



EUROPEAN CENTRE  
FOR  
MINORITY ISSUES

**ECMI MONTENEGRO NEGOTIATION  
AND CAPACITY-BUILDING PROJECT**

**EU ACCESSION AND  
MINORITY RIGHTS  
IN SERBIA, MONTENEGRO AND  
SANDŽAK/ SANDŽAK AS PART OF  
A EURO-REGION?**

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ECMI TRAINING WORKSHOPS

KOTOR, 5-8 DECEMBER 2002

ECMI Report # 43

March 2003

ECMI Report # 43

European Centre for Minority Issues (ECMI)

Director: Marc Weller

### Acknowledgments

ECMI gratefully acknowledges the generous support of the Westminster Foundation for Democracy.

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Published in March 2003 by the European Centre for Minority Issues (ECMI)

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## **I. Background to the Project**

The ECMI project “Montenegro Negotiation and Capacity-Building” was launched with the aim of establishing a Track II informal negotiation process providing a forum for interethnic dialogue between the Serbian and Montenegrin communities, which includes minority communities from the Sandžak border region. Through a series of workshops, the project aims to help promote dialogue, identify issues of common concern and assist in delivering concrete benefits, as well as building confidence between the communities involved. By focusing the debate on the concrete needs of these communities, the project seeks to facilitate thinking about future interethnic relations in a less charged atmosphere, irrespective of the deeper political questions on the future constitutional arrangements of the two republics.

The project engages political party representatives, government officials and civil society groups (NGOs) in dialogue, while placing particular emphasis on establishing a Track II process with broader civil society involvement across all communities. In this way, the process broadens public debate and can function even when official government-to-government contacts prove difficult or impossible. By engaging international and local experts, the project also seeks to provide the participants with external guidance on policy options in relation to each of the issues under review.

In a preparatory phase during the summer of 2001, field trip missions to Belgrade and Podgorica were carried out in order to conduct discussions with politicians, scholars and minority representatives to enlist their support and help identify issues of particular concern to all communities. Education, Freedom of Movement and Regional Economic Development were eventually identified as issues to be dealt with in three separate workshops. The project was launched with its first workshop on “Education and Curriculum Development”, which took place 16 November 2001 in Podgorica, Montenegro. Following the constitutive workshop, ECMI held four additional workshops during the first half of 2002 dealing not only with the issues identified initially, but also with the topic of administration of justice. The two training workshops which constitute the subject of this report extended the exploratory workshops preceding them by placing an emphasis on capacity-building.

## **II. Introduction**

The training workshops held in Kotor (5-8 December 2002) as part of the ECMI Montenegro Negotiation and Capacity-Building Project addressed two topics. The first training event was focused on minority rights in Serbia and Montenegro, as well as in Sandžak, in the course of EU Accession. Among others things, the newly passed draft Constitutional Charter for the Future Union of Serbia and Montenegro was assessed in relation to minority policies. The participants were asked to identify obstacles to, and incentives for, fostering minority protection at the local level as well as on the national and international levels.

The second training event addressed the issue of Sandžak as a Euroregion in the light of comparable existing models of Euroregions (e.g., Alto Adige). Within this context, impediments to, and potentials for, regional crossborder cooperation were discussed, such as the necessity of a simultaneous process of decentralization of government structures in Serbia and Montenegro.

The two training workshops followed five workshops held between November 2001 and June 2002. These five workshops constituted the main activities of ECMI's Negotiation and Capacity-Building Project in Montenegro, carried out with the support of the United States Institute of Peace. The training workshops which constitute the subject of this report were funded by the Westminster Foundation for Democracy.

The participants of the two training workshops included some 25 representatives from NGOs working on minority issues and interethnic relations from Montenegro, Serbia and Kosovo. Particular emphasis was placed on the participation of local government officials from Sandžak. While there was some overlap between the two trainings, not all participants attended both two-day workshops. A number of participants had also participated in the earlier workshops organized by ECMI.

### **III. Objectives of the Workshops**

The training workshops had two key objectives: first, to provide the participants with the appropriate skills to engage in their work more effectively. These skills are in part knowledge-oriented, i.e., to transmit knowledge about the subject areas under discussion (minority rights in the light of EU accession and regionalism as part of European trends in regionalism), and in part skill-oriented, i.e., to transfer the skills of working in groups and how to approach the respective topic areas.

Secondly, the training sought to provide a forum for discussion and exchange. The purpose of this exchange — through discussions and group work — was to make the training a bi-directional process in which the participants were encouraged to formulate their ideas in the light of their previous experience and the knowledge acquired during the training.

As such, the trainings built on the earlier workshops, which ECMI has organized in Montenegro since November 2001. Earlier workshops sought to include a European perspective through background papers on either the EU/European perspective on particular issue areas (education, freedom of movement and economic cooperation) or on examples in the EU which could be transferred to the region (freedom of movement). The training went one step further by providing specific and detailed knowledge on the topics—both from a theoretical perspective and on the basis of concrete examples.

The outcomes of the training were thus the transfer of practical skills and knowledge for the participants' work, and the gaining of additional information on European standards and practices in the area of minority rights and regionalism.

### **IV. Activities Undertaken in the Workshops**

The training structure was designed to meet the need for information on global legislative monitoring instruments for minority protection and their applicability in Sandžak, as well as in Montenegro and Serbia in general, that had been expressed by the participants of previous ECMI workshops. The link between these two segments was established in short lectures by the trainers, providing background information and an introduction to key concepts of minority rights on the international and

national level. The lectures were structured around introductory questions directed at the participants, providing an interactive approach to the relevant topics. Subsequent brain-storming opened a forum for reflecting and applying knowledge about the issues of concern, enabling a constructive discussion among the participants. Additional elements of group work and role plays broadened the training methods in comparison with previously held workshops.

