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Slobodan Pajović*

TWENTY-FIVE YEARS OF MEGATREND UNIVERSITY – A SIGNIFICANT PAGE IN SERBIAN EDUCATIONAL HISTORY

Twenty-five years have passed since the foundation of the first institution within the present system of Megatrend University higher education framework. During this period, our University has shared the destiny of our people and the country, which was difficult, tragic, unjust and very complex. Despite all these unfavorable circumstances and consequences coming from negative international environment, but also due to turbulent internal political, economic and social development, Megatrend University has achieved significant growth, development, and become one of the biggest private universities in the wider region.

In these twenty-five years our University has passed through the process of full institutionalization and accreditation demonstrating that a private educational institution could be modern, flexible, and adaptable to all challenges of the last decade of the 20th and the beginning of the 21st century. It is important to underline that the development strategy of Professor Mica Jovanovic, the founder, first rector and the owner of the University was to bring to Serbia a completely new concept of higher education based not only on high quality of attractive and effective educational programs and practices, but also on demetropolization of higher education as a concrete support to the development of our country. This initiative meant the establishment of various institutions of higher education throughout the Republic of Serbia.

As a result of the intensive development and constant modernization and innovation, Megatrend University is a recognizable and respected institution in the frame of Serbian educational system today, consisting of 11 faculties, 2 colleges, Megatrend Virtual University, Institute for New Technologies and TV Metropolis. We also have eight modern campuses in 6 towns in Serbia (Belgrade, Zajecar, Backa Topola, Pozarevac, Valjevo and Vrsac). The educational institutions of Megatrend University provide academic, as well as specialist, masters and doctoral programs in several scientific disciplines (business, international economics, management, art and design, culture and media, bio-farming, governance and administration, computer science). The fact that in 25 years of continuous work and effort in the field of higher education our university has had tens of thousands of active students and graduates at all academic and scientific levels, is something to be proud of.

* Prof. Slobodan Pajovic, PhD., Rector of the Megatrend University, Belgrade.

Until July 2014 Professor Jovanovic successfully led our University, guided by the vision of a modern, highest quality and functional educational process and scientific research. This concept resulted in the dynamic development and rapid transformation and internationalization of Megatrend University, which in 1999 became a full member of the Global University Network NEWS (North-East-West-South), which gathers universities from all around the world. Also, all the institutions of Megatrend University are members of the EAMS (Euro-Asia Management Studies Association), the only global association for the management studies. Finally, in January 2003, Megatrend University became a full member of the Serbian Universities Conference.

If from today's perspective the contribution of Professor Jovanovic to the development of our University and the Serbian education in general should be estimated, there is no doubt that he gave a great impetus to the modernization of the concept of university, main characteristics of the educational process and, more importantly, the capacity of adaptability to the latest trends coming from the globalized world. In essence, he was a visionary who tried in his own, completely new way to modernize and open the university to broader strata of our impoverished society. However, this dynamic project, as well as his particular way of managing such an important educational institution also provoked various kinds of reactions, frequently unjust and unfair, and definitely inherent to conservative views and spirits that, unfortunately, still prevail in our academic circles.

As mentioned before, the new Rector with the new Rector's Collegium has taken the leadership of our University since July this year. The strategy of the new university leadership and management is based on the conviction that Megatrend University has to be transformed into the center of the highest quality education based on modern and functional teaching methodologies and scientific achievements. In fact, our goal is to achieve pragmatic, efficient and effective knowledge transfer, i.e. the creation of applicable competencies and contextual skills of graduates in all fields and levels that our Curricula offer. In practice, this strategy means that we will always and consistently insist on quality, autonomy, freedom, the firm commitment to the realization of our educational and research mission, but also our intention to maintain full openness towards Serbian society, the region, Europe, and the world.

At the same time, the University constantly makes great efforts to reach top European standards in education and provide high-quality and applicable knowledge for our students. This is a great challenge having in mind quite unfavorable social and economic conditions in our country. Whatsoever, we are aware of our mission, and that will be our contribution to the progress of the Serbian society based on knowledge and expertise. To accomplish this mission, Megatrend University and all its employees are aware that they must constantly work in order to maintain high academic level, credibility and of course, the autonomy that is guaranteed by the Constitution of the Republic of Serbia.

We live at the time which is increasingly accelerated and changeable. This is one of the main characteristic of the 21st century, which is ultimately global and complex in its dynamics and interactions. We must be conscious of the fact that citizens of the world interact today in almost all fields and in the frame of the community that has an increasing number of cultures, languages, social heritages, governments, business practices, markets, exports, and of course that all this requires a new education and scientific approaches.

To say it again, the complexity of the 21st century is evident in many respects. For example, we are the witnesses of the formation of the so-called "global society" or "learning society" with all possible challenges coming from the spheres of politics, economics, social policy, culture, science, education, moral values, etc. In addition, some authors have begun to speak about the process of defining a new civilization era that started with quite uncertain and contradictory results. Briefly, the main paradox of this phenomenon could be seen, on the one hand, in great scientific and technological development, achievements and progress, but on the other, we have a scenario in which cruel war activities take place, as well as great material and human devastation, underdevelopment, and poverty which reaches alarming indicators. Parallel to this, it should be underlined that humanity has become conscious of increasing diversity in so many aspects of life, political and social organizations, productivity, religion and cultural stratification and fragmentation. Based on these dramatic and profound changes we could observe that we are living in the era of globalization or mundialization that create completely new development models. These models turn the actual world into a virtual one by imposing universality, although numerous unresolved social problems at the national level still persist. In other words, this fragmenting tendency within the framework of globalization is weakening and changing our societies, our identity and our culture. Simply, the present time seems to us as a time of deepening differences and new social divisions, never seen before in human history.

According to all these changes the new Rector's Collegium adopted the stance that globalization also opens up favorable space for development, but only for those actors who are able to manage those challenges, becoming thus more competitive and efficient. This increased level of competitiveness and efficiency certainly requires new knowledge and skills. This is an imperative of modern education to which we aspire.

To conclude, we are aware that the entire society and the country are forced to compete together with the business sector to become successfully integrated into globalized world. This new economic and geopolitical scenario of the 21st century involves a race among education systems functioning within each individual State. Therefore, it is urgent to structure a new basis for our University and make it capable of providing quick and pragmatic answers to so many demands, in order to adapt to new trends in global education. This involves the necessity of

increasing our capacities of teaching and researching, changing our traditional academic structures, philosophy, concepts of education, as well as upgrading programs for our academic and non academic staff. In short, our task is to incorporate Megatrend University in the culture of relevance, quality, evaluation, high information technology, strategic management and the progressive internationalization. All this inspires the new Rector's Collegium in its desire to be socially responsible and give a concrete contribution to the development of our country.

This is our strategy. It reflects our intention to become not only an integral and full member of the national structure of knowledge, expertise and competences based on the standards applicable within the framework of a the European Common Space of Research and Education, but also a university of recognizable and respectable references for the Balkan region and beyond, Eastern Europe, the Black Sea basin and other regions of the contemporary world.

There is no doubt that previous achievements in the field of international positioning of Megatrend University give us the right to look at this task optimistically. The realization of this objective will enable our students and staff significant international experience and knowledge of various specific fields and disciplines that exist in the areas of modern education, science and culture. Also, we see Megatrend University in the future as an institution specialized in the field of scientific research, and we do hope that all our faculties and the Institute for New Technologies will give a real support to the development of science within our University and the country through developing cooperation with other specialized research institutions.

This is our development vision which could realistically turn our University, in the years to come, into a center of excellence in academic and scientific fields in which Megatrend University has previously gained an international reputation and affirmation. These are in the fields of regional studies, global communication systems and intercultural management. Also, it means that our priorities must respond to the challenges of the time we are living in, and the demands of the new social contract that is urgently necessary between our society and the institutions of higher education. Parallel to this, we have to attract sufficient number of students without undermining the quality of education, provide efficient and functional administration and student services, and further intensify the internationalization of all aspects and spheres of educational programs, scientific research and cultural activities. Only in this way can a modern and ambitious university such as ours be truly socially responsible in its mission to educate young generations coming from all segments of our society, make intellectual, professional and scientific contributions to the development of Serbian society and the state and, finally, become a university whose role will be very important for the overall development and international position of our country.

J.J. Chanaron*

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TECHNOLOGY AND ECONOMIC IMPACTS OF MEGA-SPORTS EVENTS: A KEY ISSUE? EXPLORATORY INSIGHTS FROM LITERATURE**

Mega-sport eventssuch as OlympicGames or Football World Cup are alwayspresented as providing the hosting nation and/or city withhugebenefits. Supporters of sucheventsquoteeconomic, social and cultural impacts for the region as well as contributions to scientific and technologicalprogress and innovation. Obviously, theyneed to politicallyjustify the impressive and growingfinancialinvestmentrequired by organizingOlympicGames or World Cup. The article aims at looking at a quiteabundantacademicliteraturewith the objectives of defining the variouspotential impacts and the methodsused for theirassessment. It concludesthatthereis no universal and scientificallyvalid model for evaluating the benefits of mega-sport events and thatorganizersshouldbeverycautiouswhenarguing in favor of deciding to host suchevents.

Key words: Mega sports events, technology, the economy, social and cultural impact

Introduction

After the 2008 Olympic Games hosted in Beijing (China), and the 2012 Olympic Games hosted in London (United Kingdom), 2014 is the year of the FIFA World Cup in Brazil. Every major mega-sports event is inevitably the occasion for emphasizing and indeed marketing the contribution of the event to the boost of modernity, universality and globality (Haugen, 2003) as well as economic wealth of the hosting city or country.

In China, Beijing Olympic Committee decided to emphasize three priorities: "Humanistic Olympics, Green Olympics and Science and Technology Olym-

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** A very first draft of this article was prepared in 2008-2009 with the contribution of Professor Chen Xiangdong, The School of Economics & Management, Beijing University of Aeronautics & Astronautics, China.

pics". As far as science and technology issues are concerned, the 2008 Olympic Science and Technology Action Plan was launched jointly by nine departments, such as the Ministry of Science and Technology, State Physical Culture Administration and Chinese Academy of Sciences. The Plan collects scientific and technological innovation achievements, aiming to make use of first-grade technological achievements focusing on solving key and difficult problems in hosting the Olympics.

