegrin authorities realized that the referendum could only be organized and recognized if it met the principles and standards well established in European practice. For the same reason, the OSCE had a role to play throughout the entire procedure.

From the very beginning of this exercise, the ODIHR experts identified three groups of issues that later proved to be central when establishing the legal framework for the referendum on independence: 1) The question of the size of the majority required to guarantee an incontestable outcome; 2) the issue of which voters should be eligible to take part in the referendum (should Montenegrin citizens permanently living in Serbia be enfranchised, and if so, how?); 3) the question of interpreting the constitution: Would the

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8 On this point see: OSCE Office for Democratic Institutions and Human Rights, *Assessment of the Draft Referendum Law for Conducting Referendum Elections in the Republic of Montenegro*, Warsaw, 22 January 2001; OSCE Office for Democratic Institutions and Human Rights, *Assessment of the Referendum Law, Republic of Montenegro, Federal Republic of Yugoslavia*, Warsaw, 6 July 2001; and OSCE Office for Democratic Institutions and Human Rights, *Comments on the Draft "Referendum Law on the State Status of the Republic of Montenegro", Federal Republic of Yugoslavia*, Warsaw, 5 November 2001.

outcome of the referendum need to be endorsed by a two-thirds parliamentary majority?

A short review of the findings and recommendations outlined in the first Assessment of the Referendum Law will illustrate the OSCE's argumentation and the extent to which this was agreed upon by the parties concerned and taken up in the 2006 Special Referendum Law as the "legal framework for the referendum [that] provided a solid basis for the conduct of a referendum that respected fundamental democratic rights and, in general, met with international standards for electoral processes that apply to the holding of referenda".<sup>9</sup>

Referring to the qualified majority, the Assessment commented that "the Law on Referendum in the Republic of Montenegro requires a simple majority of registered voters to cast ballots and a simple majority of those casting ballots to approve a referendum. International law and the OSCE commitments contained in the Copenhagen Document include no standards on the issue. However, best international practice in conducting referendums in similar situations informs us that some level of weighted or qualified majority is preferable in order for the outcome of a referendum to be less contestable and stability safeguarded".<sup>10</sup>

Addressing the question of who is enfranchised to vote in the referendum, and referring to the demand of some political parties in Montenegro "that for a referendum on the State and legal status of Montenegro, the Federal Republic of Yugoslavia citizens born in Montenegro but living permanently in Serbia should be enfranchised",<sup>11</sup> ODIHR decided not to recommend inclusion of such federal citizens, enumerating five legal arguments for this recommendation.<sup>12</sup>

Finally, after analysing the constitutional provisions and the various readings of their meaning, ODIHR concluded that the rather long and complicated process requiring a two-thirds parliamentary majority was intended to apply to cases where parliament attempts to introduce major changes to the constitution without a referendum and "that this procedure should not be necessary if a referendum has already been held".<sup>13</sup> Although cautious of making a final ruling, the report says that "a referendum is usually considered as the supreme democratic form of expression, and should therefore take precedence over other mechanisms".<sup>14</sup>

The first Assessment of the Referendum Law set out the principles upon which the proposed preconditions for the referendum were ultimately based

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9 OSCE Office for Democratic Institutions and Human Rights, Republic of Montenegro, Referendum on State-Status, 21 May 2006, OSCE/ODIHR Referendum Observation Mission, *Final Report*, Warsaw, 4 August 2006, p. 1.

10 ODIHR, *Assessment of the Referendum Law*, cited above (Note 8), pp. 2-3, here: p. 2.

11 *Ibid.*, p. 2.

12 Cf. *ibid.*, p. 8.

13 *Ibid.*, p. 4.