One example of the group work undertaken in the course of the training was a simulation exercise on minority protection at the national level, with participants divided at random into minority representatives and government officials negotiating the introduction of a minority protection law. In this manner, the participants obtained insight from different perspectives about decision-making processes involved in the development of minority rights instruments. Other aspects of the training dealt with concrete problems in the work of the participants, e.g. developing concrete programmes eligible for EU support and analyzing the impact of EU support on local policy. Developing different concepts for microfunding projects through informal communication among the training participants helped to identify opportunities at the grassroots level.

## **V. Summary of the Proceedings**

### ***A. Training Workshop 1: EU Accession and Minority Rights in Serbia, Montenegro and Sandžak***

At the beginning of the training, the participants were asked to define minority rights and minority protection in order to be able to discuss their necessity and to categorize them as individual rights and/or collective rights. The participants found that, in general, human rights should include minority rights but that these can only be effectively ensured within the framework of an institutionalized democracy and a well-developed civil society, both of which are still lacking in Serbia and Montenegro. In response to the question of what could be achieved by minority rights regulations, one participant noted that positive discrimination in legislation and local administration could facilitate a solution by bringing proportional representation in public administration, the police or the media. The unsatisfactory use of minority languages predominantly in education, the media and state-funded cultural events was attributed to weak capacity and lack of knowledge of local authorities. There was a

broad consensus that political elites and members of the majority population—still influenced by ethnonationalist ideology—tend to impede the implementation of minority rights in order to preserve political power.

After a constant process of curtailment of the legal and political position of national and ethnic minorities after the dissolution of former Yugoslavia, minorities in Serbia in particular were affected by repressive acts. The ethnic composition of some communities in Sandžak, while initially providing proportional participation and representation, was undermined by implicit changes provoked by the war in Bosnia and economic deterioration in the course of the past decade. Since 1992, the influx of refugees from Bosnia on the one hand and growing migration tendencies on the other led to increased tensions in Sandžak.

By way of contrast, the Montenegrin government pursued a more nuanced approach and generally engaged in an integrative treatment of local minorities, reducing the social distance between the majority population and minority communities. The Montenegrin legal framework, in comparison with the corresponding legislation in Serbia, provided broader cultural and linguistic rights for ethnic and national minorities. Nevertheless, Albanian and Muslim/Bosniak communities in Montenegro expressed their concern about persistent restrictions on implementing linguistic and cultural autonomy rights, primarily in education and the media.

In an effort to turn away from the former authoritarian policy, the current federal regime established a new Federal Ministry of National and Ethnic Communities, launching confidence-building and re-integration campaigns for minority groups. Furthermore, a Federal Law for the Protection of National Minorities was passed (February 2002) guaranteeing individual and collective rights to national and ethnic communities as well as offering political and financing instruments for their realisation (Federal and National Councils for National Minorities or the Federal Fund). In spite of these attempts to diminish future internal tensions, dissonances between Muslim and Serb/Montenegrin communities continue to exist.

In the opinion of the participants, this unsatisfactory situation could be surmounted by a process of decentralization of state institutions allowing concrete self-government to

the communities. Therefore, decision-making processes should be transferred to the lowest level in order to provide sustainable participation of minorities in public issues. Lack of confidence of authorities and loyalty among the majority, are regarded as key problems hampering a workable solution in the long-term perspective.

In relation to minority protection on the national level, it was noted that, unlike European or dispersed minorities (Roma), national minorities affiliated to their kin-state tend to be better protected. In regard to the self-perception of minorities, some participants remarked that there is a tendency of the Muslim minority in Sandžak to declare themselves as Bosniaks and demand the status of a national minority, which implies a growing affinity to the neighboring state Bosnia based more on historical and ethnographical reasons than on an ethnic relationship. In Titoist Yugoslavia the use of the term 'Bosniak' has been discouraged since the Slav Muslims in Bosnia were recognized as a 'constituent nation', whereas the Muslim population in the Sandžak region only obtained the status of a 'nationality'. Since 1990 this terminology has regained popularity particularly among the Muslim minority in the Sandžak region. This phenomenon appears mainly in the Serb part of Sandžak whereas in the wider segmented Montenegrin ethnopolitical landscape both terminologies – Muslim and Bosniak – coexist. Some participants expressed their opinion that a connection to a kin-state is not an absolute precondition for monitoring autonomous rights, claiming instead that it is the obligation of the government to offer institutional solutions for protecting minority rights. Other participants added that the key problems associated with identifying and protecting minorities could only be solved by establishing a civil society based on multicultural diversity.

It was also observed that the relatively recent instruments for monitoring the protection of minorities (e.g., Framework Convention for the Protection of National Minorities, OSCE High Commissioner on National Minorities, Oslo Recommendations Regarding the Linguistic Rights of National Minorities, Lund Recommendations on the Effective Participation of National Minorities in Public Life) do not offer a clear definition of what constitutes a minority, allowing too much scope for interpretation by national governments. Furthermore, participants criticized weak monitoring mechanisms and the absence of sanctions, as well as inconsistent standards for effective enforcement on the national level. Beyond that, the individual

approach of minority protection, which neglects both collective rights and monitoring mechanisms of minority rights, in general was questioned. One participant referred to the inadequate European consideration of the regional and sociocultural background, resulting in the effective exclusion of local actors.

Discussing the Copenhagen Criteria in the light of minority rights and their impact on candidate states, the question was raised whether the European Union represents a sufficient incentive for minority protection. The participants agreed that the European policy based on conditionality is necessary for initiating a process of stabilization and moving toward a pluralistic and multicultural society in Serbia and Montenegro. Some participants described the European policy as contradictory and insufficient due to the discontinuity of monitoring instruments following the enlargement process, and weak compliance among the member states.