In London, four years later, the Olympic Games were the main source of urban regeneration in East London (Poynter, 2009) and contributed to major advancements in new technologies for security (Fussey & Coaffe, 2011). Brazil indeed should benefit from the world cup and in 2016 from the next Olympic games.

As far as technology, economic impacts, and the Olympics are concerned, the academic literature is limited. As emphasized by Andreff (2006), when examining the production of economic literature, we realize that there are very few articles and books dealing with such issues, not only in American, but also in European sports economics. Andreff (2006) pointed out the shortcomings of impact economic studies: methodological limitations, and overestimation of multipliers. Such issues are not even quoted in the list of "promising topics" arising from current development in sports economics. Andreff (2006) also pinpointed that one of the research areas to be developed should be technological innovation in the sports goods industry. Tucker (2006) stated that econometric analyses of the economic impacts of the Olympics are surprisingly scarce. Analyses that attempt to build robust models of the expected impacts are virtually nonexistent. The main objective of this article is to summarize the key outcomes of the academic literature on impacts on economy, and technology and innovation.

1. Economic Features and Impacts of Sports Events

Despite obvious gaps and weaknesses in the academic literature, authors emphasize several potential economic impacts of mega-sports events at local, regional and/or national levels on employment and through investment. Veraros & al. qualify such benefits as a multiplier effect. As acknowledged by Atkinson & Mourato (2005), Preuss (2004) has published one of the most comprehensive and authoritative discussion of the economic consequences of hosting the Olympic Games.

There are indeed many positive and negative effects of sports events which are not only of economic and technological essence. Mangan (2008) edited a special issue of *The International Journal of the History of Sports* in which several games and hosting cities are analyzed using the concept of legacy to capture the value of sports facilities and public improvements generated on the occasion of summer and winter games. In this special issue, Gratton & Preuss (2008) found various characteristics of legacy from tangible aspects such as urban plan-

ning and sport infrastructure to less tangible such as "urban revival, enhanced international reputation, increased tourism, improved public welfare, additional employment, more local business opportunities, better corporate relocation, chances for city marketing, renewed community spirit, better interregional cooperation, production of ideas, production of cultural values, popular memory, education, experience and additional know-how". The authors added negative legacies such as debts from constructions, high opportunity costs, infrastructure not needed after the event, temporary crowding out, loss of tourists, … property rental increases and socially unjust displacement and redistributions" (Gratton & Preuss, 2008).

1.1. Job creation

It is obviously difficult to evaluate jobs created due to holding the Olympic Games. Opponents claim that Olympic Games create only a few transitory jobs. Preuss (1998) argued that "despite the susceptibility of the calculations to errors, […] the Olympic Games lead to considerable employment effects". Such mega-events not only create new jobs but secure existing jobs. According to his calculation (Preuss, 1998, 2004), new person/years by primary effect, i.e. related to all autonomous expenditures caused by the Olympics, were 23,200 in Munich (1972), 37,900 in Munich (1976), 28,600 in Los Angeles (1984), 191,300 in Seoul (1988), 281,200 in Barcelona (1992) and 87,500 in Atlanta (1996).

Hotchkiss, Moore, Zobay (2003) note that hosting the 1996 Summer Olympic Games boosted employment by 17% in the counties of Georgia affiliated with and close to Olympic activity, relative to employment increases in other counties in Georgia.

Tziralis & al (2006) evaluate that the labor force in Attica prefecture (Athens) increased by 11.8% between 1998 and 2004 when it increased by 7% in Greece, in particular in the construction industry and hotels/restaurants.

Recently, Tucker (2006) published an extensive literature survey as well as a new comprehensive theoretical model to assess the deviation from the expected city employment for Seoul, Barcelona, Atlanta, Sydney and Athens. His conclusions seem to be interesting:

1) There is a positive impact on employment associated with the Games;
2) Employment levels increase long before the Games in response to construction and increased international visibility;
3) Job creation is significant only one year after the Games;
4) Olympics induce more employment in wealthier countries than in poorer countries, probably because wealthier countries are in better position to take advantage of the opportunities offered by the Games (foreign direct investments, tourism, etc.);
5) The greatest employment benefits the cities that spend the least.

Tucker (2006) recognizes the limitations and bias of his model. He also acknowledges that his study represents only the first step towards addressing the impact of the Olympic Games. He calls for further research towards a complete model of the "Olympic effect".

1.2. Economic Impacts

Dealing with macroeconomic impacts, Sterken (2005) shows that both descriptive statistics and economic growth models suggest that Olympic summer games[1] enhance GDP per capita growth rates. But the author adds that "if there is any impact, it is insignificant".

H. Preuss has published extensively on the economics of staging the Olympic Games. According to his research (Preuss, 1998; 2004), the balance between revenues and operative expenditures were positive from Munich (1972) up to Atlanta (1996), if the investments are ignored. However, if the investments are included, then Munich (1972) and Montreal (1976) experienced a deficit.

Arthur Andersen (1999) estimated the overall economic impact of the Sydney Games in 2000 as an increase of 0.12% over a 12-year period from 1994. For Tziralis & al (2006), total expenditures for the Athens Games in 2004 were 11.3 bn€ of which 20.1ù were privately funded. For capital expenditures, 6 bn€ were put on context activities and 2.5 bn€ on Olympic activities. For operating expenditures, 0.6 bn€ were spent on context activities and 2.4 bn€ on Olympic activities.

According to Berman & al. (2000), the appointment of a given city to host the Olympic Games has a positive impact on stock value of specific industries at national level: building materials, developers and contractors, engineering and services. The authors show from the Sydney case that such benefits are confined to locally based companies. Veraros & al. (2004) suggest that stock exchanges may anticipate the outcome of the voting and may not reflect a significant effect of the announcement itself. Interestingly, they point out that Olympic Games will have a much stronger effect if granted to an economic pole rather than a political or administrative center. Yelkur & al. (2012) demonstrate that there is a clear benefit in stock value for companies which advertise and/or sponsor summer as well as winter Olympic Games. The firms which are official sponsors (such as Visa, Coca Cola, McDonalds, etc.) significantly outperform the stock returns of other firms.

Visitors' expenses are indeed supposed to balance a part of the cost of the investment. Gratton & al. (2000) looked at the economic importance of major sports events and found out that one of the major international spectator events such as the Olympics and Football World Cup, i.e. the so-called Type A sports events, generate significant economic activity and media interest. Major sports

[1] But this is not the case for the World Cup Soccer.

events are a significant part of tourism industry in Great Britain, Australia and United States of America because many domestic sporting competitions attract the interest of foreign spectators. Australia estimates that such events contribute 5% of the national tourism income each year.

Matheson (2006) finds out that *ex ante* economic studies of the multiplier effects are highly overstated and theoretically deficient due to the substitution effect (consumers spending money at sporting events rather than in other activities elsewhere), the crowding out effect (visitors not coming because the event) and the leakages (expenses going out of the local economy). The author claims that ex post studies are also biased, mostly because they are produced by institutions which are involved in the event. The vast majority of independent academic studies show the benefits of being a fraction of those claimed by the organizers.

1.3. Supportive Impacts

Organizing the Olympic Games might have several supportive effects which are indeed difficult to assess and evaluate:

- Building up the image of the hosting city, region and/or nation;
- Boosting the tourism industry;
- Attracting investment in manufacturing and services not directly related to the event;
- Developing sustainable transport networks such as railways, underground railways and tramways;
- Expanding modern road infrastructure and then reducing pollution, noise, cost of traffic congestion as well as improving safety.

Berkowitz & al. (2007) show that China has used the Olympics in order to improve its image across the globe. They introduce the concepts of nation and place branding as an essential impact of such organization thanks to the global visibility offered by the extremely large media coverage of the event. Obviously, this has been a deliberate strategy of the Chinese authorities at all levels, from the central government to local institutions.

1.4. Physical Impacts: Urban Changes

The Olympic Games have several physical consequences (Chalkley & Essex, 1998, 1999 and 2004), which are indeed difficult to measure in dollar terms:

- Catalyst of and stimulus to urban change: from providing additional sports facilities to stimulating building of the environment (from Rome 1960) and contributing to a comprehensive urban renewal;

- Direct physical impacts: new road systems, public transport initiatives, air terminals, urban renewal programs, tourist and cultural facilities, parks and beautification projects;
- Shift towards sustainable development at Sydney (2000) emphasizing solar power, recycled water, passive heating/cooling, car dependence reduction.

1.5. Social and Cultural Impact.

There are lots of social and cultural related issues in terms of impact from mega-sports events.

For example, Paciluna in 1992 was considered as successful in that the event brought positive impact upon local city and people in city construction, imagination of media, local political system, labor market, cultural and sociologic learning, as well as local economic and technological progress. (Moragas de, Botella, 1995).

Other studies on Calgary Winter Olympic Games in 1988 were mainly for responsiveness of local residences, and possible impact upon local traditions. Jeong & al. (1990) applied a questionnaire to investigate responsiveness of local people in Seoul to the Olympic Games in 1988 in Korea, while Pyun (1999) conducted research particularly on economic impact of the Olympics in Seoul.

Social and cultural change based on the Olympic Games effect is frequently discussed in related research during competition for the hosting City, organization and construction. One of the major issues implies that the Olympic Games as an international heritage may influence local culture in the long run (such as research report entitled *Staging the Olympics: the Event and its Impac*t by Cashman and Hughes, 1999). Lee, Cornwell and Babiak (2012) developed a comprehensive but extremely complex instrument synthesizing numerous items and aiming at evaluating the global societal impacts through five dimensions: social capital, collective identity, health literacy, well-being and human capital. Although it needs to be confirmed by applied research of case studies in real conditions, this attempt looks very interesting and promising.

