

**Article by the Head of the OSCE Mission to Serbia and Montenegro,
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**Democratization and European Integration: The role of the OSCE
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The post-1989 democratization process in what was known before as Europe's Eastern bloc paved the way for reunification of the continent and the creation of a "Europe whole and free". Such process of reunification is not finished yet, it is still ongoing, but it has made great strides over the last decade. On May 1st the EU will enlarge to ten new members. Bulgaria and Romania will enter the EU family a few years later and Turkey and the Western Balkans are also expected to join in the future. NATO has also expanded to Central-Eastern Europe and reached out to the Caucasus and Central Asia through Partnership for Peace. OSCE today includes 55 members and the Council of Europe 44 members. The trigger for such a process of European expansion has been the successful "democratization" of former undemocratic states. The two processes of consolidation of democracy in these states and their integration into Europe have been mutually reinforcing. The prospects of the "return to Europe" and the need to meet standards and obligations of different European organizations have proved to be a tremendous incentive for the democratizing countries to speed up and deepen their internal reforms. The presence of such institutions along with their "positive models" provide, after the collapse first of the USSR and then Yugoslavia, a much more favorable environment for democratizing states, especially when compared to the situation existing in our continent after WWI, after the collapse of the old empires.

True, the Western Balkans are not yet completely part of European institutions (EU and NATO) and this may be due to the fact that democracy in this region has started later than in Central-Eastern Europe. Moreover, democracy in the Balkans has for many years been obstructed by nationalism and ethnic wars. However, let's not forget that the consolidation of democratic institutions is a lengthy process. After all, it took Central-Eastern European democracies fifteen years (1989–2004) to join the EU.

I would like here today to elaborate on the concept of democratization in relation to the prospects of European integration for the region of the Western Balkans and in particular, Serbia Montenegro. I shall conclude with some remarks concerning what role the OSCE plays in accompanying these two crucial processes, i.e. democratization and European integration.

Democratization

Installation and consolidation of a democracy are two different concepts and processes. Generally speaking, the first relates to introduction of democratic procedures after a period of illiberal governance. It coincides with the introduction of a free and competitive electoral process and the respect of the elections' outcome by the country's political actors. We can easily say that with very few exceptions, democratic procedures in Europe have become the norm. The consolidation of a democracy, however, is a much more sophisticated concept. A consolidated democracy presupposes the existence of a variety of elements that define the very quality of a country's system of governance.

Above all, a consolidated democracy cannot be conceived without "rule of law". What do we mean by rule of law? It means a) respect and enforcement of the law; b) equality of the citizens before the law; c) existence of courts and judiciary system independent from the political power; d) absence of corruption from the political, administrative and judiciary apparatus; e) easy and equal access to justice for all citizens; f) the existence of a professional and responsible bureaucracy; g) the state's ability to fight and isolate organized crime; h) a police service effective, professional and de-politicized and at the same time respectful of individual rights and freedoms; i) full respect of human rights and minorities rights; l) a lively civil society which actively participates in the public life; and m) free, pluralistic and professional media.

Only when accompanied by the rule of law can a democracy display its full potential and achieve what should be its ultimate goal, i.e. the creation of the best life opportunities for the largest number of people. Only when accompanied by the rule of law can a democracy effectively protect itself from internal and external threats. Only rule of law-based democracies can attract business and investments and prosper economically.

The rule of law also presupposes the concept of "accountability", both vertical and horizontal. The first kind of accountability defines the relationship between elected and voters, the latter refers to the mutual accountability among different branches of power, executive, legislative and judiciary. Needless to say, the presence of a strong opposition to the government, well represented within the Parliament is crucial to secure accountability within the political system. Accountability is crucial to setting in place a system of "checks and balances" which is at the core of any functioning democracy.

The concept of accountability is constantly broadening within European democracies. Within the European Union there is a strong component of supranational accountability - i.e. the EU treaty, laws and institutions - to which all national governments are equally accountable. Moreover, there is a level of "local and direct accountability" which is becoming increasingly relevant. Contemporary democracies are facing popular pressures to grant more access to citizens, increase the transparency of governance, bringing decisions closer to the citizens through de-centralization and subsidiarity. We are witnessing the expansion of what has been called "advocacy democracy". It empowers individuals, citizen groups and NGOs to participate actively in the political process, to demand information from government agencies, consult ombudsmen to redress grievances; challenge government actions through the courts.

Democratization and European integration. The role of the OSCE

This model of democracy based on rule of law and accountability has become very much part of the European "way of life". It is also part of our system of values. It is of no surprise, therefore, that these principles are today at the core of the *acquis* of all the major European and Euro- Atlantic institutions, CoE, the OSCE, the EU and NATO. These are the same standards and principles that we would like to see embraced by all European citizens, including those of Western Balkans.

The standards of rule of law-based democracy are a pre-condition for full integration into the European Union, according to the accession criteria which were set out at the 1993 European Council Copenhagen. Principles and values of a rule of law -based society have been incorporated in the Citizens's Rights EU Charter approved a few years ago in Nice.

The European perspective for Serbia Montenegro and the other countries of the region has been clearly put forward by the European Union on many different occasions. A detailed and effective strategy to get closer to the goal of EU integration has been spelt out at the Thessaloniki EU Council in 2003.

The OSCE is supportive of Serbia Montenegro ambition to become full part of the European family, including the EU. We fully support the State Union of Serbia Montenegro as regulated by the Belgrade agreement and we are confident that the State Union will help to move Serbia Montenegro closer to the EU.

We welcomed last year the accession of Serbia Montenegro into the Council of Europe and hope that the right conditions will develop within the country to allow the State Union to become member of the PFP.

The OSCE is offering, indirectly, an important contribution to the full integration of Serbia Montenegro into the European family. As you know, our Mission, together with our Office in Podgorica, is actively assisting the local institutions, citizens and society to develop and consolidate the basis of a rule of law –based and accountable democracy that are necessary to become part of the European family. We have been assisting in: a) training members of the Parliaments, both the State Union Parliament and Republican parliaments and encouraging exchanges of professional experiences with other Parliaments of the region; b) drafting important pieces of legislation in the key areas of democratic life; c) training a modern and professional police; d) empowering new institutions such as the Ombudsman; e) recommending the introduction of more effective tools to combat against human trafficking; f) developing local democracy through the establishment of information and educational centers in a number of municipalities; and g) training of journalists and media, etc.

We can by and large be satisfied for what has been so far achieved. We are on the right track. But this should not lead us to indulge in any sort of self-complacency. Certainly a lot remains to be done in order to develop the Montenegro society into a fully rule of law -based democracy. This is, as I said at the beginning, a lengthy process. It not sufficient to pass legislation, what is needed is also its implementation. It is not sufficient to create institutions or agencies to consolidate rule of law, what is needed is to create the conditions for them to operate independently. Pluralism in the media is not sufficient unless accompanied by professionalism. What is certain, however, is that in order to be successful reforms need the full participation and engagement of the society and all political forces. The consolidation of a broad national consensus on reforms, rule of law and democratic values are needed. A pluralistic parliament, an independent judiciary and an active civil society remain crucial to make Montenegro's democracy effective, accountable and fully European. The OSCE is ready to continue to assist all the local actors and Montenegrin society to achieve these goals.