While discussing the implementation of the Federal Law on Protection of National Minorities and the Framework Convention on the Protection of National Minorities (both signed by the new government), an animated debate among the participants developed concerning the current situation and policy. Some participants argued repeatedly that in particular the Albanian community's rights are ensured through a legal framework treating them as a national minority and providing for significant enjoyment of linguistic rights whereas there was no perspective of institutionalizing Bosniak culture and reforming the apparently weak educational system.

At the conclusion of the first workshop, the participants were asked to assess several regimes for minority protection and their enforcement on the international, national and local level. They agreed repeatedly that the international standards are being implemented, but noted at the same time that vaguely defined monitoring mechanisms do not live up to expectations. Despite this substantial shortcoming, however, the participants regarded international monitoring concentrated on the grassroots level as the current appropriate engine for carrying minority protection forward, especially in the face of persistent obstacles such as a weak democracy and national antagonisms among the population. Crucial importance was given to the role of the civil sector, which was seen as being decisive in addressing key problems and pointing out solutions based on a broad public dialogue. Other participants considered national and

local regimes to be the most relevant. It was emphasized repeatedly that an improvement of the situation of minorities implies a wider confidence-building process within the society and a stronger willingness to translate the legal framework into practice.

### ***B. Training Workshop 2: Sandžak as Part of a Euro-Region?***

The second training workshop was devoted to evaluating the legal and political framework for the Sandžak region. The main focus was on the perspective of Sandžak as a Euroregion. In this context, participants sought to identify a local approach to regional crossborder cooperation, as well as the main incentives for and obstacles to such cooperation.

It should be mentioned that Sandžak is often too easily perceived as a homogeneous region. On the contrary, the region – administratively divided into two sections between Serbia and Montenegro – is shaped by differentiated socio-political interests and developments in both republics. In view of the forthcoming reconstruction of the relationship between Serbia and Montenegro, Sandžak represents a key issue for national and regional policies. Whereas in general the Muslims/Bosniaks in Montenegro have been better integrated into majority political parties and have argued for an independent Montenegrin state, a significant part of the Bosniak community in Serbia believes that Bosniak interests would be better realized in a federal state consisting of Serbia and Montenegro. Keeping in mind the different status of Vojvodina and Kosovo, this would only remain a non-territorial solution in the context of regional cooperation, which would include state and local actors to identify common interests and translate these into a sustainable solution. The training thus allowed participants to examine the applicability of the model of a “Euroregion” in light of the economic and political integrity of the Sandžak region.

The training began with a theoretical analysis of the meaning of centralization and decentralization on the one hand and the vertical distribution of power on the other, taking into account the institutional reform of local government in the light of the Belgrade Agreement. This analysis provided a foundation for addressing the key problems of governmental institutions which remain beholden to the informal intra-party relationships and corruption characteristic of the last decade.

There was a broad consensus among the participants that institutional decentralization entails higher efficiency, producing autonomous rights of self-government and self-determination for both local minorities and majorities. Some participants emphasized the point that realizing efficient local self-governments depends strongly on accelerating the delayed process of democratic transition. In this context a discussion about the efficiency of the recently passed law on local self-government arose among the participants.

A major focus of the conversation was the advantages and disadvantages of former and present forms of state orders (e.g., federalism and regionalism) for finding an adequate solution to the problems with the current constitution. It was mentioned that the terminology of 'federalism' has had negative connotations since the dissolution of former Yugoslavia. The participants were asked whether lessons could be learned from previous disintegration processes in order to translate them into incentives for confidence-building and overcoming the fears of the majority concerning territorial fragmentation and loss of national identity. Some participants concluded that a process of rationalization in Serbia and Montenegro represents a premise for democratization and stabilization of the region. It was noted that such a process demands a broad public dialogue to identify the nature of regional cooperation. At this point, the integrity of the Sandžak region was brought into question. Another participant stressed the integrative dynamics of a decentralizing process, but at the same time presumed that compliance of the main political actors with regionalization will depend on the willingness of their constituencies. Taking into account the fact that the societies in Serbia and Montenegro are still affected by nationalistic rhetoric and ideology, the development of civil society is regarded as an indispensable precondition for consolidating the relationship between minorities and majorities.

In subsequent discussion, the participants considered already existing crossborder cooperation and Euroregions in Western Europe containing different incentives for cooperation and varying interest groups as potential models for the Sandžak region. As a supranational organization unit overcoming national borders by means of crossborder cooperation, Euroregions provide instruments for both minority protection and reanimating the currently poor regional economic performance. In consideration of already existing instruments, it was concluded that in the case of

Sandžak in particular, and of Serbia and Montenegro in general, legal as well as supranational instruments for self-government are quite well developed. For this reason the participants searched for deficits in other areas.

The possibilities for crossborder cooperation with other adjacent administrative units, such as Bosnia, Kosovo and Albania were also addressed. This in turn raised questions as to what kinds of cooperation will be necessary and what the key issues in these various contexts are. The participants identified the lack of infrastructural, economic and cultural cohesiveness between the two subregions of Sandžak as the main obstacles for regional cooperation. One participant mentioned Tutin on the Serbian side and Rožaj on the Montenegrin side as an example of both immediate neighborliness, and underdeveloped communication and infrastructure, between two municipalities. Further impediments to regional cooperation include an informal economic sector as well as a lack of economic compatibility in terms of tariff and non-tariff discrepancies, criminal networks and political barriers. One participant also noted the lack of human and social capital for an adequate education system and cultural exchange program for members of minority communities.

It was concluded that besides crossborder cooperation and potential connections to kin-states, a further key aspect is the importance of including the whole community in the process of consolidation. In addition, it was pointed out that demonstrating the social costs of non-cooperation could help convince neighbors to cooperate. It was concluded that a regional solution in the form of a Euroregion could nevertheless be considered an instrument for multilateral regimes being composed by the executives of the areas and therefore marked with democratic deficiencies. Finally, it was noted that Euroregions are not aimed at overcoming existing borders but offer instruments to make those borders more permeable.

