

# PREDETERMINED FOREIGN POLICY – ALIGNING NATIONAL POLICIES OF THE CANDIDATE COUNTRIES WITH THE CFSP AND CSDP: CASE OF MONTENEGRO

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## ABSTRACT

The preamble of the Montenegrin constitution states that the Montenegrins are committed to European integrations, and that they share the same values and aims with the people of Europe. The government of Montenegro confirmed dedication to the European path by signing on 15 October 2007 a Stabilization and Association Agreement (SAA), thereby accepting responsibility for its European future. Montenegrin European path is advancing steadily and until now eighteen of thirty-five negotiating Chapters have been opened, out which two Chapters have been provisionally closed. EU Member states devoted themselves to the Common Foreign and Security Policy (CFSP), as well as to the Common Security and Defence Policy (CSDP), with which they are strengthening the EU's external ability to act through the development of civilian and military capabilities in conflict prevention and crisis management. The *acquis* consists of political declarations, decisions and agreements, and member states must be able to support political dialogue in the framework of the policies, to align with EU statements, to take part in EU decisions and to apply agreed sanctions and restrictive measures. Montenegrin officials stated that, with respect to the EU policies *vis-à-vis* other third countries and regions, the country would not have difficulties in implementing CFSP and CSDP positions, yet, they expressed their commitment to be ready to fully and actively participate in the EU's policies by the date of accession. Montenegro, also colloquially called 'the EU's good student', in its accession process is already aligning with the EU's policies. This paper will conduct an analysis with respect to how and to what extent the candidate countries, i.e. Montenegro is aligning its foreign policy with the EU's CFSP and CSDP. Theoretical framework will be built around two basic alternative conceptions – state-centric governance and

multi-level governance, which will establish a base for our further analysis. Also, this paper will briefly present how the treaty of Lisbon impacted the CFSP and CSDP and created what we have today. Afterwards, I will present all alignments of the Montenegrin foreign policy with the EU's, with a special emphasis on the imposed sanctions in view of the situation in Ukraine, due to the multi-layered ties between Montenegro and Russia. All this should enable us to draw a conclusion if and to what extent EU's CFSP and CSDP are affecting and changing Montenegrin foreign policy and its postulates.

KEY WORDS: Montenegro, enlargement policy, CFSP, CSDP, European Union

## 1 INTRODUCTORY CONSIDERATIONS

The preamble of the Montenegrin constitution states that the Montenegrins are committed to European integrations, and that they share the same values and aims with the people of Europe. The government of Montenegro confirmed dedication to the European path by signing, on 15 October 2007, the Stabilization and Association Agreement (SAA), thereby accepting responsibility for its European future (Council of the European Union 2007). Montenegrin European path is advancing steadily and until 2015 twenty-two of thirty-five negotiating chapters have been opened, out of which two chapters have been provisionally closed (Maurice 2015).

EU Member states devoted themselves to the Common Foreign and Security Policy (CFSP), as well as to the Common Security and Defence Policy (CSDP), with which they are strengthening the EU's external ability to act through the development of civilian and military capabilities in conflict prevention and crisis management. The *acquis* consists of political declarations, decisions and agreements, and member states must be able to support political dialogue in the framework of the policies, to align with EU statements, to take part in EU decisions and to apply agreed sanctions and restrictive measures (Rosamond 2000).

Montenegrin officials stated that, with respect to the EU policies *vis-à-vis* third countries and regions, the country would not have difficulties in implementing CFSP and CSDP positions, yet, they expressed their commitment to be ready to fully and actively participate in the EU's policies by the date of the accession (European Commission 2013). Montenegro, also, recognized as 'the EU's good student', in its accession process, is already aligning with the EU's policies. For example, in March 2010, Montenegro signed the Agreement on the country's participation in the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery of the Somali coast (Operation Atalanta), with the EU. Also, on 22 February 2011, Montenegro and the EU signed the Framework Agreement for the country's participation in EU

crisis management operations, which will facilitate any potential further involvement of Montenegro in current or future CSDP operations. Moreover, Montenegro has joined EU in imposing restrictive measures against Myanmar/Burma, Democratic People's Republic of Korea and against certain persons, entities and bodies in view of the situation in Ukraine (European Council 2014; O'Kane 2014).

This paper will conduct an analysis with respect to how, and to what extent, the candidate countries, i.e. Montenegro is aligning its foreign policy with the EU's CFSP and CSDP. Theoretical framework will be built around two basic alternative conceptions – state-centric governance and multi-level governance, which will establish a base for further analysis. Afterwards, I will present all alignments of the Montenegrin foreign policy with the EU's, with a special emphasis on the imposition of sanctions in regards to the situation in Ukraine, due to the multi-layered ties between Montenegro and Russia. All this should enable us to draw a conclusion whether, and to what extent, EU's CFSP and CSDP are affecting and changing Montenegrin foreign policy and its postulates.