14 *Ibid.*

(they were to be validated by the EU and the international community). In extensive discussions between experts prior to the referendum, the three questions mentioned above were the most controversial ones. Following a rather legalistic approach, ODIHR strongly defended the position given in the Assessment. Even in the most difficult case of the qualified majority, the Organization has never moved from its original position that no specific percentage should become the final solution for this outstanding problem. However, on this question, political arguments appear to have prevailed over legal ones and an unprecedented formula (never before applied in Europe – and unlikely to be applied again) was introduced in Montenegro.<sup>15</sup>

The Montenegrin authorities finally endorsed the proposed formula for the sake of the process itself. Fully aware of what was at stake, they shared the same attitude as international actors (the OSCE included), namely that the procedure must be participatory, inclusive, and democratic in order to narrow the current gap between the two blocs in Montenegrin society and guarantee the country's future stability. A broadly accepted notion of the shape the process should take was the meeting point between the legal and the political views which led to the *sui generis* solution stipulated in the 2006 Special Referendum Law. This law “was the result of a consensus that followed political party negotiations in early 2006, and was able to maintain cross-party political support for its full implementation, including on contentious issues such as the majority requirement for the decision to be made”.<sup>16</sup>

At the same time, the implementation phase was for many reasons as important for the OSCE/ODIHR and Montenegro as were the lengthy legal preparations and inter-party negotiations. The continued bipartisan work on this issue was not a matter of coincidence but the result of political momentum and reciprocal interest in resolving it in a suitable manner:

ODIHR, which was criticized for its performance in the area of elections, and found itself characterized by a group of OSCE participating States as imbalanced and exceeding its mandate, found itself in the unique situation of observing a referendum on independence for the first time. Though the OSCE was not the leading actor, it was actively involved in all the preparatory phases: observing preparations, campaigning, the referendum itself, the aftermath, and, most importantly, giving the preliminary assessment of the manner of how it was conducted. In this way, the OSCE and ODIHR had an opportunity to display their objectivity, their non-partisan approach, and to prove that they were capable of coping with the very complex situation, carrying out the most demanding tasks, and maintaining the trust of divergent political groups.

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15 The Referendum Law “placed two criteria for a decision in favour of the independence to be considered as valid. The minimum turnout requirement that at least 50 per cent of registered voters participate in the referendum, and the qualified majority requirement that 55 per cent of valid votes needed to be cast for the ‘yes’ option.” ODIHR, *Final Report*, cited above (Note 9), p. 5.

16 *Ibid.*, p. 1.

For Montenegro, the referendum and its organization in a democratic and peaceful manner was undoubtedly a decisive historical moment. The Montenegrin authorities took the view that the success of the referendum very much depended on the provision of appropriate assistance by the international actors. Thanks to their presence and active involvement, international institutions including the OSCE gave credibility to the results and helped Montenegro remove all the political hurdles, tension, and distrust that might have emerged to mar the post-referendum period. ODIHR's preliminary assessment that the future status of Montenegro was "determined peacefully, with legitimacy and certainty" and that the referendum was "conducted in line with OSCE and other international standards related to democratic electoral processes"<sup>17</sup> was a much-needed vindication of the maturity of those who were advocating the referendum. Moreover, the way the referendum was conducted with an obvious readiness to abide by the highest standards and to co-operate closely with the international community was seen as a sign of the nature of the future state and a signal as to what its strategic aims are likely to be.

This co-ordinated course of action brought the multifaceted issue of the Montenegrin referendum to an end, avoiding the violence that was so common in other crises in the former Yugoslavia. Thus, instead of producing a turbulent domino effect in the neighbourhood, Montenegro contributed to regional stability. "The independence referendum in Montenegro is an important European signal: after the tragic developments in the Balkans in the 1990s, this referendum shows that the peoples of the region have learnt from the past and are now taking their decisions about the future peacefully and democratically",<sup>18</sup> declared the Austrian foreign minister, Ursula Plassnik, in her capacity as President-in-Office of the European Council.

#### *The Third Phase: Montenegro as an OSCE Participating State*

Montenegro's smooth and speedy accession to the Organization was a logical consequence of its having resolved the protracted status problem in a democratic manner with the consent of international community. Several weeks after the referendum, Montenegro became the 56th OSCE participating State.<sup>19</sup> Driven by the same set of political interests as before, Montenegro and the OSCE soon reached an agreement on the establishment of the OSCE field mission in Podgorica.<sup>20</sup> The Mission has a broad mandate and is based on an ambitious concept similar to that of the former Mission to Serbia and

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17 Ibid.