At the end of the workshop, a roundtable was held for the purpose of assessing interdependencies between the future constitutional arrangement of Serbia and Montenegro and regional crossborder cooperation between municipalities and communities. In this context, reflections about the perception and definition of the Sandžak region from the perspective of its own inhabitants resulted in an animated debate among the participants. Although the question of the future status of the region

remained open, some participants concluded that the legitimization of a future region cannot be based on the historical antagonism prevailing in the populist rhetoric of political actors in the region. Regarding the integrity of the Sandžak region, a participant remarked that a new agreement between Serbia and Montenegro implies freedom of movement, capital, goods and services, all of which provide a beginning for crossborder cooperation without the need to determine new borders. The key question for long-term policy will be to come up with alternatives so as to enable cooperation between communities. In this regard it was stated that the new agreement offers scope for initiatives between municipalities on both sides and enables higher revenues for local communities. It was evident that a final answer on the status of the Sandžak region could not be given by the roundtable.

## **VI. Conclusions and Recommendations**

### **A. *Successes of the Event***

It was noted by participants and observers that the training workshop was successful in three areas. First, regarding the content of the training, some participants noted that they—although engaged in the activities discussed during the training—had not had the opportunity previously to gain the systematic and solid background knowledge on the relevant issues necessary to obtain a larger overview of the topic areas. In addition, the EU perspective on the discussions was widely appreciated.

Second, a number of participants positively noted that the group dynamics improved throughout the course of the training. Some of the participants had previously had only limited opportunities to meet, discuss and socialize with others from different communities and regions. The atmosphere was generally described as having been conducive to informal, yet also controversial, discussions and debates.

Third, when more interactive methods were employed during the training, (e.g., role plays) the participants were glad to take part, and many noted their appreciation of these techniques.

## ***B. Challenges and Problems***

One of the challenges of workshop trainings is to strike a balance between learning, discussion and group interaction. An additional difficulty associated with such events is ensuring a balanced participation of different groups, not only with respect to national/ethnic background, but also in terms of political, regional and organizational affiliation.

A third difficulty associated with the training was preserving a focus on concrete problems and promoting discussion of those problems in a cooperative climate, rather than engaging in broader political discourses.

Although the two training events were intensive and communicated a high degree of knowledge, they cannot replace more sustained and long-term training and educational activities, which can also cater more to the practical needs of the participants. The training workshops can thus be seen as the first step in a process.

A further consideration for future events is location. While holding such trainings outside the main target area, such as Sandžak, allows discussions to be less embedded in the everyday political debates of the environment, it also creates the risk of the workshop being too removed from the areas of debate and training.

## VII. Annexes

### A. Programme of the Workshops

<b>Wednesday, 4.12.2002</b>	
-19.00	<b>Arrival of Participants</b>
19.00-	<b>Informal Dinner</b>

### Training Workshop 1: EU Accession and Minority Rights in Serbia, Montenegro and Sandžak

<b>Thursday, 5.12.2002</b>	
10.00-10.15	<b>Welcome and Introduction</b> of Participants and Trainers Eben Friedman, ECMI Florian Bieber, ECMI
10.15-11.30	<b>A Discussion about Minority Rights and Minority Protection</b> Katy Negrin, EUMAP, OSI Petra Roter, University of Ljubljana <ul style="list-style-type: none"> <li>• Do we need minority rights? Why do we (not) need them?</li> <li>• Minority rights – what rights, for whom?</li> <li>• How relevant is the debate about collective vs. individual minority rights?</li> </ul>
11.30-12.00	<b>Coffee Break</b>
12.00-13.00	<b>Minority Protection at the National Level</b> Katy Negrin, Petra Roter <ul style="list-style-type: none"> <li>• Actors involved in minority protection – the question of participation</li> <li>• Prevention of discrimination vs. positive discrimination (minority protection)</li> </ul> Simulation: minority representatives (role-players) negotiate with government officials on the introduction of a minority protection law
13.00-14.30	<b>Lunch</b>
14.30-16.00	<b>International Regime for the Protection of National Minorities</b> Katy Negrin, Petra Roter Introduction on layering of the regime and its scope. Discussion about minority protection as established with the regime: does it meet the interests and needs of the actors in concrete cases?
16.00-16.30	<b>Coffee Break</b>
16.30-17.30	<b>Implementation of Minority Rights</b> Katy Negrin, Petra Roter Different institutions, mechanisms, instruments for implementation of minority rights Discussion: which mechanisms for which situations?, a question of double standards within the EU and in external relations?, why should the EU be involved?
19.00-	<b>Dinner:</b> Sindikalni poslovno - obrazovni centar

<b>Friday, 6.12.2002</b>	
10.00-11.00	<b>The EU Enlargement Process and Minority Protection</b> Katy Negrin Introduction/lecture on the accession process and the role of minority protection Discussion about the contents and applicability of the Copenhagen criteria and discussion about the EU
11.00-11.30	<b>Coffee Break</b>
12.00-13.00	<b>The Impact of EU Accession on Minority Protection</b> Katy Negrin Introduction including examples from current candidate states, e.g. Bulgaria, Romania, Hungary Brain-storming: participants will be invited to think about concrete programs eligible for EU support
13.00-14.30	<b>Lunch</b>
14.30-16.00	<b>Round Table Discussion:</b> Implementing the Yugoslav Law on the Protection of Rights and Freedoms of National Minorities and the Framework Convention for the Protection of National Minorities <ul style="list-style-type: none"> <li>• Vojislav Stanovčić, Advisor to The Federal Ministry for National And Ethnic Communities</li> <li>• Goran Miletić, Humanitarian Law Centre</li> <li>• Moderator: Florian Bieber</li> </ul>
16.00-16.30	<b>Coffee Break</b>
16.30-17.30	<b>Concluding Discussion:</b> Advocacy for Minority Protection in a Great(er) EU: Lessons Learned and Prospects for the Future <ul style="list-style-type: none"> <li>• Minority protection after the enlargement?</li> <li>• A message to the EU?</li> <li>• How could new member states contribute to minority protection?</li> </ul>
20.00-	<b>Closing Dinner:</b> Konoba Scala Santa, Kotor