## 2 STATE-CENTRIC VS MULTI-LEVEL GOVERNANCE

While scrutinizing something as complex as the EU and the integration process, there is a need for conceptual tools to guide the analysis. In the academic literature there is an ongoing debate regarding the consequences of the European integration for the autonomy, authority and sovereignty of the state (Rosamond 2000; Kenneth and Soetendorp 1998; Romaniuk and Stivachtis 2015). As it is previously underlined, the focus of this paper is on the candidate countries and how the process of European integration is affecting their policies. Therefore, I will try to give an answer to the following question: does the European integration strengthen nation states and their sovereignty, or does it weaken them? In order to fully analyze the issue that we are dealing with, it is necessary to establish a theoretical framework for our analysis. This paper will focus on the dichotomy between the state-centric and multi-level governance.

The main concepts about the state-centric model could be found in the writings of Hoffmann, Taylor, Moravcsik, Garrett, Milwards and others intergovernmentalists (Hooghe and Marks 2001). The basis of the state-centric governance idea is that the European integration does not challenge the very authority and autonomy of national states, and the intergovernmentalists even argue that the state sovereignty is even more secured through this process (Marks, Hooghe and Blank 1996).

This theory sets national governments as final decision makers, and it states that the process of decision making within the EU is defined by bargaining among national governments. According to the state-centric

model, decisions in the European Union are reflections of the lowest common denominator among national governments' positions (Hooghe and Marks 2001). Even though it is clear that national governments are deciding jointly on various issues, one national government can promote and protect their own interests by making reservations on treaties, building coalitions in order to establish the required majority, etc. With this, states have individual, as well as collective control over final decisions that are adopted within the EU, which are affecting their citizens in various aspects. Therefore, supranational actors are exercising effective power, and policy outcomes are reflecting the interests of the member states (Jordan 2001).

The national governments have transferred, in order to accomplish particular aims of their foreign policies, a certain amount of sovereignty to supranational institutions. The intergovernmentalists are underlining that in the process of European integration no state has to integrate more than it would like to, because bargains between states, which leads this process, rest on the lowest common denominator of the participating member states (Hooghe and Marks 2001). The state-centric theory does not advocate that policy making is framed by national governments and its representatives in every particular detail. Supranational institutions may support national governments by bureaucracy, judiciary, or something else, but the intergovernmentalists are arguing that those are not autonomous actors (Marks, Hooghe and Blank 1996). Therefore, the purpose of supranational institutions is to support and offer assistance to member states by securing necessary flow of information and logistics.

The state-centric model also goes along with realist conception of international relations, which focuses on relations among unitary state actors as driving force in the international arena (Rosamond 2005). Beside this, intergovernmentalists are emphasizing that all national interests are under direct influence and being shaped by various domestic groups, which are acting locally, as well as globally (Jachtenfuchs, Diez and Jung 1998). Hence, the scheme of policy making is as follows: adopted policies within the EU are product, primarily, of interests of national governments, while positions of national governments are shaped by interests of different interest groups, which are lobbying through various channels in order to promote and protect their positions in the policy making arena.

An opposing model to the state-centric governance is the multi-level governance model, which states that the European integration is a polity-creating process in which policy-making influence is shared among various levels of government – subnational, national and supranational (Peters and Pierre 2001). Challenges of the multi-level governance were treated in writings of Scharpf, Marks, Schmitter, Tarrow, Kohler-Koch, Pierson, Sbragia and many others (Hooghe and Marks 2001). The common ground for all

of them is that authority and sovereignty of the state in the international arena is diminished in the EU by the decision-making process and autonomous behavior of the European Commission, European Central Bank, European Parliament, etc. (Jordan 2001).

According to the multi-level governance approach, process of decision-making is shared among actors at various levels, and it is not under the sovereign control of national governments, as the advocates of the state-centric model would argue (Bache and Flinders 2004). That means that specific supranational institutions, such as European Parliament, or European court have and exercise self-contained policy making, which is not being impacted by any actors that belong to the national governments. Beside this, it is important to underline that this theory views political arenas as a coherent unit, which is being deeply interconnected, and while national arenas remain very important part for establishing of national government interests, we cannot say that subnational actors are nested exclusively within them (Hooghe and Marks 2001). Difference between two models is that there is fixed and clear divergence between domestic and international politics, which is being neglected by the advocates of the multi-level governance theory, through arguing that even though national arenas are an integral and irreplaceable part of the European integration, they simply no longer secure a link between supranational and subnational arenas (Marks, Hooghe and Blank 1996). As it was said earlier, national governments share their sovereign rights with supranational levels, and through that create a complex set of relations between many actors.

It is clear that collective decision-making process among states contains a noticeable loss of control for the particular national government. The advocates of the multi-level governance would argue that it is stretched to the European level (Hooghe and Marks 2001). When we are trying to analyze decision-making process we have to state that national governments have a significant role, but, in order to conduct our analysis completely and to successfully explain European policy-making, we have to take into account the independent role of supranational actors as well. In writings of those who advocate multi-level governance approach we can find statements that national governments are substantial actors in the EU policy-making and are important piece of the European puzzle, but their sovereignty and control has partly shifted to supranational institutions (Marks, Hooghe and Blank 1996). Multi-level governance model indicates that we cannot neglect the fact that states have lost some of their sovereign control over creating policy in their respective territories through the process of European integrations (Jordan 2001). Does that mean that states are sacrificing their sovereignty that they draw from the constitutions and the will of the people? We will try to address this issue, which is

the core of our analysis, on the example of the aligning national policies of the candidate countries with the CFSP and CSDP.