1.6. Elements of discussion

According to Lee (2001) and Matheson (2002), evidence suggests that not only are there theoretical reasons to believe that economic impact studies of large sporting events may overstate the true impact of the event, but in practice the *ex ante* estimates of economic benefits far exceed the ex post observed economic development of host communities following mega-events or stadium construction. Kasimati (2003) published illuminating figures about the Sydney Olympics.

Burton (2003) concludes that "it appears difficult to justify hosting the Games solely on a financial return on investment basis" and that "answering the

question of whether the community was better off for having hosted the Olympics may remain a discussion driven more by qualitative observations than by quantitative facts".

Kurscheidt (2007) thinks that most strategic management approaches of socio-economic impact of a sport event are done by applying an expenditure approach and a multiplier analysis. He suggests the use of cost-benefit analysis (CBA) to assess the "total value" of the event relative to a consistent set of goals, comprehending both quantitative and qualitative information and including both direct and indirect effects as well as tangible and intangible costs and benefits. An *ex ante* measure will be based on potential demand and infrastructure endowment, and result in alternative scenarios. Kurscheidt (2007) proposes that sensitivity analysis would be the appropriate tool for assessing the match between impacts and expected values: it examines, *ceteris paribus*, the effect of variations in only one single parameter on the total outcome of a specific investment. The author tested the following parameters: stadium capacities, multipliers, discount rate, proportion of foreign tickets, capacity utilization, tourist expenditure, investment expenditure.

Atkinson & Mourato (2006) advocate the integration of "intangible" benefits and cost. The authors list seven categories of intangible benefits:

	Intangible Benefits	**Intangible Costs**
1	Uniting people/feel good factor/national pride	Crowding
2	Improving awareness of disability	Increased risk of petty theft
3	Motivating/inspiring children	Increased safety and security risks
4	Legacy of sports facilities	Local disruption during construction
5	Environmental improvements	Transport delays
6	Promoting healthy living	Excessive media coverage
7	Cultural and social events	

Source: Atkinson & Mourano (2006).

They measure the cost-benefit balance through the concept of "willingness to pay" for hosting the 2012 Olympic Games in London.

Using the word "fallacy", Owen (2005) is very critical with economic impact studies: they have led to acceptance of their findings with little or no critical evaluation… the economic effects are taken as given…costs are treated as benefits… opportunity cost are not computed, etc… Benefits to local economics are often very short living.

2. Mega-sports Events, Technology and Innovation

As previously mentioned, the literature about innovation in the context of the Olympic Games and other mega-sports events is very limited. If one takes the "extensive" view of innovation, i.e. extending the scope from pure technological innovation in products, services and processes to organizational and societal innovation, it could be said that staging and participating in such events might foster innovative capabilities.

2.1. Generating Product Innovation

Small amount of academic literature deals with innovation in sports goods. According to Dall Monte, Leonardi, Menchinelli & Marini, (1987), advanced technology and biomechanics were applied in the development of a new bicycle. The factors investigated included the position of the cyclist, geometry of the bicycle, the transmission system, and the drag characteristics. Several wind tunnel tests were conducted to determine the minimum drag conditions for bicycle configurations and positions of the athlete. The results showed a clear advantage for non-spooked disc wheels of high composite material without discontinuity between the tire and the wheel. The conventional bicycle frame was redesigned and the optimum body position of the cyclist was determined. These findings were utilized in the development of the bicycle ridden by Francesco Moser in establishing a new 1-hour world record in 1984, and also in aiding the gold-medal-winning 4 x 100 Ism Italian team in the 1984 Los Angeles Olympic Games.

Bierklie (1993) pinpointed that as innovation in sports equipment threatens to turn the Olympics into the world's greatest technology tourney, rules committees struggle to ensure a level playing field. Competition sports equipment undergoes constant technological improvement. Whether bicycles, kayaks, javelins, barbells, archery gear, or fencing swords, just to cite a few, the tools of the athlete's trade are now lighter, stronger, and better designed than even a few years ago. As an example, Speedo developed a new Fastskin LZR suit to be tested during the Beijing Olympics (Dollinger & al., 2010). In practice, innovation in sports products is generally initiated by industry with a close involvement of users (Hyysalo, 2009) and when adopted by users they might be generalized.

There is little evidence that the Olympic Games had been a driver to new products in other manufacturing industries. Even if some Chinese academics claim that the so-called green 2008 Beijing Olympics will boost research and development in clean and intelligent transportation (Ma & al., 2004), it seems that there will not be any innovation in ground transportation. Omega, the Swiss watchmaker, innovated with an ultra-sensitive and extremely accurate touchpad for swimming able to record the one-hundredth of a second (Dollinger & al., 2010).

The Olympic Games, as well as major sports events, are a strong incentive for innovation in pharmaceutical and chemical industries for good as well as bad purposes (cheating).

Stuart (2004) states that with each Olympics, drug-taking and drug-testing gets more sophisticated. Anti-doping authorities are constantly developing more advanced ways to keep ahead of the cheats. At the Sydney 2000 Games EPO testing was conducted for the first time.

Human growth hormone testing was also carried out for the first time in Athens (2004) using a test developed by scientists at Southampton University. Although human growth hormone has been on the list of banned substances since 1989, its detection has not been possible for more than a decade. An initial test can detect if human growth hormone has been used by an athlete in the past 36 hours, and the second test can detect if it has been used in the previous 84 days.

2.2. Generating Process Innovations

It is hardly possible to find a reference to process innovations generated by the Olympic Games. Pitsis & al. (2003) present a few technical innovations induced by a large-scale project in Sydney 2000 Olympic infrastructure.

In Beijing, several major innovations in design, architecture and construction industry were introduced specially for the Olympic Stadium. Designed by Herzog and De Meuron, the "Bird's Nest" is the largest use of biometrics in modern architecture. As pointed out by Rogers & al. (2008), this is an experiment in bio mimicry; "a new science that studies nature's models and then imitates or takes inspiration from these designs and processes to solve human problems. The authors state that the National Olympic stadium in Beijing is an innovative building in terms of its design and the way it functions through its use of bio mimicry and that this building will influence future buildings (especially stadia) to exploit bio mimicry to create safer, healthier, economically and environmentally responsible structures.

Orr (2007) emphasizes the architectural innovativeness generated by the Water Cube National Swimming Centre. The author shows that innovation is linked to a demand for radically new types of buildings and structures. According to Orr (2007), the Olympic Games act as a driver for innovative architecture because the hosting nation (or city) "strives to couple challenging program requirements with cultural aspirations". A multi-cultural team challenged the dominant design in the swimming stadium to create a culturally-specific building based on the membrane structure technology which might be largely disseminated in the future (Da-wei & Lu-cheng, 2007). Dollinger & al. (2010) state that, in the Beijing Olympics, the Bird's Nest stadium, which impressed the whole world, required creation of new knowledge in welding techniques and methods. Berkowitz & al. (2007) and Ren (2008) confirmed such statement pre-

senting such innovation as a major deliberate contribution to the nation branding efforts. Broudhoux (2008) explained the pros and cons of the new innovative buildings built up for the Olympics.

2.3. Service Innovation

The Olympic Games are often an excellent opportunity to innovate with new services based on information technology in particular. The Beijing Olympics (2008) saw the innovation in services such as the so-called digital Olympics speech-to-speech translation system (Stuker, 2006).

2.4. Accelerating Innovation Diffusion and Implementation

Mega-sports events are a tremendous occasion, due to massive public and private funding, for accelerating the diffusion or implementing innovative technologies and services.

Slater (2000) argued that the Tokyo Olympic games in 1964 were the ignition for the first intercontinental direct television broadcast via satellite in geostationary orbit. Spooner & al. (2000) point out that it is widely recognized that Sydney used the Olympic Games (2000) to shift towards "green technology", especially through the first solar energy village ever built, i.e. Newington, aimed at creating a practical example of more sustainable living for the 21st century. Each home has 1 kW (peak) of roof-integrated PV connected to the grid via an inverter system.

Hausman (1999) claims that cellular telephone introduced in 1983, heavily benefited from the 1984 Olympic Games in Los Angeles, which was the first large city to be fully equipped.

Kalotychos, Gkikas, Kenterlis & Ellinas (2004) identify educational application on mobile phone (information on campus, schedule, location, access, examinations, contacts, etc.) developed by the Department of Electronic Computer Systems (Piraeus, Greece) during the Athens games (2004).

IBM stated that building and managing the technology infrastructure for the Sydney Games was the "largest, most complex information technology challenge in the world". The official Games Web site, powered by IBM, handled unprecedented Internet traffic with 11.3 billion hits, a 1,700 percent increase over the Nagano Games official site in 1998. More than 13 million lines of software code were written and thoroughly tested before the Games began. Almost 6,000 people provided technology support for 300 medal events in 37 sports competitions held at 39 venues.

The Olympic Games were an ideal occasion for handling critical applications of IT:

- Games Management Systems for coordinating the behind-the-scenes, logistics, ranging from accreditation and accommodations to staffing and transportation, that are critical to the success of the Games;
- Games Results System which captured the results from all competition events and distributed information to judges, scoreboards, commentators, media and the Official Games Web site;
- Commentator Information System (CIS), part of the Results System, which provided real-time competition information to TV and radio broadcasters to enrich their event coverage.

It is interesting to pinpoint that for the London Olympics in 2012, an explicit choice was made by the London Organizing Committee (LOCOG) that all technology used will be based on that used in the previous games (Douglas, 2012).

Goldenberg & al. (2010) argue that the Olympic Games have been a tremendous opportunity for radical innovations in sport practices such as the famous Fosbury flop in 1968 which contributed to a true revolution in high jumping. While Fosbury was the only one champion to use this technique in 1968, all competitors adopted it during the next Games in 1972.

2.5. Case study: Technological Change and Innovation in Olympic China

As scholars in innovation management fields have noticed, one of the most interesting aspects is the technology change under progress of the Olympic Games.