### **Training Workshop 2: Sandžak as a Euro-Region?**

<b>Saturday, 7.12.2002</b>	
10.00-10.15	<b>Welcome and Introduction</b> of Participants and Trainers Eben Friedman, ECMI Florian Bieber, ECMI
10.15-11.30	<b>Legal and Political Aspects of “Centralization” and “Decentralizations”—Considerations on the “Vertical Division of Power”</b> Jovan Komšić, Economics Department, University of Novi Sad, Subotica <ul style="list-style-type: none"> <li>• Typological introduction to a vertical division of power</li> <li>• Decentralization as a precondition for realizing human rights</li> <li>• Decentralisation through autonomous regions – as a compromise between state authorities and heterogenous</li> </ul>

	<p>diverse communities</p> <ul style="list-style-type: none"> <li>• Discussion: new incentives and regulatives of self-government in Serbia</li> </ul>
11.30-12.00	<b>Coffee Break</b>
12.00-13.00	<p><b>Crossborder Cooperation and the West European Experience</b>          Francesco Palermo, European Academy, Bolzano &amp; University of Trento</p> <ul style="list-style-type: none"> <li>• Aspects of regionalization and integration through cross border cooperation and discussing existing examples</li> <li>• Which instruments are required for crossborder cooperation? Legal frameworks and mechanisms</li> <li>• Discussion: impediments and problems</li> </ul>
13.00-14.30	<b>Lunch</b>
14.30-16.00	<p><b>For or Against Decentralization (Regionalism and Federalism) in Democracies</b>          Jovan Komšić</p> <ul style="list-style-type: none"> <li>• Discussion for and against an unitarian or a decentralized state</li> <li>• Six approaches to a discussion about defining various models of state order</li> <li>• Is democracy in Serbia / Montenegro possible?</li> <li>• Does federalism mean disintegration?</li> </ul>
16.00-16.30	<b>Coffee Break</b>
16.30-17.30	<p><b>Euroregions: Theory and Practice</b>          Francesco Palermo</p> <ul style="list-style-type: none"> <li>• Experiences and reasons for Euroregions</li> <li>• Crossborder cooperation: overcoming minority problems?</li> <li>• Application to the Sandžak region? What are the key issues?</li> </ul>
19.00-	<b>Dinner:</b> Sindikalni poslovno - obrazovni centar

<b>Sunday, 8.12.2002</b>	
10.00-11.30	<p><b>Autonomy and Interethnic Relations—Problems and Dilemmas</b>          Jovan Komšić</p> <ul style="list-style-type: none"> <li>• Introductory discussion on autonomy and “meaningful autonomy”</li> <li>• Sources of tension between national states and national minorities demanding autonomy</li> <li>• Defining monitoring mechanisms for national minorities</li> <li>• How to define the Sandžak region?</li> </ul>
11.30-12.00	<b>Coffee Break</b>
12.00-13.00	<p><b>Euroregions in Practice: The Case of South Tyrol/Alto Adige</b>          Francesco Palermo</p> <ul style="list-style-type: none"> <li>• History, motives, development of South Tyrol/Alto Adige</li> <li>• Implicit weaknesses and problems</li> <li>• Discussion: which lessons can be learned?</li> </ul>
13.00-14.30	<b>Lunch</b>

14.30-16.00	<b>Round Table:</b> The Constitutional Charter of Serbia and Montenegro and Regional Cooperation in Border Communes and Communities <ul style="list-style-type: none"> <li>• Bajram Omeragić, Vice-president, Coalition for Sandžak; Vice-President of the Executive Council, Novi Pazar</li> <li>• Hamdija Šarkinović, Matica Bošnjaka Montenegro; Ministry of Justice, Podgorica</li> <li>• Moderator: Jovan Komšić</li> </ul>
16.00-16.15	<b>Concluding Discussion</b>
20.00-	<b>Closing Dinner:</b> Bastion, Kotor

## B. List of Participants<sup>1</sup>

	<b>Name</b>	<b>Organization</b>
1	Begu, Bego	Open Society Foundation, Podgorica
2	Blažić, Jadranka	Agency for Local Democracy and Partnership, Podgorica
3	Draga, Nail	Art klub, Ulcinj
4	Dzudzević, Esad	Bosniak Democratic Party of Sandžak, Tutin
5	Franović, Miroslav	HKD “Napredak”, Tivat
6	Gjokaj, Leon	Nansen Dialogue Center, Podgorica
7	Hisari, Bashkim	Humanitarian Law Center, Podgorica
8	Jablanov-Maksimović, Jelena	Konrad Adenauer Foundation, Belgrade
9	Katal, Hodo	Ruka, Tutin
10	Krcić, Sefket	Matica Bošnjaka Sandžaka, Novi Pazar
11	Madžgalj, Željko	Manifesto, Bijelo Polje
12	Miletić, Goran	Humanitarian Law Center, Belgrade
13	Milić, Ivana	B92, Novi Pazar
14	Milosavljević, Ivan	Citizen’s Initiative, Novi Pazar
15	Nikolić, Nikola	Citizen’s Initiative, Novi Pazar
16	Omeragić, Bajram	Coalition for Sandžak, Novi Pazar
17	Perović, Elvedina	Helsinki Committee for Human Rights in Sandžak, Novi Pazar
18	Perović, Džemal	Center for Inter-ethnic Relations and Minority Rights, Ulcinj
19	Perović, Tanja	Human Rights Center, Podgorica
20	Sadiković, Sead	Journalist, Bijelo Polje
21	Sarkinović, Hamdija	Matica Bošnjaka Crne Gore, Podgorica
22	Staničić, Ivan	Boka Kotor Centre for Tolerance, Tivat
23	Strujić, Ruždija	Bonum, Pljevlja
24	Vojinović, Jadranka	Ministry of Justice, Podgorica
25	Zeković, Aleksandar	Humanitarian Law Center, Podgorica

<sup>1</sup> Note: not all participants took part in both workshops.