The two models of governance gravitate around the question of national sovereignty, and in order to bolster the theoretical part of the paper, we have to address this issue, as well. A very broad definition of external sovereignty is "the lack of overarching authority structures in international relations" (Aalberts 2006), while Lieshout (1999) considers that "a state recognizes no authority above it in its relations with other states". Lieshout's definition means that state and its institutions, unconstrained of other domestic or international actors, have the ability to determine their foreign policy and act in this matter.

The issue of national sovereignty lies within the discourse of the "metamorphosis of the modern state system" (Ruggie 1993), while states are bound by the signed international treaties and the international organizations they brought into being. When discussing the EU and models of governance, general impression asserts that states have yielded ground to postmodern setting of political, social, economic and legal space. The academic discourse focuses on the idea of a European identity and Europeanization, which is in the line with not only the idea of changing Europe, and particularly on the changing nature of statehood within Europe. This includes the problems of state sovereignty and authority, but also the increasing levels of integration and eventually constrained sovereignty for the member states (Romaniuk and Stivachtis 2015).

Sovereignty represents a concept that throughout history has gathered a broad spectrum of "denotations and connotations" (Keohane 2002), and with that is often subject of redefinition (Romaniuk and Stivachtis 2015). Since the perception and understanding of sovereignty enable it to be used as a conceptual lens, it has become a significant characteristic of the EU integration process and discussions on the changing nature of state authority (Romaniuk and Stivachtis 2015). Keohane's understanding of external sovereignty is different from the classical considerations and definitions, i.e. Westphalian sovereignty; he defines it as "a form of self-determination or authority that is "subject to no other state and has full and exclusive powers within its jurisdiction without prejudice to the limits set by applicable law." When discussing this issue within the context of the EU and two aforementioned governance models, Keohane (2002) argues that sovereignty "is pooled similar to the idea of "shared", in the sense that, in many areas, states' legal authority over internal and external affairs is transferred to the Community as a whole, authorizing action through procedures not involving state vetoes".

### 3 CFSP & CSDP

The European Union has undergone some considerable changes in the area of foreign and security policy, shifting from a modest idea to coordinate foreign policies of the member states, to a platform in which the EU is recognized as an international actor and reliable partner in addressing global issues (Cooper 2007). Exhaustive efforts to create the common foreign policies, which is linked with the core question of national sovereignty, between member states was finally formally finalized in the 1992 Treaty on European Union, when the EU's Common Foreign and Security Policy was established (Gosalbo Bono 2006). The CFSP addresses the international issues of a political or diplomatic nature, including issues with a security or military orientation (Mix 2013). The European Council and the Council of the European Union have the most important and demanding role in formulating CFSP, which is composed of numerous elements. The Treaty of Amsterdam formulated four CFSP instruments:

- Principles and Guidelines (provides general political direction);
- Common Strategies (set out objectives and means);
- Joint Actions (addresses specific situations);
- Common Positions (defines an approach to a particular matter) (European Union 1997).

Further on, the Lisbon Treaty organized CFSP instruments within the four types of Decisions on:

- the strategic objectives and interests of the EU;
- common positions;
- joint actions;
- implementing arrangements for common positions and actions (European Union 2007).

Institutional structures and instruments are created by the EU in order to establish and implement the Common Foreign and Security Policy, since the EU should be a strong actor in the international arena not only regarding economic issues, yet when it comes to the political and security questions as well. For this to be achieved it is necessary to have strong and, what is more important, united voice coming from the Brussels.

According to the EU treaties, issues that the CFSP is dealing with remain under the sole control of the member state governments and they are required to work closely together in order to reach a consensus on particular, often sensitive, issues (Thym 2004). The member states have unified their foreign policy to the extraordinary level on various issues. Yet, the main challenge to the CFSP remains finding the lowest common denominator and maintaining consensus among sovereign member states



(Peterson and Sjursen 1998). It is understandable that national governments have different interest, priorities or perspectives, and with that they have to disagree when it comes to the phase of the policy making. There are many examples on which we can elaborate on different standpoints of the member states with respect to the foreign policy issues, such as invasion of Iraq in 2003, recognition of the independence of Kosovo, etc.

Within the academic circles it could be heard that the Common Foreign and Security Policy does not have one comprehensive strategic model for operating in major areas, which represents their main problem that needs to be addressed (Øhrgaard 2004). Member states may have different views how to tackle some specific problems, which cover issues, for example, is the engagement the best way to encourage desired reforms and behaviors, or there are more preferable tactics that could be conducted. Also, the European Union is being criticized quite often for not having a strong defined strategic approach to Russia and China (Lucarelli and Fioramonti 2010). Although EU member states have and share numerous views with respect to these countries, particular interests are still playing an important role when it comes to the policy making on the EU level. We have to state that the European Union is not a unitary state, and its member states carry on having and promoting their own national foreign policies. Therefore, CFSP remains a common policy of the EU, not a single policy (Mix 2013).

Many scholars argue that Europe needs to continue with strengthening the substance of the CFSP, because it is their only possible real gateway towards being a relevant actor in the international community (Tonra and Christiansen 2004). Even though some member states think that their voice is being diminished within the EU, it is quite clear that it would be even less likely for them to be heard in the global arena by 'performing' individually. Big member states of the European Union, while acting in the individual capacity, in the international community would be considered as 'middle' powers, due to the part of influence that they can exercise within the global arena. Therefore, in order to promote and protect their own interests abroad, strengthening CFSP is much needed modality for them as well, with which they will secure united voice towards global issues (Øhrgaard 2004).