Perhaps a Japanese case can be cited as the Olympic backed technology change. The Tokyo Olympics held in 1964 was put into national income growth plan by government in Japan. Transportation facilities and city expansion including construction of hotels and integrated service facilities improved dramatically the development of real estate, service sectors, and telecommunication sectors, which created the so-called "Olympic Prosperous" between 1962 and 1964. Technology change accompanied by frequent product innovation was remarkable during those years.

In China, scientific and technological contents of the Olympic Games have also been greatly encouraged by government, including "863" national scientific and technology scheme. According to the Olympic Games S&T Scheme (2008), 1,234 projects with total input of 3.6 billion RMB were conducted in science and technology Olympic plans. 35000 technical personnel participated in various kinds of such programs. About 320 inventions applied for patent ownership to Patent House in China (180 were granted), created by both domestic and overseas participants. It is reported that 10 different typical technology contented achievements can be found in the 2008 Beijing Olympic City:

- Modern stadium construction;
- Information services;
- Sport technology facilities;
- Energy and environmental protection;
- Cultural products in creative industries;
- Weather forecast technology;
- Safety technology and management;
- Food health
- Transportation technology and facilities;
- Gardens and planetary.

It is reported that these technical backed achievement raised the level of innovation in local Beijing, and provided solid technology foundation for other related industries. In fact, the Olympic based industrial structure change is a major concern of local government, since it requires larger inflows of technology resources and related funds, as well as frequent mobility of technical personnel. This is also closely related to the development of local construction sectors, transportation sectors, tourist sectors, financial & insurance, broadcasting sectors, etc.

Energy intensive and heavy pollution sectors are expected to be eliminated gradually before and after the Olympic Games. High tech industries, city industries, and headquarters as well as R&D institutes should be major economic driving force in such local economies. Greener Olympics strive even further towards the adoption of newly developed environment friendly technologies and the restriction of energy intensive productions. In the meantime, consumers' tastes are raised for better and more versatile market.

Another significant part of the Olympic effect upon technology change is opening up economic development model to be continually applied in the local market, which can easily facilitate technical knowledge and technology transfers.

China's focused research on the Olympic Game related area is not as extensive as overseas studies. Initially, such research was conducted purely on sports and gamatics, the example being a general purpose textbook on the Olympic Games edited by nation-wide sports universities (Xu, 2006). However, since Beijing won the final role in organizing the 19th Olympic Games in China, the related research has started increasing dramatically. Song & Ranelli (2008) mention several studies by Chinese academics dealing with the following issues:

- Evaluating long-term social, economic and political implications and legacies (Fang, 2004; Jinxia & Mangan, 2008; Bridges, 2011);
- Acceleration of GDP growth rate (Ma, Lin, Huang, Xu, Li and Zhang, 2007);
- Greening of Chinese technology and economy (Ma, Wu, Liu, Yu, Teng, Liu, 2004);
- Increasing budget and income from Olympics (Wei, 2007);
- Increasing tourism income (Chen, 2008, Sun & Ma, 2008);

- Estimating Olympic-related Investment and Expenditure (Hashmi & al., 2008; Li ShiNa & Blake, 2009, Li, ShiNa, Blake, A., Thomas, R., (2013),);
- Olympic Effect on Total Investment in Fixed Assets and in Real Estate (Xu, 2007);
- Impact of Olympic-related Investments on Regional Economic Growth through an interregional Input–Output Approach (Zhang & Zhao, 2007);
- City branding (Zhang & Zhao, 2009; Jin & Bu, 2010);

There are also many academic publications on the relationships between the Olympic Games and various environmental issues:

- Crowding effects (Yan, 2004);
- Olympic Games and environmental protection (Cheung & Tuen Mun, 2010, Du & Mendelsohn, 2011);
- Reducing greenhouse gases emissions (Wu & Zhanga, 2008);
- Developing solar energy (Spooner & al., 2000);
- Diffusion of electric vehicles (Dixon, Wang & al., 2011);

Conclusions

1. Concerning the impacts of mega-sports events, there are still on-going debates amongst academic scholars.

One of the major weaknesses of impact studies, and consequently the skepticism associated, is that they emphasize the benefits without paying attention to the costs generated by sports events (Crompton & Howard, 2013). The authors particularly pinpoint the implicit and explicit opportunity costs of sports investments. They also show that, generally speaking, economic benefits are over-estimated, costs are under-estimated, while "economic impact is too often erroneously equated with profitability".

Recent evaluation of economic benefits for local population even shows that such impacts are not significant compared with the total size of the economy. Shina & al. (2013) estimated to less than 170 million of US dollars of welfare gains from the 2008 Beijing Olympics! Ganguly (2012) and more recently Banutu-Gomez and Rohrer (2014) state that there are Olympic cities that still have not recovered from the economic damage they suffered such as the Montreal Olympics in 1976, which cost the city and tax payers too much money and continue to be a financial drain. Moscow (1980), Athens (2004) and London (2012) are also considered as financial failure (Ganguly, 2012). As far as Beijing is concerned (2008), analysts blame a very limited impact outside the Beijing region (Yao, Maseri & Rasli, 2010).

The 2014 FIFA world cup is also going to be a huge financial disaster for Brazilian citizens. According to the official website of the World Cup, the total

cost of investments in the 2014 World Cup Matrix of Responsibilities (including public and private resources) will reach US$ 12.4 billion for an expected return of US$ 6 billion[2].

2. When analyzing the relationships between such events and innovation and technological change, the academic literature is far from convincing.

As emphasized by Walsh (2006) about China - but this is also verified in other fast emerging countries - there is a perceived faith in technological solutions associated with a growing national pride in the country's technological achievements. Advances in industrial R&D are also likely to benefit from this "techno mania" and growing popular emphasis on innovative solutions to global socio-economic challenges. This "can-do" spirit has been undoubtedly on display at the Beijing Olympics thanks to two of the key strengths of the Chinese system of innovation: the high involvement of State funding and policy making, and the huge financial capacity of the industrial R&D stakeholders due to the size of the domestic market.

As far as economic and societal impacts are concerned, it is obvious that mega-sports events play a crucial role despite the impossibility to measure their impact accurately. The academic literature is quite clear and consensual about the nature of positive effects of hosting both summer and winter Olympic Games. Scholars are less easy with negative impacts, in particular when they are native of the organizing country. Despite the number and quality of existing research, it is obvious that further economic research is needed at both theoretical and applied levels.

Regarding the relationship to innovation, there is a consensus on inter-relations between major sports events and technological innovation, from generation to diffusion and generalization. But it is obvious that the evidence is insufficient, and that further research is sorely needed. Most data available and most academically reliable literature are based on profession of faith rather than scientific evidence.

On this very specific issue, further research should focus on surveys and case studies dealing with innovation and technology management in former and future Olympics or other mega-sports cities. Particular attention should be paid to issues such as high tech companies' development, organizational innovations, and entrepreneurship based on or generated by sports events.

[2] http://www.copa2014.gov.br/en/noticia/estimated-investments-income-and-employment-generation-during-preparations-2014-fifa-world.

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TEHNOLOGIJA I EKONOMSKI UTICAJ MEGASPORTSKIH DOGAĐAJA: KLJUČNO PITANJE?

ZAKLJUČCI NA OSNOVU ISTRAŽIVANJA

S a ž e t a k

Megasportski događaji poput Olimpijskih igara ili Svetskog šampionata u fudbalu se uvek predstavljaju kao događaji koji donose velike koristi naciji i/ili gradu domaćinu. Oni koji podržavaju takve događaje navode ekonomske, društvene i kulturne prednosti za čitav region, kao i doprinos naučnom i tehnološkom napretku i inovacijama. Jasno je da oni moraju politički da opravdaju ogromne finansijske investicije neophodne za organizovanje Olimpijskih igara ili Svetskog šampionata. Ovaj rad razmatra brojne akademske radove u cilju definisanja različith potencijalnih uticaja i metoda koji se koriste za ocenjivanje ovakvih događaja. Zaključak do koga se dolazi je da ne postoji univerzalni i naučno validni model za ocenjivanje koristi od megasportskih događaja, kao i da organizatori treba da budu krajnje oprezni kada se zalažu u korist odluke o kandidaturi za ovakve događaje.

Ključne reči : Mega sportski događaji, tehnologija, ekonomija, socijalni i kulturni uticaj

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COULD THE SERBIAN BANKING SECTOR BE IMPROVED BY INTRODUCING, TROUGH NATIONAL LEGISLATION, THE PRINCIPLES AND MECHANISMS OF THE EU BANKING UNION

The answer is Yes!

The Government and the Parliament of Serbia can prepare and pass any law necessary to improve the economic system of the country.

Monetary policy in the EU and the functioning of the banking sector is under control of the European Central Bank (ECB) and it should be in the prerogatives of the Central bank in Serbia as well. The Central bank creates appropriate policies concerning most issues of general monetary policy. Those policies should be reflected in the activities of the whole banking sector. That would be possible if all banks followed and implemented the monetary policy of the central bank. For that, they would have to fulfill all the conditions concerning the structure of their capital and balance sheet, to keep their license. In order to introduce and maintain those criteria, the EU established its Baking union.

Key words: European banking union, bailout and closure of banks, guaranty of deposits

The necessary conditions for the building of the EU Banking union implied the adoption of a single rulebook for the European financial market and a

1) Single Supervisory Mechanism (SSM),a
2) Single Resolution Mechanism, with a Single Resolution Fund, and a fiscal backstop and
3) Harmonization of the Deposit Guarantee Schemes.(1)

In the meantime we will see the first results of what has been accepted by the European Parliament recently. It is expected that the above mentioned important elements of the Banking union will start to be implemented soon.

Banks received a 200 plus pages book for the preparation of their submission to the ECB and, later, for the stress test they will have to undergo. State governments are preparing to help in cases of recapitalization or merger.

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This exercise will involve not only banks in the EMU member states, but indirectly, by showing the EMU area banks` connections with the banks in the EMU nonmember states, almost the entire European banking community.