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## **Workshop Evaluation**

**I. EU accession and minority rights in Serbia,  
Montenegro and Sandžak**

**II. Sandžak as a part of a Euroregion**

**In Montenegro  
Kotor, 5 – 8 December**

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## EXECUTIVE SUMMARY

The purpose of this evaluation is to assess the success of the 4-day workshop under The ECMI Montenegro Negotiation and Capacity-Building Project organized by the European Centre for Minority Issues and funded by the Westminster Foundation for Democracy. The event took place in Kotor, Montenegro at the Sindikalno-Poslovno Obrazovni Centar from the 5<sup>th</sup> of December 2002 till 8<sup>th</sup> of December 2002.

This evaluation is structured as a “Theory-Based Evaluation” (Carol Weiss) and uses a mixed method that combines quantitative and qualitative research tools. The idea behind Theory-Based Evaluation is that the theoretical assumptions underlying an intervention can be expressed in terms of a phased sequence of causes and effects – a programme theory.

A total of 25 participants took active part in the 4-day workshop, divided into two separate workshops: I. 05 – 06.12.2002, EU accession and minority rights in Serbia, Montenegro and Sandžak; II. 07 - 08.12.2002, Sandžak as a part of a Euro-region.

The number of participants oscillated from 13 to 22 and the average number of people that participated in each workshop was 16 – 17.

The goal of the evaluation is to:

- Assess the involvement of different stake holders in the workshop
- Assess the dialogue between the political party representatives, government officials and civil society groups (NGOs).
- Distil lessons for improving the project activities as well as understanding the needs of the stakeholders regarding minority issues activities.

The main findings and recommendations of this evaluation are:

- *Acting on local level.* Establishing a formal working group that will act on the ground. It is important to have a group of experts that will work with ordinary people on a daily basis in order to understand their needs and to assist them in identifying problems and providing solutions for these problems. The group should be composed of locals assisted by international experts in the field of minority issues and conflict management.
- *Location* for the potential future workshops, seminars, forums should be in Sandžak region. A process of confidence-building between the locals and official authorities will help more people from the minority groups to understand the activity and importance of their involvement in the overall community’s decision making.

Distilled lessons learned from the evaluation:

- *Transfer of theoretical knowledge* in a practical manner is the real value of the developmental and transitional workshop (project). Without undertaking activity on the local level where the local community group will apply all this knowledge, facilitated by ECMI or some other international agency, this will be just another workshop.
- *Identification/recognition of the minority groups* serves as the basis for defining minority rights and establishing sustainable social development.

In sum, the five workshops organized by ECMI in the “Montenegro Negotiation and Capacity-Building Project” are fully reaching the goals of the project.

## **PROGRAMME DESCRIPTION**

The project engages political party representatives, government officials and civil society groups (NGOs) in dialogue, while placing particular emphasis on establishing a Track II process with broader civil society involvement. In this way, the process broadens public participation in issues of common concern and functions as a channel of democratic dialogue even when official government-to-government contacts prove difficult. Through engaging international and local experts, the project also seeks to provide the participants with external guidance on policy options in relation to issues of importance in the region.

An initial workshop took place in November 2001 and addressed issues of education, especially the design of inclusive curricula and textbooks. This was followed in January 2002 by a second workshop that examined questions relating to the freedom of movement of goods and people in the border region. A further workshop took place in March 2002 to address issues of regional economic development, with workshops held in June 2002 addressing issues of education and the administration of justice.

## **GOALS AND SCOPE OF EVALUATION**

The goals of this evaluation are the following:

- ❑ Assess the involvement of different stakeholders in the workshop
- ❑ Assess the dialogue between the political party representatives, government officials and civil society groups (NGOs).
- ❑ Distil lessons for improving the project activities as well as understanding the needs of the stakeholders regarding minority issues activities.

## **EVALUATION DESIGN**

This evaluation is structured as a “theory-based evaluation” (Carol Weiss) and uses a mixed-method that combines quantitative and qualitative research tools. The idea behind theory-based evaluation is that the theoretical assumptions underlying an intervention can be expressed in terms of a phased sequence of causes and effects – a programme theory. Data are collected to examine how well each step of the workshop and project is in fact born out. If the posited sequence breaks down along the way, the evaluation will tell at what point the breakdown occurred and whether the impacts will materialize as anticipated. Key attractive features of theory-based evaluation are that it yields results during the life of a project, and it can uncover the causal factors explaining the observed effects/outcomes.

Different participants in the workshop can have different theories and perspectives and each participant can have several theories even for the same topic. It is important to test and compare a number of theories and alternative perspectives, not just one. A common starting point for the evaluation is that changes should happen and that we

have a wide range of possibilities and challenges for problem solving. It is a long-term activity that requires human resources, financial means and common decision.

## **EVALUATION APPROACH**

The main idea for evaluation of the workshop is to compare the objectives and outcomes from it, and to find the connection between this workshop and the previous ones organized by ECMI during 2001 and 2002. This outcome for evaluation has been selected as a result of the latest happenings in the region and because of the long-term development strategy.