The Common Security and Defence Policy, which the member states have agreed on in 1999, represents an extended arm of the Common Foreign and Security Policy, and it is important to state that the field of work of the CSDP is not only military and defence (Wessels 2004). Namely, CSDP operations are oftentimes made of civilian activities, such as police, judicial trainings, and security sector reform. Therefore, we can understand why today CSDP is mainly focused on peacekeeping missions, conflict prevention, crisis managements, post-conflict stabilization, and



humanitarian mission, rather than conventional military combat actions (Regelsberger and Schmalz 2001).

European officials were keen to create a more vigorous CSDP through enhancing and supporting coordination among EU countries military capabilities. Nevertheless, a significant number of specialized support structures, which are part of the External Action Service, have been established to make the operational planning and implementation of CSDP, such as:

- Crisis Management Planning Directorate (to integrate civilian and military strategic planning);
- Civilian Planning Conduct Capability (office to run civilian missions);
- Joint Situation Centre (intelligence analysis and threat assessment);
- EU Military Staff (to provide military expertise and advice to the High Representative (Regelsberger and Schmalz 2001).

The European Union has through the CSDP established a number of targets for enhancing capabilities and deployable assets, one of the being standing EU army, a number of troops and assets that would be available for EU operations, which should be drawn from national military forces of the member state (Thym 2004).

We have to underline that the majority of CSDP actions have been civilian missions, and EU substantial civilian capacities in areas such as rule of law and police training are essential elements in situations where sustainable development of governance is a main concern (Thym 2004). These forms of civilian capabilities are very demanding, and it is necessary to continually pushing the EU to be more present and active, when it comes to such missions. Many analysts are arguing that civilian operations, which main field would be governance building, or crisis management, is expected to be central figures in the future framework of CSDP operating (Howorth 2001).

Conclusions regarding the products of work of the CSDP are drawn from various perceptions and analysis. Nevertheless, many claim that we have to state that its operations have made some positive impact to the international security (Webber, Croft, Howorth, Terriff and Krahmann 2004). Even though many missions have been relatively small and they do not attract great attention, we have to notice that European Union's efforts to burden sharing and collective security have been very significant. They are even more significant if we take into consideration that these kinds of actions would probably fail if it was conducted by some other regional organisations, global powers, NATO, or even UN. Many European offi-

cials stress that CSDP have no intention of competing with NATO, rather it is seen as a complementary alternative. (Thym 2004). Even the Lisbon Treaty affirms the leading role of NATO, and states that the CSDP does not seek to compromise any commitments of their member states made towards NATO (Wessels 2004). The functioning of the Common Security and Defence Policy offers the EU to act in situations where NATO, or even United Nations, choose not to become involved into managing the crisis.

National Defence represents one of the core elements of the state sovereignty, and even though many officials of the member states governments perceive further integration as an integral part of maximizing Defence capabilities on the EU level, it cannot be expected that national governments will transfer the decisive voice when it comes to controlling their military forces and assets. Many realists argue that EU member states should act much more courageous when it comes to the Defence initiatives, especially by stretching Defence budget further (Mix 2013). The Lisbon Treaty establishes the possibility of “permanent structured cooperation”, which means that subgroups of member states may voluntarily choose to move ahead on their own in the development of specific Defence capabilities.

An effective and integral CSDP considers an autonomous capacity of the European Union to conduct external operations, but many Europeans still live in belief that traditional military threats remain a situation in which you are in need for military power for effective and successful territorial self-Defence (Regelsberger and Schmalz 2001). However, there are those that do not consider traditional military threats as fundamental security concern. Namely, some Europeans tend to perceive and emphasize threats posed to societies by challenges rooted in economics, demographics, climate, environment, migration, and terrorism (Mix 2013). Therefore, use of military forces in dealing with such treats is quite constrained, and, in accordance to that, it has diminished role within the EU's strategic thinking. The future roles of the European militaries should be in peace-keeping missions, stabilization, as well in crisis management. Also, we have to underline that from the establishment of the CSDP, European military capabilities has not been dramatically increased (Howorth 2001).

Consolidating Common Security and Defence Policy and aligning it with the rest of the EU's standpoints is one of the primary objectives for the European Union (Webber, Croft, Howorth, Terriff and Krahmann 2004). The European Union is tending to evolve new tools and strategies, in order to create an innovative solution to cope with global challenges, by using all available assets in a coherent and comprehensive manner.

Manners and Whitman (2000) in their discussion on EU member states foreign policies are using the term 'Europeanization', in order to empha-

size their arguments on the constraints of the member states to establish and implement independent and sovereign national foreign policies, due to the EU membership (particularly CFSP and CSDP). The 'Europeanization', as Wong and Hill (2011) define it, represents a "process of identity and interest convergence, so that (to the extent to which occurs) 'European' interests and a European identity begin to take root alongside national identities and interests, indeed to both inform and shape national policies". The academic literature on 'Europeanization', which could be also described as "an ongoing and mutually constitutive process of 'Europeanising' and 'Europeanised' countries" (Major 2005), focuses on analyzing the extent of influence, opportunities and constraints of the EU membership on member states' foreign policy and its postulates (Tonra 2001).