After a number of difficult years, the interest to join and maintain the EU and EMU is still significant. That would not be so if there were no economic, cultural and national safety related benefits (2). The results of relevant research given in the work under (2) in the literature list seem to convey a clearly positive answer. The authors analyze relevant factors and data from the 1980 and 2004 enlargements, concerning benefits of the EU membership and their calculations show a gain of some 12% of per capita GDP.

All research results and the main features of the European banking system lead to an agreement concerning the creation of the Banking union of the EU. To transform the nationally created and guided banking systems into a single European banking system, all banks of the EU member countries have to be inspected, and if they pass a positive decision of the Single supervisory mechanism (the ECB), be accepted into the European banking union. Within the union, if it becomes necessary, any member of the Banking union may ask for help and recapitalization from the EMU`s Single Resolution Fund. Their depositors will be covered (for deposits up to 100.000 euros) by a harmonized and improved Deposit Guarantee Scheme.

1. The Single Supervisory Mechanism

The regulations establishing the Single Supervisory Mechanism were adopted on 15, October 2013. In December the Council appointed the first chairperson of the supervisory board of the ECB. The single supervisory board will have direct oversight of the banks in the euro area and non-euro zone member states that choose to participate.

The European Central bank will have direct oversight of 130 banks in the euro area or 85% of the whole Banking union of the EU. The comprehensive assessment including the asset quality review of those banks will begin soon. That will be followed by a stress test of banks in coordination of the European Banking Authority.

The EU banking community is anticipating some future consequences of the establishment of the Banking union. Some banks have already closed down. According to the European central bank data, the number of banks in the euro zone fell by almost 4% in 2013. There were 6.790 monetary-financial institutions based in the euro area at the start of 2014 compared with 7,069 a year before. More than 3.066 monetary-financial institutions have fallen since the launch of the euro in 1999.(3).

The forthcoming ECB review forces banks in some countries to write off bad loans and clean up their balance sheets in general. Some banks are increasing lending ahead of the ECB stress tests, probably also because the ECB will publish the stress tests of Europe's biggest banks before it takes over the supervision of all banks. While waiting for the new regulation, banks have been holding back lending in order to look good at the stress test. The ECB might want to revive credit activity with another sum of the cheap long-term loans (4).

Some bankers expect the ECB stress tests to reignite banking M&A loans. The ECB asset quality review of more than 120 banks should bring transparency on the quality of their loans and other assets. The initial increase in merger activity is expected to take place within single countries, as weaker companies restructure and accept effective takeovers.

2. The Single Resolution Mechanism

The banking union is the latest accepted element of a set of consistent policies and measures to resolve the Euro zone crisis. The necessary conditions to introduce a well functioning banking union lie in that "consistent trinity" (5), deep fiscal and structural reforms within countries, and a rotation of demand that contributes to a more symmetric adjustment across countries.

The Banking union will start to function after the ECB finishes the first round of the single supervisory mechanism, the control of banks capital and their functioning. The legal basis of the Single Resolution Mechanism was founded in the law, which was also passed on 15, April 2014, with an overwhelming majority of the members of the Parliament.

The creation of the single resolution mechanism (SRM) of failing banks with a central decision-making board and a single resolution fund will ensure that resolution decisions across participating member states be taken in a coordinated and effective manner, minimizing negative impacts on financial stability and reducing the dependence of banks on the creditworthiness of sovereigns.

The aim is to ensure the orderly resolution of failing banks without the use of taxpayers' money. This will involve both a systematic recourse to the bail in of shareholders and creditors, in line with the bank recovery and resolution directive agreed in December 2013, and the possible recourse to a single fund fully financed by banks.

The SSM that entered into force in November 2013, will cover all banks established in the euro area and in other EU member states that choose to participate (6).

A single resolution board will, upon the notification of the ECB that a bank is failing or likely to fail, adopt a resolution scheme placing the bank into resolution. It will determine the application of a resolution tool and the use of the single

resolution fund. The resolution scheme will enter into force within 24 hours of its approval by the board. The board will be responsible for the planning and resolution phases of the cross-border banks and those directly supervised by the ECB, while national resolution authorities will be responsible for all other banks.

The Single resolution fund will be built up over a period of eight years to reach a target level of at least 1% of the covered deposits amount of all credit institutions authorized in all the participating member states. It is estimated that this will amount to about 55 billion euros. Participating member states also intend to approve a future intergovernmental agreement on the transfer and mutualisation of contributions to the Single resolution fund. It is planned for the contributions by banks raised at national level to be transferred to the SRF and be initially held there in national compartments. There will be a mutualisation of those contributions to the Single resolution fund. That will start with 40% in the first year and a further 20% in the second year, and continue over the subsequent six years until the SRF is fully mutualized.

Provisions on the preparation of resolution planning with national resolution authorities will apply from January 1, 2015. Provisions relating to resolution instruments, including the bail in of shareholders and creditors will apply from January 2016. Altogether, the establishment of the European Banking union is an important and respectable achievement. Still, it would be irresponsible to argue that from now on there will be no serious issues and that it will not to be difficult for those banks to contribute to a much greater resolution fund.

SO, COULD SERBIA IMPROVE ITS MONETARY AND BANKING SISTEM BY USING THE PRINCIPLES, INSTITUTIONS AND INSTRUMENTS OF THE EU BANKING UNION?

The Banking Union (BU) is a natural step forward in development of Economic and Monetary Union (EMU). One could argue that the BU is a crucial pillar of EMU alongside Economic Union, Fiscal Union, and Political Union (7), and that its development, in the eyes of many, was long overdue.

Financial crisis of 2007/2008 occurred within the EU that had 27 different regulatory systems for banks, no tools to deal with large cross-border banks, and a single backstop for banking losses with national budgets. Banks were "European in life and national in death". The entire national perspective concerning bank regulation, supervision, and resolution was not sufficient for the posed challenge. No Euro zone crises management framework had been put in place to support national resolution capacities. Such a framework was prone to large fiscal burdens on national government levels[1] (10), and vicious circles

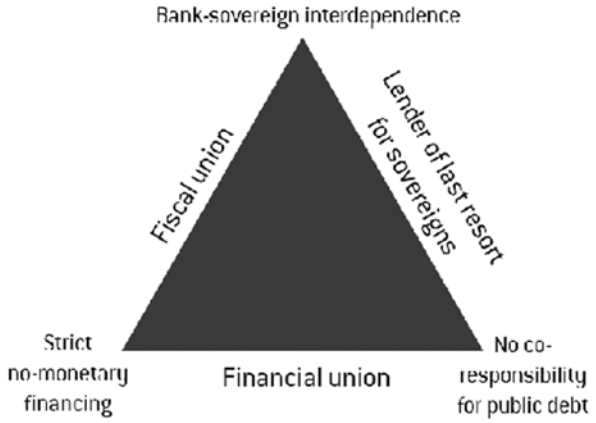
[1] Approved state aid in the EU (recapitalization and asset relief measures) between October 2008 and December 2012 amounted to 591,9 billion Euros or 4,6% of EU 2012 GDP. With

between banks and national finances. As an aftermath, sovereign debt crises within a Euro zone came as no surprise.

The problem of sovereign debt crises in Euro zone was predominantly influenced by bank-sovereign interdependence. However, there are only several possible remedies to this problem. The first is to allow the ECB to lend to sovereigns. This solution is in clear breach of the no-monetary financing of the EU Treaty. The second option is to have co-responsibility for public debt in the Euro zone i.e. a fiscal union. This solution is not yet politically available. The third remaining option is to have a financial union, and in the case of Euro zone finance, where the bank credit is a predominant financial instrument, that meant the creation of the Banking union. In other words, it is not possible to have no co-responsibility for public debt, strict no-monetary financing, and no bank-sovereign interdependence. The current Euro zone structure (Figure 1.) had to change towards the creation of the BU in order to disentangle the vicious circle of bad bank balance sheets and bad public finance. One can see that this as an available move in a necessary direction, which can be implemented even before the Fiscal union is constructed in a way politically acceptable for all the Euro zone countries.

Despite the fact that BU is a project specifically designed for the EMU and EU countries, there are several very important elements of this project that could be important for, and implemented within the countries outside the EU, including Serbia.

Figure 1: *The new trilemma*[2]



Source: Pisani-Ferry, 2012, pp.8 (8)

guarantees the figure rises to 1.600 billion Euros or 13 % of EU GDP for the period 2008-2010 only.

[2] Refereeing to the old trilemma of Mundell-Fleming model that you cannot have a flexible exchange rate, free capital flows, and independent monetary policy at the same time.

Whenever you have significant leverage and/or non-performing loans (NPLs) alongside a substantial exposure of banks to sovereigns, economic contraction can produce a negative spiral between worsening bank balance sheets and erosion of national government financial position (Figure 2.). This is reliant on a premise that the central bank is not allowed to finance the government (or provide equity financing for the failing banks) and that the national government is the only backstop for failing systemic banks. Since that is the case in most (both the EU and non EU) countries, the lessons from the sovereign debt crises in Europe and the creation of BU can prove to have valuable guidelines for non EU countries like Serbia.

Figure 2: *Vicious circle between banks and national finances*

Source: European Commission 2014, (9).

The creation of the BU relies on the will to make banks stronger and more immune to shocks. This is a basic principle of creation of a more sound financial system, less prone to the exposure of the losses it cannot sustain. This point has a regulatory and a supervisory aspect, and they are both applicable in Serbia.

First, regulatory aspect relates to the implementation of Basel III standards (which are already implemented in the EU through CRD4). The implementation of these standards will provide more quality capital base and liquidity for the banks and insure their strength and immunity to shocks. This is a very important element in providing more loss absorption capacity on the side of the banks, and less risk of additional government expenditures in case of further bank insolvencies. National bank of Serbia (NBS) has implemented Basel II standards in 2011, and also plans to implement Basel III standards, but not earlier than

2016. Since the banking sector of Serbia is burdened with relatively high levels of NPLs, and since recent bank failures have caused substantial burden for an already fragile fiscal position of the country, it might be wise to consider an earlier adoption of the Basel III standards in Serbia. These standards represent a significant portion of the so-called Single rule book of the BU.