In the medium term the purpose of the evaluation is to give us a clear picture about the understanding of the stakeholders and their vision. In the long term the purpose of the evaluation is to provide a basis for overcoming the problems and creating a basis for development.

The evaluation is being done at this point because this workshop is the final one in the series of workshops before making a decision about the next steps of the project. It aims to give feedback on the previous workshop activities and their effects on the communities. Also, the evaluation should provide findings and conclusion about the needs of the communities to be used by ECMI for developing the new development strategy for the region.

Results from this evaluation will be presented to the donor of the workshop, the Westminster Foundation for Democracy, as well as to the other concerned parties interested in these activities either to support or promote them.

The key issues addressed by this evaluation are: visibility of the concerns of non-dominant groups, forum for discussions about the concerns, expert competence in this field and knowledge transfer to the organizations (NGOs and governmental agencies).

Information gathered from the workshop participants through formal evaluation instruments (questionnaires, surveys) and conversation with them, combined with the previous experience of the organizers of the workshop provides the basis for the evaluation.

## **EXPECTED RESULTS**

The expected results from this evaluation are:

- Increased visibility of the concerns of the non-dominant groups especially in Sandžak region.
- Provided forum for discussion about the concerns of the non-dominant groups.
- Enhanced ability of the minority representative to participate in reasoned dialogue about these concerns.
- Enhanced understanding of the different sides, government officials, political party representatives, NGOs.
- Improved knowledge of good practice workshop approaches and the corresponding pre-conditions for successful outcomes.
- Improved design and implementation for the future community actions.

## WORKSHOP EVALUATION

A total of 25 participants took active part in the 4-day event, consisting in fact of two separate workshops, both held in Sindikalno poslovno-obrazovni centar in Kotor, Montenegro:

- I. 05 – 06.12.2002, EU accession and minority rights in Serbia, Montenegro and Sandzak.
- II. 07 - 08.12.2002, Sandžak as a part of a Euro-region.

The number of participants oscillated from 13 to 22 and the average number of people that participated in each workshop was 16 – 17.

An anonymous evaluation form was disseminated at the end of the workshop sessions and 23 evaluation forms were submitted. Two participants had to leave the workshop earlier and did not submit evaluations. The aggregate results of the survey follow:

### 1. Time frame (estimation of the workshop duration)

#### a. What do you think about the length of the workshop?

- ☐ Too long -
- ☐ As needed – 20 participants
- ☐ Too short – 3 participants

#### a. What do think about the time spent for different working methods?

	Too much	Much	As needed	Short	Too short
Presentations/Lectures	III	III	I	III	
Discussions	III		I	II	III
Group work			I	II	III
Brainstorming			I	III	III
Role plays		III	I	II	III
Round tables			I	III	III

Explanation: I – majority; II – minority, III – few people

### 2. Content of the workshop

#### a. What do you think about the balance between the theory and practical work of the workshop?

- ☐ Too much theory – 7 participants
- ☐ Good balance – 16 participants
- ☐ Too much practical work

#### b. What is your opinion about the relation of the workshop topics?

- ☐ Related – 18 participants
- ☐ Partially related – 5 participants
- ☐ Not clear

#### c. Expectations

Please recall what were your expectations from the workshop before it started? How much did it match your expectations?

- q Fully, as I expected – 9 participants
- q Partially – 13 participants
- q Not enough
- q I had other expectations

**d. Which workshop topics were useful for you? What topics should be improved?**

**Explanation: I – majority; II – minority, III – few people**

<i>Topics</i>	<b>Satisfied</b>	<b>Need minor improvements</b>	<b>Need major improvements</b>
<b><i>Thursday 05.12.2002</i></b>			
Discussion – minority rights and minority protection.	<b>I</b>	<b>II</b>	
Minority protection on national level.	<b>II</b>	<b>I</b>	<b>III</b>
International regime for minority protection.	<b>I</b>	<b>II</b>	
<b><i>Friday 06.12.2002</i></b>			
EU expansion and minority rights.	<b>I</b>	<b>II</b>	<b>III</b>
Influence of accessing EU and minority protection.	<b>I</b>	<b>II</b>	
Influence of accessing EU over the minority protection.	<b>II</b>	<b>III</b>	
Round table: Implementation of the national law for minority protection and freedom of national minorities in the framework convention for minority rights protection.	<b>I</b>	<b>II</b>	<b>III</b>
Final discussion: Support for the minority rights protection in enlarged EU, experiences and perspectives.	<b>I</b>	<b>II</b>	<b>III</b>
<b><i>Saturday 07.12.2002</i></b>			
Centralization and Decentralization	<b>I</b>	<b>II</b>	<b>III</b>
Crossborder cooperation and western countries experiences.	<b>I</b>	<b>II</b>	<b>III</b>
For and against decentralization in democracy.	<b>II</b>	<b>II</b>	<b>III</b>
Euroregions	<b>I</b>	<b>II</b>	
<b><i>Sunday 08.12.2002</i></b>			
Autonomy and international relations – problems and dilemmas.	<b>I</b>	<b>II</b>	<b>III</b>
Example of South Tyrol/Alto Adige	<b>I</b>	<b>II</b>	<b>III</b>
Round table: Constitution of Serbia and Montenegro and regional cooperation.	<b>II</b>	<b>II</b>	<b>III</b>

**e. New workshop topics you would like to attend in some other workshop?**

- Religion in the service of tolerance

- Dialogue as a condition for reaching the goals
- Education and information in minority languages
- Conflict, negotiation and mediation
- Methods of pressuring the authorities
- Cultural monuments
- Election law and minorities
- Education plans and programmes for the minorities
- Assimilation of the minorities
- Finding the best solutions for improvement of relations in Sandžak
- Influence of the NGO sector in addressing the minority issues
- Montenegrin part of Sandžak
- Future potential of the region
- Participation in public activities
- Mechanism of protection of the minority rights
- Conflict management
- Local self-government – values and institutions
- Religious conflicts
- European constitution of regional self-government
- Influence of culture
- Human rights
- Concrete sociological and cultural problems related to minority issues
- Use of the minority languages – defining law and regulations

#### **f. Benefit from the workshop**

Did you find this workshop useful?