The gravitating idea of the 'Europeanization' is that membership in the Union has a significant influence on the foreign policies of the member states (Allen 1996), which outcome could be, according to Wong (2005), convergence of national foreign policies. The impact of the EU membership on foreign policies of the member states is directly dependent on the size and (perceived or objective) strength of one state. Namely, an influential member state perceives the EU's CFSP and CSDP as an opportunity and tool for strengthening their own national foreign policies (Hill 1993), while other member states have interest, due to the lack of necessary means, to be involved into common EU foreign policy mechanisms (Manners and Whitman 2000).

It is considered within the academic community that the 'Europeanization' of foreign policy has more benefits for smaller EU member states (Allen 1996). However, this impact is not straightforward, since the policymakers in the smaller member states perceive this process twofold: as constraining (interfering in their sovereign right to define and conduct foreign policy), as well as a tool for enhancing their national foreign policies. Manners and Whitman (2000) are underlining that this influence particularly depends on foreign policy orientations, i.e. if the EU is the central forum for achieving foreign policy aims, or they have other channels. In a situation in which smaller member states have no significant part in creating the EU foreign policy, those states are under pressure to converge their foreign policies into the CFSP and CSDP. Therefore, this pressure could make a gradual shift of national foreign policymaking from national institutions to Brussels. Nevertheless, this does not indicate a weakening of a smaller member states' foreign policy, since they often lack bilateral capacities to develop international actions (Allen 1996) and possibilities that EU institutions offer could result in bolstering the protection and promotion of their foreign policy aims.

#### 4 POSITION OF MONTENEGRO WITHIN THE CFSP AND CSDP

A number of studies are underlining that the smaller member states' foreign policy are changing substantially as a direct product of the process of 'Europeanization' (Manners and Whitman 2000, Tonra 2001). This paper will address this issue on the example of European integration process of Montenegro, firstly by noting all the alignments with the EU's CFSP and CSDP, and afterwards with emphasizing particularities that are important for our analysis. Therefore, when it comes to the part of Montenegro in the CFSP and CSDP, officials of Montenegrin government have pledged that it can and it will adopt the *aquis* regarding foreign, security and defence policy of the EU (European Commission 2013). Also, the government has indicated that it does not expect any problem in implementing the *aquis* by the adoption of Accession Treaty. In the Screening report (2013) it is underlined that the main objectives of Montenegro's foreign policy include EU and NATO accession, maintaining good neighborly relations and intensifying regional cooperation in the Western Balkans, as well as enhancing bilateral and multilateral international cooperation. When it is invited, Montenegro aligns itself with the European Union's statements and human rights declaration, but also with Council Decisions on restrictive measures. For example, for the period from September 2012 to September 2013, Montenegro aligned itself to all 38 invited measures (European Commission 2014).

Montenegro's main foreign policy aims, apart from EU and NATO accession, are good neighborly relations and boosting regional cooperation in the Western Balkans. In the Screening report (2013) it is underlined that Montenegro does not and should not have any difficulties in implementing EU's foreign policy courses in this region. Also, country is important for the EU because it can make a positive contribution to EU's foreign and security policy in this region, by maintaining close relations, intensifying political dialogue, and establishing diplomatic and trade liaisons among neighboring countries.

Montenegro fully shares the EU's objectives of promoting peace and stability in this region, and involves at the highest political level with all countries of the Western Balkan. It is noticeable that Montenegro plays a proactive role in regional organisations in the Western Balkans and works closely with all regional countries, because it sees itself as a promoter of more frequent and stable regional cooperation. The country actively participates in the work of regional initiatives and organisations, including the South-East European Cooperation Process (SEECP), the Central European Initiative (CEI), the Adriatic-Ionian Initiative, the EU Maritime Strategy and the EU Strategy for the Danube Region (European Commis-

sion 2013). The country also hosts the Secretariats of the Regional Cooperation Council Task Force for Culture and Society and of the Regional School of Public Administration (ReSPA) (European Commission 2014). It is worth mentioning that Montenegro is the initiator of the 'Western Balkan Six' proposal, which aims at bringing together the region's political leaders in an effort to enhance cooperation on European integration. Beside the multilateral level, Montenegro need to fully challenge bilateral issues with its Western Balkan neighbors. It is necessary to enhance its efforts on searching for mutually acceptable sustainable solutions to all pending bilateral issues.

With respect to the EU policies vis-à-vis third countries and regions, such as Russia, the European Neighborhood Policy countries, the Middle East Peace Process, the Gulf Cooperation Council, the Euro-Mediterranean Partnership, the Transatlantic Dialogue, the ACP countries, as well as Latin America and Asia, Montenegro emphasizes that it foresees no difficulties in implementing CFSP positions (European Commission 2013). Of course, it is clear that Montenegro's ad hoc relations regarding third countries reflect the size of the country and its foreign policy postulates. Nevertheless, Montenegro claims that it has solid bilateral relations with Turkey and the Euro-Mediterranean Partnership countries, and, in July 2008, Montenegro even became a member of the Union of the Mediterranean. Also, Montenegro is working closely with the US in the defence sector through the Programme of International Military Education and Training, and various other programs (European Commission 2014).