Second, the supervisory aspect relies on increasing the supervisory capacity of an existing regulator. In case of BU, it includes the conduct of screening of the bank balance sheets and implementing stress tests that are realistic for the banks to endure in case of severe financial crises. As in the case of BU, where prior to the ECB engagement as a single supervisor for the whole EMU, thorough screening and stress testing is underway to expose the strengths and weaknesses of the banking sector, Serbian banking sector should be submitted to the similar process to create a realistic vision of the risks and weaknesses to be addressed preemptively. Therefore, increasing the institutional capacity and uncovering realistic facts in the process of BU creation are needed and desirable in the countries like Serbia as well.

Third, very important aspect of the BU framework is the creation of a more effective early intervention system on the side of a supervisor. The same is sorely needed in Serbia. Hand in hand with the need to increase the capacity of NBS to detect problems in the banking sector early, the supervisor needs to have powers to react to this findings without delay i.e. long before capital and liquidity parameters go below the required levels, and sometimes, beyond realistic and swift repair. As in the case of BU, these may include demanding recovery plans from the banks, dismissal of the management and the appointment of a special manager, waiver of the distribution of dividends and bonuses, forceful reduction of certain exposures, increase in capital, and mandatory changes to legal or corporate structures of the bank. All of these measures foreseen by the BU to be delegated to the supervisor are eligible for being potentially implemented in Serbia as well.

Finally, BU introduces a very important principal of prohibiting tax payers' money to be used to finance bank bailouts. It is especially after recent experiences in Serbia, and its fragile fiscal position, that this principal deserves to be thoroughly analyzed and implemented. The 'too-big-to-fail' idea should be a thing of the past. Alongside stricter regulation, better supervision and preemptive measures, orderly resolution of insolvent banks should be the final important element of the BU principles that could be implemented in Serbia. The clear system of private bail-ins, and bank funded resolution fund is a desperately needed improvement of the banking system, especially for the countries like Serbia, with serious fiscal challenges. For the banks which prove to be unviable, winding down of their operations and orderly resolution without stress implications to the rest of financial system is vital. In the past couple of years some lessons have been learned in Serbia from several bank failures, but there is substantial room for the

resolution process improvement so that it could be much less expensive for the taxpayers and yet without financial stability consequences.

As we can see, Banking Union has been enacted as a project designed to help overcome the problems of financial crises in the EU, and with a goal to establish a more robust financial system capable of substantially decreasing the risk of future taxpayers' money involvement in banking bailouts. However, despite the fact that such a project has been developed to address the specific problems and issues in the Euro zone, it has also developed universal principles and ideas for improvements in national and regional financial system throughout the world. Serbia, as a developing nation in South East Europe, can also benefit from a number of very useful guidelines and specific measures that can be drawn from the principles and the mechanisms of the EU Banking Union.

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MOŽE LI SE BANKARSKI SEKTOR PRIVREDE SRBIJE UNAPREDITI UVODJENJEM, PUTEM DOMAĆIH PROPISA, PRINCIPA I MEHANIZAMA BANKARSKE UNIJE EVROPSKE UNIJE

S a ž e t a k

Parlament i Evropska komisija, sasvim pri kraju svog prethodnog mandata, doneli su propise sa zakonskom snagom, kojima je stvorena bankarska unija Evropske unije.

Stvaranjem te unije se pod direktnu kontrolu Centralne banke Evropske unije stavlja velika vecina banaka koje rade u vise zemalja EU. Banke ce poslovati po istim propisima za funkcionisanje evropskog finansijskog trzista. To je funkcionisanje u okviru jedinstvenog mehanizma nadzora, jedinstvenog mehanizma ozdravljenja banaka (sredstvima specijalnih fondova za ozdravljenje) ili njihovog organizovanog gasenja. Posebno ce se uniformno regulisati ozbiljna zastita depozita u bankama. Za sada se blagovremeno ostvaruju svi navedeni elementi izgradnje Bankarske unije.

Istrazivanja u ovom radu pokazuju da Srbija moze svojim zakonima da stvori sopstvenu bankarsku uniju koja bi mogla da obezbedi dobro funkcionisanje bankarskog sektora i finanijskih trzista. Ovo utoliko pre sto medju bankama koje posluju u Srbiji ima izrazito mnogo onih ciji su osnivaci u Ervopskoj uniji koji vec posluju u Evropskoj bankarskoj uniji.

Ključne reči: bankarska unija EU, sanacija banaka, gasenje banaka, garantovanje depozita. Bankarska unija za Srbiju

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UDC 330.101
Original scientific paper

STRUCTURAL ANALYSIS OF THE PROPERTY: OPTIMUM PRINCIPLE

The article presents structural analysis of property in terms of its two basic elements: public and private property. Much attention is given to the criteria of efficiency estimation of functioning of these property kinds, and to expediency substantiation of privatization and property nationalization. The optimum principle of property structure in economic system is suggested. Proceeding from substantiat ion of theoretical criteria of privatization and nationalization in the economy, general mistakes and consequences of privatization in transitive economies are analyzed on the example of Russian economic system. The basic institutions of business activity are examined in the article demonstrating the model of the state as an entrepreneur which deals with privatization and nationalization at a certain period of time. Basic principles and evaluation indicators of effectiveness and management of the process of "state business" are worked out.

Key words: institutions, property, structure, privatization, nationalization, efficiency criteria, optimum principle, business activity, government

1. Entrepreneurship in Economy and Economics

Both entrepreneurship as a concept of economics and entrepreneurship as a process in the economy have a determining function in these spheres. In economics it is due to the fact that entrepreneurship is a major property of market economy. This kind of activity and its entities has become the object of analysis and theoretical generalization [1-3, 8]. We may think of I. Kirzner's almost classical objections concerning J. Schumpeter's view that business activity breaks market equilibrium because an entrepreneur initiates economy changes and creates new possibilities, or, according to J. Schumpeter, "new combinations" [8]. In other words, entrepreneur's activity, whether he is an innovator or not, take economic system away from equilibrium. On the contrary, I. Kirzner asserted, that entrepreneur plays counterbalancing function in the economy. In other words, his actions result or should result in equilibrium in economic system

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[3]. He introduces the term of "counterbalancing changes", and considers the situation with the influence of business activity on the economy as "unavoidably unbalanced" [3, p.77]. If the reason of imbalance is market lack of information, that is, in modern language "information asymmetry" an entrepreneur aspires to overcome this lack of information, to overcome erroneous decisions and to initiate corresponding alterations which will step by step lead the system to balance. The problem of this contrasting is not even in the fact that the analysis is based on the point of equilibrium and the reasons generating it, but in the fact that equilibrium (if to consider aspiration to it or deviation from it) is the result of supply and demand interaction. And only their ratio will define this point both for economy as a whole, and for local markets. It is not enough to consider only a businessman to estimate the volume of supply and demand and their relationship. I. Kirtsner especially singles out not only the creating role of the entrepreneur producing changes (new combinations) and possibilities, but also the role of the person who uses possibilities which are already available, that is, who acts as a certain reagent for them. Economic dynamics provides multiple combination of various factors, so there are reasons deflecting the system from equilibrium, and providing the opposite vector. Though the effect of these reasons in time and strength can be insufficient to return the economic system to equilibrium. The reasons of imbalance are much deeper. They are in the properties of supply and demand, in the strength of preferences and changes in the social standard of consumption, technological possibilities and their flexibility and may little depend on entrepreneurial ability.

Spirit of enterprise is the ability to operate, make decision and to undertake something in any kind of activity to get income (profit). It is a feature of people's character, their psychological mood, perhaps psychological type of an individual, type of motivation, and the conditions in the economy to realize the listed actions and procedures. If there are strong de motivators of agents' economic activity in economic system, there is social apathy or low interest not only to augmentation of one's own income, but also to any actions and efforts in different business spheres. Entrepreneurship becomes the activity with a wandering vector and its potential in influence on economic dynamics will be low enough. Owing to the specified circumstances enterprise activity stylistics and organization of this activity differ from country to country. National psychology, traditions (various kinds of culture), and formal institutions regulating economic field of interactions legislatively influence the type of agents' actions and business strongly. Certainly, initial conditions, resources and initial information availability and level of markets organization on which businessmen operate in search of compensation for their efforts are important. Types of business are also different. Thus, two big types of entrepreneurial activity are singled out: the activity connected with product creation for the purpose of getting profit, and the activity connected with rendering of these or those services, making deals (exchanges) and financial

speculation. These are called transactional business. In each economic system the structure of these kinds of activity, as well as the possibility of getting profit, differ appreciably enough. Together with the generated risks of enterprise activity of various kinds (from industrial to speculative business), it creates the general background of business development. Reward for the ability to join production factors, to define their most successful combination makes enterprise profit which cannot be reduced to only profit from the used property (factors) as factors compatibility is of basic importance. And it is the entrepreneur who provides this compatibility. In essence, enterprise profit acts as reward (residual and non-predictable) for psychological decision-making ability, and sometimes for the ability to be in the proper place at proper time. In other words, in some cases it is accidental payment for entrepreneurial abilities. From the point of view of cost estimation of various production factors (capital, land, labour), estimation of entrepreneurial ability to get profit is not the most verified and the gap between original abilities and propensities to business (this ability) and such estimation is the greatest in comparison with other factors. Though, certainly, the factors are very strongly connected. However, at speculative business the factor "management" is weakened, because the entrepreneur aspires to define precisely the moment of cheap purchase and expensive sale. And that is all. He does not connect factors together. In other words, profit here is, in greater degree, the reflection of not only the ability to analyze received information about the market quickly. It depends not only on the entrepreneur. It is more the reflection of the factor of good luck and success, and fundamental conditions defining, for example, the laws of stock exchange functioning, etc.