- q Very useful – 10 participants
- q Useful – 13 participants
- q Useless

#### **g. Additional training**

Do you need additional training in this field?

- q No – 5 participants
- q I don't know – 3 participants
- q Yes – 15 participants

### **3. Organization of the workshop**

#### **a. General mark for the organization of the workshop**

Comment:			
Accommodations	1- Weak	3 – enough 3 participants	5 – good 20 participants
Food	1- Weak 1 participant	3 – enough 7 participants	5 – good 15 participants
Working conditions	1- Weak	3 – enough 2 participants	5 – good 21 participants
Translation	1- Weak	3 – enough 2 participants	5 – good 21 participants

## b. Trainers

Evaluation of the trainers (1- weak, 3- enough, 5 – good):

	Clear presentation			Choice of the exercises			Use of visual means			Use of practical examples			Interaction with the participants			Transfer of the knowledge		
	1	3	5	1	3	5	1	3	5	1	3	5	1	3	5	1	3	5
Katy Negrin			x			x			x			x		x			x	
Petra Roter			x			x		x				x			x			x
Jovan Komsic			x			x		x				x			x			x
Francesco Palermo			x		x				x			x			x			x

## Findings and conclusions

- Minority rights cannot be identified without the identification of the minority groups.
- The principle of subsidiarity is possible solution for minority issues, to bring about effective involvement of the minorities in public life. Also worth considering is establishing a council of national minorities at the state level.
- Bilateral agreements are useful in regard to defining minority issues and concerns.
- The workshops were organized on the highest academic level for direct and concrete knowledge transfer. The next step should be moving to the local level.

### Note:

In general the organization of the workshop was on the highest level. The target group that attended the event was selected carefully, with the proportions of ethnicities, political party representatives, NGOs and government officials chosen with great care. The group was very active, after every presentation followed discussion in which participants were listening to the statements of the other participants with great attention. All this contributed to the overall success of the workshop.

## RECOMMENDATIONS

Flowing from the discussion above, the section on recommendations will be focused on:

- **The location** for the potential future workshops, seminars, forums should be in Sandžak region. A process of confidence-building between the locals and official authorities will help more people from the minority groups to understand the activity and importance of their involvement in the overall community's decision making.
- **A public awareness campaign** about minority rights and their involvement in the social life should be organized. Making people familiar with their rights, their responsibilities toward the central authorities and responsibility of the government toward them is essential for addressing minority issues.
- **Acting on the local level by** establishing a formal working group that will act on the ground. It is important to have a group of experts that will work with

ordinary people on a daily basis in order to understand their needs and to assist them in identifying problems and providing solutions for these problems. The group should consist of locals assisted by international experts in the field of minority issues and conflict management.

- **Creating a network** (formal or informal) among the local communities regarding minority issues, experience sharing and cooperation. The local authorities and international agencies should provide assistance for the work of the network. The aim of the network would be self-organization of the minorities, education on minority rights, starting a dialogue on minority issues at the local level and representing the work and the idea of the network on the national level.
- **Involvement of local religious leaders in the dialogue.** Considering the fact that the communities in the region are very religious, the religious leaders should be involved in the dialogue between the minority groups. The members of local communities respect the word of the religious leaders. These leaders can therefore influence the people from the region with positive thinking.
- **Involving all minority groups** in the next activities, (e.g. Roma representatives).
- **Less theoretical presentations**, more discussions and group work. Future project activities will should continue and extend the interactive approach of the workshops that form the subject of this evaluation.

## LESSONS LEARNED

The main lessons that can be drawn from the workshop that may have generic application are:

- **The motivation** of the people is very high, and they are prepared and willing to make changes that will lead to the development and improvement of the social-economic life in the region. The energy is present and it should be used.
- **Identification/recognition of the minority groups** serves as a basis for defining minority rights and establishing sustainable social development.
- **Minorities in Montenegro** never had a **negative attitude** toward the country, and this positive element should be used. Historically and nowadays analysis shows that minority's group attitudes toward Montenegro are not negative. This fact provides a basis for the development of a long-term strategy for cooperation in Montenegro and neighbouring countries.
- **The transfer of theoretical knowledge** in a practical manner is the real value of the developmental and transitional workshop (project). Without undertaking activity on the local level where all this knowledge will be applied by the local community group, facilitated by ECMI or some other international agency this will be just another workshop.
- **Simplified information sharing** on a wider level. All the decisions, actions and future steps made on the higher (governmental) level should and must be shared with all the citizens in this region and the information should be made understandable for the locals because otherwise the effect of government activity will be negative.
- **Starting a dialogue at the local level – participatory approach.** If the dialogue between political party representatives, government official and NGOs starts on a local level, from the grassroots, we can expect constructive dialogue in which problems of the minority groups will be matched with

possible solutions. This is the only way of getting people together and initiating a dialogue that will result with common community decision.

## **CONCLUSION NOTE**

*Having good seed is a basic condition for farmers to have a good crop. Quality seed planted on quality soil yields a quality product worth selling and reinvesting in future planting. Planting seed on asphalt gives no result - you can spend hours and hours planting the seed but it will be useless. Appropriate surface combined with appropriate seed bears fruit. Still, it is not enough to have the fruit, as this must be maintained and developed if it is not to fade away.*

The ECMI – “Montenegro Negotiation and Capacity-Building Project” provided the seed. Participants in the workshops proved a perfect surface for planting the seed, and the result is clear. To sustain the fruit of this project to date, ECMI and local stakeholders must undertake new activities that will promote and develop the result.