Montenegro and its government are fully supporting and have already made progress in adopting and implementing the EU objectives on disarmament, arms control and non-proliferation of Weapons of Mass Destruction. Country takes part in some, but not all international instruments and international export control arrangements (European Commission 2013). Montenegro participates in non-proliferation and arms control regimes including the International Atomic Energy Agency, the Preparatory Commission for the Comprehensive Test Ban Treaty, the Organisation for Biological Weapons Convention and the Organisation for the Prohibition of Chemical Weapons (European Commission 2013). The country's legal framework includes the Law on Ionising Radiation Protection and Radiation Safety (OJ 56/09 and 58/09), the Law on Foreign Trade in Arms, Military Arms and Dual Use Goods (OJ, 80/08, 40/11 and 30/12) and the Law on Export Control of Dual-Use (OJ 32/12) as well as strategy documents and action plans. Yet, government of Montenegro is aware of the need for enhancing its administrative resources, which is something that represents the pervading momentum in the process of creating their foreign policies.

Compliance with international commitments on small arms and light weapons is, in principle, also secured. Montenegro states that it complies with the main EU instruments in this field, by underlining that its national legislation is fully harmonised with the Council Regulation setting up a Community regime for the control of exports, transfer, brokering and transit of dual use items (EC 428/2009), the Common Position 2008/944/CFSP, the Common Position on the control of arms brokering (2003/468/CFSP), Joint Action concerning the control of technical assistance related to certain military end-users (2000/401/CFSP), and the EU's Common Military List (2013/C90/01 CFSP) (European Commission 2013). Yet, it is necessary and obligatory for Montenegro not to stop harmonizing its legislation with the *aquis* in this field, and secure implementation and enforcement of arms control regimes in order to improve its capacity for total implementation of its international commitments. The government of Montenegro totally acknowledges the need to boost its administrative capacity, and to develop a National Strategy to combat WMD proliferation and to increase funding for activities related to the clearance of contaminated territories and construction/renovation of warehouses in line with international standards (European Commission 2014).

Montenegro has reached a good level of preparation for accession, if we are talking in general, regarding the security measures for classified information. The legal framework on security procedures for the exchange of classified information is in place and includes the Law on Classified Information and the Criminal Code as well as the Regulation on the manner and procedure assigning information classification and the Regulation on classified information evidence (European Commission 2014). Existing EU-Montenegro security agreement about security arrangements for protection of classified information, which entered into force in December 2010, allows the exchange of classified information. The Directorate for Protection of Classified Information, established in 2008, coordinates and implements EU security policy in the country and acts as the country's national security authority responsible for security clearance and access to classified documentation and electronic communication (Ministry of Defence of Montenegro 2013).

Montenegro is cooperating with the EU, UN, and other relevant international organisations when it comes to the area of conflict prevention (Ministry of Defence of Montenegro 2013). The country aligns itself with the various European Union's measures and statements, which are linked with conflict prevention. Also, this Western Balkan's country expresses its support to the Common Security and Defence Policy, and also, according to the government's position, Montenegro is ready for accession, if we are taking into consideration situations in which we have to deal with

and tackle the military or civil crisis management (European Commission 2013).

Montenegro signed with the EU in March 2010 the Agreement on the country's participation in the European Union's military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery of the Somali coast, what is also called Operation Atalanta (Ministry of Defence of Montenegro 2013). On the basis of this Agreement up to 3 members of Montenegro's armed forces are taking part in this particular EU crisis management operation. Later on, on 22 February 2011, Montenegro signed a Framework Agreement for country's participation in EU crisis operations, in order to facilitate future involvement of Montenegro in other current or future CSDP operations. Beside this, country is making a contribution to other international peacekeeping missions: for NATO Afghanistan (ISAF) – with up to 45 members since 2010 – as well as for the UN in Liberia (UNMIL) – with 2 members as observers since 2006 – and in Cyprus (UNFLICYP) (Ministry of Defence of Montenegro 2013). Upon the invitation of the EU, Montenegro donated military equipment to the Armed Forces of Mali in June 2013.

Montenegro's role and commitments regarding CSDP mission and objectives is projected to gradually enhance, especially when it comes to the civilian CSDP missions. Even though the country's contributions are relatively constrained, but not at all insignificant, Montenegro expressed their readiness to build capacities and capability with the goal to actively participate to the EU Battle Groups in the future (European Commission 2013). Generally, in the Screening report (2013) it is more time emphasized that, even though Montenegro has limited resources, it has totally subscribed to the EU goals of crisis management, and indicates that it will work on improving its administrative capacities to be ready to actively participate in CSDP activities by the time of accession.

With regard to the European Union's sanctions and restrictive measures, Montenegro aligns itself with EU and UN decisions, when requested. Montenegro's main legal framework to implement EU and UN Security Council sanctions is the Constitution (Articles 82 and 9) and the Law on International Restrictive Measures, which foresees a mechanism, by which the Government has to take decisions for each restrictive measure (European Commission 2013). Montenegro has adopted and implemented all UN Security Council restrictive measures, and it is strongly committed to implementing restrictive measures in accordance with the *acquis*. So far Montenegro has joined EU in imposing restrictive measures against Myanmar/Burma, Democratic People's Republic of Korea and against certain persons, entities and bodies in view of the situation in Ukraine.