The major institution and regulator of all kinds of business is the state in the name of the government and regulatory authorities which form necessary institutions creating or eliminating agents' motivational activity. At the same time, the state itself is the agent of entrepreneurial activity which is connected not only with creation of public benefits and provision of them to all the economy agents, but also with specific instrumental actions which have entrepreneurial character. In particular, it is a matter of privatization and nationalization of various assets that makes the basis for the state business. It is this kind of entrepreneurship and a foreshortening of regulation problem of the processes that we will consider further on in the article in details, singling out institutional conditions and the efficiency aspect of management of these processes. Besides, parallels with business in the market of highly technological production which cannot be created without the government will be defined. The process of privatization and nationalization which sets the basic institutions of private and public sector functioning and the necessary stimulus is an important regulating effect of the state on enterprise activity.

Principles of asset management which can be designated as the principles of privatization and nationalization in economic system are of economic value.

2. Principles of Asset Management in Public and Private Sectors

Let's formulate the main principles of privatization in any economic system.

1. **Adaptability and adequacy. P**rivatization plan should include the purposes and problems and estimation of important parametres of privatization (scope, kinds of privatized assets-objects, value of these objects, assets, privatization speed, form, legal foundation, calculation of efficiency criteria – though they have theoretical drawbacks, but nevertheless they give a rough estimate of privatization adequacy). The plan should correspond to adequacy principle, that is, it should be adequate to the problems of economic development and should not reduce the basic parametres of social and economic development and efficiency. It should also correspond to adaptability principle, that is, it should give time lags to agents for them to get used to the changing situation connected with the change of assets possession structure, motivations, wages change, possible unemployment growth (in an ideal it should be eliminated). The necessity of privatization, its scope and speed (adequacy) should be substantiated and measures on damping negative possible manifestations (adaptability), for example, rejection by employed population are suggested.

2. **Re currency.** This principle postulates possibility to change privatization vector and the matter, up to cancellation of privatization of some objects, if unpredictable costs (transformational and transactional) sharply and unexpectedly increase. Besides, the re currency principle should mean, that privatization can be reconsidered or cancelled by the state if legal violations are revealed in the course of its carrying out. Models of such cancellation demand special working out, but now the very statement of necessity of such schemes corresponding to the principle of recurrency of actions is important.

3. **Adjustment.** This principle means that the price of the asset being sold or sale conditions can be changed or the state will keep a certain control over the assets during its subsequent exploitation. Or the list of privatized assets can be changed, and nationalization list is introduced. By the way, in case when some assets to be privatized are unnecessary for the state, but other kinds of property to be nationalized are extremely necessary, the adjustment principle means calculation of equivalence of the sums which should be obtained from privatization of one assets (property) to get other assets as state property. Thereby, adjustment of property and assets structure will be provided. That is why this principle is designated as adjustment principle.

4. **Planned recoupment.** It is the principle of stage-by-stage evaluation of costs and incomes and financial stabilization. To fulfill this principle it is necessary to use design solution methods of poorly structured problems of planning and management, and to use the criteria of project recoupment (financial criteria are presented below).

5. **Safety.** It is the principle of adherence of economic and military and technical of the state security. Privatization should not worsen the parameters of economic and military and technical security and strengthen the negative externalities referred to of military security.

6. Principle of institutional planning. This principle includes several principles which we will show below and it is the major condition of efficient control of privatization and nationalization process.

The following ones will be referred to such principles and they will have continuous numbering[1].

7. The principle of setting the objective. Institutional planning is a set of administrative procedures, the execution of which is a special task of the government though individual economic agents can be engaged in it - firms, large corporations, associations, public organizations, unions, and etc. First of all, it is necessary to define the purposes of institution planning and to get a general idea about desirable or undesirable state of the economy. Secondly, it is necessary to analyze, how well the planning body understands the available social problems and whether there exist institutional possibilities of their settlement. Besides, it is necessary to formulate some purposes to distinguish the declarative, unrealizable purposes from really achievable ones. Thirdly, it is required to develop some variants of institution design which, according to the planner, are capable to achieve the objective (objectives). Fourthly, it is required to generate criteria of institutions selection and to carry out comparative analysis of different variants on the basis of resource provision and limitation of time. Fifthly, it is necessary to choose the variant (institution) and to adapt it to the conditions of economic environment. Besides, it is especially necessary to define the possibilities of introduction of new institutions in the mode of "borrowing", that is, being oriented on the experience of the rules in other social and economic system (effectiveness from functioning).

8. The principle of defining application area. Before designing (creating) an institution, it is necessary to define what niche in economic structure it will occupy. This niche is application area of a specific institution. Formal institutional structures can be global, that is, they can extend influence on economy as a whole, or they can be local, they influence strictly on certain groups of economic agents. This gradation allows singling out accurately the area of application of the designed and introduced institution. But it is not enough for defining the area of institution application. It is required to define its actual position in the economic structure into which the given institute is introduced and to get all the characteristics of the object of institutional transformations to foresee the possible changes of these parametres in the best or in the worst way. As the designer has several variants of institution it will be required to carry out comparative analysis

[1] Sukharev O. S. (2001): *The Theory of Economic Dysfunction*. Mashinostroeniye (Machine Building), Moscow.

to find out the most productive institutional form. Actually, it is necessary to analyze the parametres of application area and adjacent areas of future institutions and then to carry out their joining and "implantation" of new institution.

9. The principle of functional completeness. This principle allows answering the question: what will institution do in its niche and what functions will or will not it carry out? Besides, it is important to understand, what functions should and should not be carried out. There arises the problem of measure, completeness of functions and institutional adequacy here. Functions arise on the basis of what actions should be carried out, what agents are involved in the new scheme of interaction, what operations are carried out at that, what problems are solved, what are the changes and what incomes and costs are. The quantity of functions should not surpass a certain admissible limit. Otherwise there arises an institution dysfunction at the stage of its designing. However, it should not be small as then the expenses for creation of this institution won't be justified. Each institution has a mission to execute a certain set of functions. If the rule is introduced, but it does not cover its functional area, the costs exceed benefits and there is a typical "investment trap", the main characteristic of which is unjustifiedness of means (resources) investments.

10. The principle of requisite variety. Actions of agents are extremely various. Institutions structure this variety, making them to act within the limits of the established rules. The known rule from cybernetics says: the system keeps stability, if the variety of managing group is not less than the variety of managed object. Hence, institutional matrix should come to conformity with the matrix of individual actions. In other words, the variety of action and institutions models should not differ strongly though it is impossible to achieve exact coincidence.

11. The principle of necessary perception. At institutional planning it is necessary to act on the premise that subjects (enterprises) and agents do not accept new institutions, they reject them often enough. If the number of such institutions is great enough, economic system can start to degrade and the rate of this process will be defined by the intensity of rejection of introduced rules. Hence, adjustment of former structures to expected innovations should become one of the planning problems.

12. The principle of stability to changes. Institution stability to changes is programmed by strict observance of the first five principles and the seventh one. Instability is a vivid sign of institution dysfunction and is expressed in appearance of deviant forms of behaviour, non-obedience to the established rules and opportunism.

13. The principle of monetary support. Institutions cannot function without cash security. If institutions are not provided with money, it will be impossible to organize any effective work of current institutions and, all the more, newly created ones. Privatization also demands expenses, it changes the structure of assets, creates new rules of privatization and motivation carrying out, and,

hence, the new rules or mental models of players' behaviour in the market. So, it is necessary to take this aspect into account, as efficiency of privatization and further functioning of changed property will depend on how monetary streams are distributed according to the assets structure.

Non-observance of one of the principles is fraught with appearance of dysfunction of organization, institution, process and action as the objects of institutional planning. In other words, inefficiency can be installed at the planning stage due to the infringement of the principles of institutional planning.

More than once supporting application of the designing approach in economy and in economic science, I can confirm its utility in the analysis of privatization and nationalization, and, what is especially important, in management of privatization and nationalization. Designing assumes substantiated choice of priorities and alternative variants with a definitive reasoning of one variant which can be updated and corrected in the course of its implementation. The plan and the project can include such activity right away. It is an immanent principle of planning and designing. Today nobody sets abstract objectives and priorities. Behind each purpose and priority there is a project or a development program. The problem here is that there can be tens of such projects even on privatization. And a priori efficiency is a seeming efficiency, non-registering conditions and state of a certain subsystem or economy as a whole. Such efficiency appears to be rather relative. Any projects are realized within the framework of the main directions which are subject to selection, as well as the projects. The same refers to privatization and nationalization which can be presented as a certain project covering either all the economic system, or its separate sectors. Priorities are definitely important here, and nobody chooses them in abstracto any longer.

Today the private property structure in developed economy changes quickly enough due to financial markets and share market, where various share holdings are repeatedly resold. The state also buys and sells securities, shares, in particular, as it is a co-owner of the state-private companies. However, if there is management inefficiency in the public sector where the enterprises are entirely in the state property (defensive sector, for example), no guarantee of efficient control, as well as automatic effective influence of the state can be expected as the state has only some share holding of the enterprise. Everything is defined by operational efficiency, including the human factor and the management level representing both purely private company, and the state.

If a certain asset can be sold with income D_c to the owner (the owner was the state during privatization), it is important to compare this income plus discounted value (standard of discount i (t) - time function) of tax earnings (N (t)) for a certain subsequent period of time [t1, t2], and the amount of the discounted income (d (t)) for the same period which would have been received by the proprietor (state) if it had not sold this asset (income together with the tax component). From the purely financial point of view, if the left part of the

inequality surpasses the right one, then privatization is justified. We will write down this criterion in the following way:

$$D_c + \int_{t1}^{t2} \frac{N(t)}{(1+i(t))^t} dt > \int_{t1}^{t2} \frac{d(t)}{(1+i(t))^t} dt$$

It is possible to present the similar logic so:

$$D_c + \sum_{i=1}^{T} \frac{N_i}{(1+\alpha)^i} > \sum_{i=1}^{T} \frac{d_i}{(1+\alpha)^i},$$

where: α - standard of discount; T - the general interval of time during which the value of one and another income is compared, i - an intermediate elementary interval of time during which there are data concerning the received income.