18 Montenegro chooses independence, in: *Europa Newsletter*, 2 June 2006, at: [http://europa.eu/newsletter/archives2006/issue82/index\\_en.htm](http://europa.eu/newsletter/archives2006/issue82/index_en.htm)

19 Cf. OSCE Permanent Council, *Decision No. 725, Accession of Montenegro to the OSCE*, PC.DEC/725, 21 June 2006.

20 Cf. OSCE Permanent Council, *Decision No. 732*, PC.DEC/732, 29 June 2006.

Montenegro. As envisaged by its mandate, the role of the Mission, among other things, is to “assist and promote the implementation of OSCE principles and commitments as well as the co-operation of the Republic of Montenegro with the OSCE, in all dimensions, including the politico-military, economic and environmental and human aspects of security and stability”.<sup>21</sup>

The mandate is almost the same, but the politico-social environment is rather different. For the first time since it embarked on its “Montenegrin adventure”, the OSCE faces a situation that is clearly defined. The foundation for this was laid down by the success of the referendum, the “velvet divorce” between Serbia and Montenegro, the broad acceptance of the referendum’s results by the previously sharply divided electorate, and – it should be particularly emphasized – by the open, constructive, and trusting co-operation that set the tone for future interaction between the two partners.

Not by chance was the OSCE the first international organization that Montenegro joined. A cluster of strategic goals, set by Montenegro as soon as it regained its statehood and embodied in the Euro-Atlantic agenda, have produced a new impetus for further consolidation of reform and created a strong platform for OSCE-EU synergy in the field. With the mandate it has been given, the Mission has ample opportunities to provide assistance to the Montenegrin authorities in numerous critical areas. The support will be successful to the extent that it is goal-oriented, carefully tailored to meet specific Montenegrin interests, developed in co-operation with all the relevant social actors, and the Montenegrin authorities in particular, and takes account of the domestic political, economic, and social requirements that will determine the course of reforms in years to come.

At the same time, the relationship has gained a new dimension – a new quality deriving from full Montenegrin participation in the work of the Organization. For the first time, Montenegro, in its capacity as a participating State, can influence the work and decisions of the Organization. Of course, as a small state its influence is constrained by the political interests and strengths of the participating States, as well as the consensual character of the Organization. Nevertheless, by its accession, Montenegro has increased its ability to build partnership relations with the OSCE Mission and thereby to help shape the latter’s profile and guide its activities. To remove any doubts that may occur in this context, it should be made clear that Montenegro will continue with its constructive approach towards the OSCE in the belief that the Mission can boost domestic reform and the pro-EU agenda in several areas. These range from judicial reform and strengthening law enforcement institutions to capacity building in the defence sector in order to fulfil OSCE commitments in the politico-military dimension and become part of the regional confidence and security building network. As Montenegro fulfils more and more of its pro-EU agenda, the Mission should shift its focus to the implementation of environmental and economic projects. Going further, in-

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21 Ibid.

spired by the practice already established in previous cases, and taking into account the positions of other participating States on this issue, one can foresee the Mission ceasing its field activities altogether as Montenegro gets closer to the EU.

In conclusion, and taking responsibility for not being precise enough, I would reiterate that, from the very outset, these two partners identified the common denominator for co-operation and, as long as this “glue” holds, their relationship will continue.

Thanks to its size, Montenegro has always been relatively manageable for the OSCE in even the most sensitive political situations. It has provided a good opportunity for the Organization to demonstrate its efficiency and its capacity to address a real challenge such as a referendum on independence. The OSCE has thereby also opened the way to playing a continued role in post-referendum Montenegro, confirming that it remains an important contributor to the transformation of the Montenegrin political and legal landscape, and synthesizing its work with EU regional strategic planning. If that can be accomplished smoothly, the OSCE will have played an exemplary role.

The OSCE is viewed as a good instrument for initially bringing Montenegro out of isolation, for providing the necessary legal framework (widely accepted in Montenegro) for the referendum process at a critical moment in recent history, and, finally, for assisting the country in fulfilling its pro-EU agenda. All those who have followed political and social developments in Montenegro in the last few years have witnessed the high profile that the OSCE has enjoyed in Montenegrin society and the respect it has won while carrying out its ambitious tasks.

Montenegro and the OSCE have had what could be described as long, vibrant, sometimes complicated, but ultimately productive relationship. I remain confident that, in the end, both Montenegro’s and the OSCE’s history will record that this relationship has been positive for the development of both parties.