The purpose of this comprehensive overview was to underline all Montenegrin foreign policy actions 'provoked' by the European integration process, which are related to the achieving required standards and for their future activities within the CFSP and CSDP, as well as to the establishing relations and position within the international community. Therefore, in the case of Montenegro we could observe how 'Europeanization' with respect to the CFSP and CSDP could be perceived as a process of foreign policy convergence, with which represents „a dependent variable contingent on the ideas and directives emanating both from actors (EU institutions, politicians, diplomats) in Brussels, and from national leaders in the member states” (Wong and Hill 2012).

The above mentioned alignments are indicating that the European integration process is influencing Montenegro's foreign policy firstly in the domain of legislative reforms that are necessary for adapting to the EU standards. The legislative reforms (such as those related to disarmament, arms control, non-proliferation of weapons of mass destruction, control of exports, transfer, brokering and transit of dual items, and classified information) represents basis for steadily advancing in the negotiation process, as well as for present and future successful implementation of the CFSP and CSDP. In addition, the European integration of Montenegro affects its foreign policy through strengthening its multilateral relations. A required *modus operandi* is primarily engaging in highest political level with all countries of the Western Balkan, which is affirmed with the country's active participation in the work of regional initiatives and organisations, including the South-East European Cooperation Process (SEECP), the Central European Initiative (CEI), the Adriatic-Ionian Initiative, the EU Maritime Strategy and the EU Strategy for the Danube Region, etc. (European Commission 2013). Secondly, strengthening Montenegro's reputation within the multilateral arena is achieved with its involvement in the operations related to the area of conflict prevention. With that, the abovementioned arguments regarding the benefits for small states (strengthening and bolstering the national foreign policy), which are direct product of the 'Europeanization' (Hill 1993), obtained its foundation on the example of Montenegro.

The most prominent example of the change in Montenegro's foreign policy, due to the European integration process, lies in country's participation in international missions (crisis management operations, peace-keeping missions, etc.) and imposing sanctions and restrictive measures. The later represents one of the most sensitive issues in conducting foreign policy, therefore the alignments of the candidate country in this matter reflects the country's commitment to the 'Europeanization'. Also, these alignments represent a salient turnover of the foreign policy of small states,

since I would argue, from a realist perspective, that no state of minor or medium 'range' in the international community would interfere in any conflict, if there does not exist specific benefit for their involvement. In this case, the stake is prosperous European integration process. The particularly interesting case for our subject of analysis is EU's decision to impose restrictive measures against certain persons, entities and bodies in view of the situation in Ukraine.

On 15 October 2014, the Council of the European Union issued two press releases declaring the alignment of certain third countries with the EU's most recent restrictive measures related to the situation in Ukraine. The first release declared that Montenegro, Iceland, Albania, Liechtenstein, Norway, and Ukraine have agreed to align their national policies with the EU following Council Decision 2014/658/CFSP of 8 September 2014. This decision, as we noted earlier, amends the listing criteria found in Council Decision 2014/145/CFSP of 17 March 2014, which allows for restrictive measures against those seen to be undermining or threatening the integrity, sovereignty and independence of Ukraine. The amendment also adds 24 persons to the sanctions list. The second release declared that Montenegro, Iceland, Albania, Norway and Ukraine shall also align themselves with Council Decision 2014/659/CFSP of 8 September 2014. This decision amended Council Decision 2014/512/CFSP of 31 July 2014 to expand the list of entities subject to sanctions to include certain Russian financial institutions, and defence and energy companies. The amendments also tighten restrictions on Russian access to EU capital markets and the export of dual-use goods (O'Kane 2014).

Diplomatic relations between Russia and Montenegro date from 1711 (Raspopović 2009), and, historically, Montenegro was relying on the Russian empire, first economically, and then military through its centuries-long struggle for independence. Sharing the same religion and because of the solidarity among Christian people, as well as for specific geopolitical interests, Russian empire was a 'state-protector' of Montenegro in certain periods. Starting from recent years, Russia and its people are being present in Montenegro in relatively large scales. Russian businesses, backed by the state, have infiltrated a number of Balkan economies. The side-effect of accepting Russian investments is enhancing energy dependence (Đorđević 2014) and, more importantly, diminishing both EU and NATO accession in the region. Therefore, in order to achieve and protect its interests in this region, Russia was underlining heavily its ethno-cultural ties and religious links with Montenegro.

Russian investment in Montenegro in recent years had been larger than any other foreign investments in the country. From 2009 to 2011 the Russian Federation had invested more than 300 million USD in wide range of areas,

but mainly in tourist and metal industries (Đorđević 2014). According to the Central bank of Montenegro, in 2013 Russia has invested more than 136 million USD, of which 108 million went to the real estate sector, followed by the intercompany debt of 25 million USD, while investments in companies and banks were 3 million USD (Intellinews 2014). In addition, Russian tourists represent about 1/3 of all tourists visiting Montenegro (300,000 per year), and Russian businesses have acquired a number of major tourist resorts in Montenegro (Đorđević 2014).

Since the Ukrainian crisis has arisen and disrupted the relations within the international community, Montenegro, as an aspirant for the EU and NATO membership (received invitation to start with the accession talks on 2 December 2015), was practically forced to choose a side in the geopolitical strategic dualism – Russia and EU. And, as it was previously stated, Montenegro supported the EU policy of visa bans and freezing of assets of individuals closely connected with the Kremlin. Montenegrin president and other officials tried to minimise the damage in the bilateral relations by emphasizing and repeating that this was not an anti-Russian policy, but it was for the sake of prompt EU integration process and accession to NATO (RT 2014). Yet, I would argue that Montenegro, a country with the population around 620,000 people (size of the twentieth-largest city in Russia), if there was no question of EU (and NATO) integration involved, would never consider imposing these restrictive measures, particularly for two motives.

The primary motive lies in the logic of conduct of small states (in terms of international significance and powers). Namely, in the situation of a big global geopolitical issues and clash between the major powers, a small state would prefer (again from a realist perspective) to stand aside and not interfere in the dispute matter. Yet, in this conflict, due to the Montenegro's membership aspirations, this country had to align with the EU's restrictive measure, and with that made a choice that is against its basic foreign policy postulates that are determined by its size and role that they can materialize globally. Second argument that I would introduce is located in the presented figures from the previous paragraphs. Montenegro, as a small economy that is directly dependent on foreign direct investments and external trade, could not afford deterioration of relations with such a big and important actor of their economy. However, Montenegrin government has chosen the European path, as a more significant and beneficial for the future sustainable development and their geopolitical interests. Having all that in mind, in terms of Ukrainian crisis and EU restrictive measures, it is clear that Montenegro was under pressure to converge its foreign policy into the CFSP and CSDP, in order to preserve a stability of the European perspective (Manners and Whitman 2000).

## CONCLUDING REMARKS

Everything that has been said opens a question that is in the domain of political philosophy – the issue of national sovereignty within the integration processes, since the national sovereignty has become an important attribute of that process and discussions on the changing nature of state authority (Romaniuk and Stivachtis 2015). Indeed, there are many different types of sovereignty, and Keohane (2002), deriving from interpretation of sovereignty articulated by Jean Bodin (sovereignty cannot be divided), underlined that “the external sovereignty represents a form of self-determination or authority that is subject to no other state and has full and exclusive powers within its jurisdiction without prejudice to the limits set by applicable law”. As stated above, Keohane (2002) notes that EU Member States have departed considerably from the classical meanings, i.e. Westphalian understanding of sovereignty.

Nevertheless, I would argue that the process of EU integration means *de facto* trading national sovereignty for the benefits that could be eventually achieved in the future with the EU membership (Wessels 2004). *De facto* because conduct of foreign policy of the candidate countries is being determined among 28 other states, and they do not have an opportunity, or, to be more precise, right to take part in the decision making process on the issues that are related to them as well. Nevertheless, it is an indisputable fact that the candidate countries have the possibility to determine whether to align or not with the some specific EU policy. However, in order to fully achieve the outlined targets, the candidate countries must prove their willingness and, more importantly, ability to adopt and implement various EU policies. Therefore, in our context of analysis the national foreign policy-making is partially shifting from national institutions in Podgorica to the institutions in Brussels.

In this paper I have tried to present how candidate countries are *de facto* trading their national sovereignty for the sake of successful process of EU integration on the case of Montenegro and its foreign policy. That does not indicate a fragility of the small member states’ foreign policy, since they often lack instruments and tools to achieve and protect its objectives within the international community (Allen 1996). Trading national sovereignty (Wessels 2004) represents one challenge on the EU path that candidate countries need to fulfill in order to obtain a seat at the table. And that is completely legitimate conduct of foreign policy, since the EU membership represents an essential determinant of the foundation and postulates of their foreign policies.

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### SAŽETAK

#### PREDODREĐENA VANJSKA POLITIKA – USKLAĐIVANJE NACIONALNIH POLITIKA DRŽAVA KANDIDATKINJA SA ZAJEDNIČKOM VANJSKOM SIGURNOSNOM POLITIKOM I ZAJEDNIČKOM SIGURNOSNO OBRAMBENOM POLITIKOM: SLUČAJ CRNE GORE

Ovaj rad će analizirati kako i u kojoj mjeri države kandidatkinje, tj. Crna Gora usklađuje svoju vanjsku politiku sa ZVSP-om i ZSOP-om. Teorijski okvir će biti formiran oko dva temeljna alternativna koncepta – upravljanje iz pozicije države i višerazinsko upravljanje. Također, u radu će se ukratko prikazati kako je Lisabonski ugovor utjecao na ZVSP i ZSOP i stvorio ono što imamo danas. Nakon toga, predstaviti će se usklađivanje crnogorske vanjske politike s EU, s posebnim naglaskom na nametnute sankcije u odnosu na situaciju u Ukrajini, zbog višeslojnih odnosa između Crne Gore i Rusije. Sve ovo treba nam omogućiti zaključak utječu li i do koje mjere ZVSP i ZSOP na crnogorsku vanjsku politiku i njene postulate.

KLJUČNE RIJEČI: Crna Gora, politika proširenja, ZVSP, ZSOP, Europska unija.