The private owner will be interested in the purchase of the property from the state, bearing expenses for this purchase D_c. For the state it is revenue earned if the obtained asset during the period [t1, t2] allows getting income D_p (from privatized asset) minus taxes, this pure discounted income being more than the expenses of the private owner D_c. In other words, the purchase will take place for the private owner participating in purchase of the state property if the following financial criterion is fulfilled:

$$\int_{t1}^{t2} \frac{D_p(t) - N(t)}{(1+i(t))^t} dt > D_c$$

Thus, privatization is expedient, if the discounted income obtained by the private owner from privatized asset in the given interval of time should be above the discounted income which the state would have in the same interval of time if the asset was all this time in its property. The danger of use of such financial criteria is in the fact, that the more is the interval of time which is approaching to the service life of an asset, the more is the probability that the income in the private sector will be larger than the available one. Thereby there appears absolutely incorrect substantiation resulting supposedly from the fact that in the long run the private sector will provide higher efficiency, than the public sector. However, thus relation and mutual influence of various kinds of assets in changed structure during the process of privatization are not considered. It is possible to argue similarly in the case of nationalization as well.

If we introduce the price of asset unit p, and asset value Q, then privatization is possible at the price (cost estimation of asset being sold):

$$p > \frac{1}{Q} \int_{t1}^{t2} \frac{d(t) - N(t)}{(1+i(t))^t} dt$$

The problem is in how to estimate the time interval during which the state received income from the asset, when it was at its disposal, and tax revenues when the asset was sold to the private owner. Time interval can be estimated according to the operational period of the asset. But change of discount standard is a more complicated task. After its sale to the private proprietor the asset can change its previous type, and a can part of it is modified, or lost during operational process by the private owner. And such solution can be used either just after privatization, or in some foreseeable period of time. On the other hand, the private owner can increase the asset for a certain period of time, and the increased asset will give more tax revenues. But how can the outcome be forecasted? It is the most complicated task of economic analysis of privatization as a process. There are similar questions concerning nationalization. However, the argument that the owner can do whatever he likes with his property does not work concerning state ownership, as what is profitable to the government, officials and bureaucratic system does not mean that it is profitable to the people representing the given state, that is, society as a whole. Social effects of privatization should also be considered. They should be additional and not less important criteria of its efficiency estimation, as well as the efficiency estimation of nationalization. If you owned asset Q and decided to sell the asset in volume α Q, where α - a share of asset being sold from the available amount, you still have asset q = Q - α Q = (1 α) \Q. At each subsequent stage of privatization it is important to define value α, that is, the amount of asset which needs to be sold at a certain price. And the government ought to estimate the demand for such assets and how the situation will change in the market of the given asset. With reference to nationalization it is not necessary to estimate such demand, because nationalization problem is absolutely contrary, in comparison with privatization. Nationalization can be voluntary when the private owner himself wishes to sell a part or the whole property, or compulsory when the state forces the owner to do so or actually expropriates the property with allowance for waste to the owner. The power mechanism is necessary to return the engaged bureaucratic decisions and to counteract corruption in privatization generated by the desire of bureaucracy to enrich itself for the account of the state property. The intensity of privatization process can be estimated as q_t/q_{t-1} for all equal time intervals t on privatization interval, and q in this case is a volume of asset which is available at the moment of time t and the previous moment (t-1).

The situation when the state sells a part of property is possible, and the rest part starts to bring greater income, than all the property till this moment. At any rate, such situation is possible, at least, theoretically. In this case, the criterion changes, the probability of decision-making in favour of privatization sharply increasing.

3. The Necessity of Structural Analysis of Property and Formations of Privatization and Nationalization Criteria

Economists often use expressions "rational property structure" or "optimum structure" concerning the problems of transitive economic systems. However, usually there are no comments, what this or that term means, whether to consider rational property structure as a synonym of effective structure or not and what optimum structure means. What is the criterion of optimality or rationality? Besides, there is a problem of use of such concepts as "quality of public administration" and "market quality". A priori, according to the principle of "a thumb" a certain criterion, absolutely standard, not following from the logic of the analysis is set, that, say, privatization is defined by the quality of public administration and market quality. It is possible to object, that the majority of criteria are set normatively. And it is true. But, in this case, connection with the quality concept becomes relative as management quality should be defined. Otherwise, it is impossible to say which quality is higher, and which one is low. How is management quality connected with its efficiency? Should more efficient management be automatically considered qualitative, than less efficient one? And what are the parametres measuring quality and efficiency of public administration? It is even more difficult to use the concept of "market quality". To introduce the criterion with the meaning that efficiency (success) of privatization is defined by the market quality, means, firstly, to be able to define this quality and measure it. Secondly, it would be required to estimate the quality of various markets, instead of one abstract aggregated market. Thus, if we introduce a certain indicator of such quality estimation, the quality of separate markets can be high, and it can be low for some others. If we follow this standard criterion for "poor-quality" markets, it should limit privatization at once[2].

I consider such logic ungrounded and vague as privatization can solve the problem of improvement of market quality for the account of competition stimulation or redistributions of assets which are sold by the state to the private owners. The problem is that theoretically it is impossible to unite or join the conclusions concerning the quality of public administration and market quality. If the country is transitive, that is, it carries out the transition from centralism to the market economy, the markets quality is probably low or there is no quality at all as many markets do not exist yet. It is possible to consider the quality of public administration as low because the state is controlled centrally and from the positions of public sector management in the economy of markets. It is a different way of management, and its quality is different, too. For convenience, it is possible to consider it even as poor quality. Then, proceeding from the stated above, privatization is impossible. Therefore researchers, who so easily use the

[2] Coase R. H. (2010): *The Firma. The Market. The Law.* Delo, Moscow.

principles and criteria of controlled processes which are the objects of their study, come to incorrect conclusions.

Assets being privatized are different. They possess specific properties and characteristics. Some part of assets can and should be a concern of privatization in a given period of time. And each kind of asset is intended for further operation in the private sector and serves one, two or several markets, the state of which also differs, that is, quality here is also different and cannot serve a uniform criterion. Besides, privatization purpose may be the problem of structure and quality change of a certain market.

Certainly, both quality of public administration and markets quality have some influence on privatization and nationalization. However, this quality is defined by a compound set of institutions, including the rules of privatization and nationalization themselves. General efficiency of application of these tools in aggregate and individually depends on designing of these rules and corresponding laws describing the possibilities of two tools of management of property structure in the economy.

Transactional and transformational efficiency of these institutions will also define privatization and nationalization efficiency. Low efficiency of public administration will hardly result in effective privatization or nationalization. In turn specified tools I can be perceived, as actions capable to change efficiency of the government towards increase. However, such outcome is not guaranteed.

Privatization, as well as nationalization, always leads to redistribution of assets, that is, to their restructuring. Therefore, both tools should be considered as structural measures. In this connection, the problem statement about effective (optimum) structure of the property and criteria of such optimality is quite justified. Certainly, re distributional and restructuring effect depends on privatization and nationalization matter, their scale, speed and conditions. But it is always present. There are ensuing individual consequences on the labour market in each separate case.

Following Coarse's tradition[3] to suggest the starting point of analysis, which has trivial formulation, and afterwards attach great importance to them, D. Sappington and J. Stiglitz[4] expressed opinion, that if information is symmetric, the agents are neutral to risk and there is pure competition (large number of sellers and buyers, homogeneous goods) in the property market[5], privatization leads to effective solution of the problem of property use. In the case, when the

[3] Veblen T. (2007): *Theory of Business Enterprise*. Delo, Moscow.

[4] Sappington D., Stiglitz J. (1987):"Privatization, Information and Incentives", *Journal of Political Analysis and Management*, Vol. 6, № 4, 567-582.

[5] It is a fantastic assumption because even with great negative allowance there never exists homogeneous property which is subject to sale - privatization. In this market there cannot be a great number of sellers as privatization is carried out by the government. And the number of buyers is also limited due to the size of the sold property and its cost. Budgetary restrictions here are rather strong.

named criteria are broken, privatization cannot lead to effective result. However, here again the researchers bypass the question concerning effective solution: what to consider and what efficiency criterion to build into the basis of analysis. In practice, there are risks considerable enough. Information is asymmetric, and, of course, there is no model of pure competition in the property market. Hence, conditions for inefficiency are present, though three specified criteria can be essential for the analysis of privatization productivity, but they are not sufficient in any way. Besides, nationalization and its efficiency demand other criteria. It was discussed above.

Thus, the point of view of Sappington-Stiglitz actually proclaims unimportance of patterns of ownership when they set the conditions themselves[6]. Almost as well as efficiency and production pattern do not depend on distribution of ownership of Coarse- Stigler[7] if conventional-lifeless restrictions are introduced. So, a peculiar zero point is set. Around this point there are problems whose sharpness is excessively overestimated, as the original complexity of problems is connected with the fact that economic systems were never and will never be in such points. There are no such conditions. It means that it is absurd to formulate such combination for them, considering it a peak of intellectual achievement.

4. Optimum Principle of the Property Structure and Criteria of Privatization and Nationalization Expediency

Now let's designate possible criteria, when privatization or nationalization is expedient, and the optimum principle of the property structure in the economy (one of the possible ones) [2].

Let's introduce the following parametres: Q_p, Q_g - value of private and public property accordingly (cost estimation), D_p, D_g - value of the added cost created with the use of private and public property (or in private and public sector), I_p, I_g - investments in private and public sector (or in an increment of private and public property), Q – the whole volume of the property (assets of the public and private sectors), r_p, r_g - profitability of investments in private and public sectors, α, β - shares of private and public property accordingly in the total amount of property, the sum is equal to unity. To be exact privatization function should be equal not to the share of private property as such, but to change of this share in time, that is, $\alpha = f(t)$). And the change itself will make privatization minus augmentation of private property as a result of economic growth. However, we will build our analysis on the change of a share of private and public property

[6] Sappington D., Stiglitz J. "Privatization, Information and Incentives", *Journal of Political Analysis and Management*, Vol. 6, №4, 567-582.

[7] Veblen T. (2007): Theory of Business Enterprise. Delo, Moscow.

not to complicate the computation. It is clear, that if we have the share change, the scale of privatization and nationalization in time is quite definable. Then it is possible to introduce the following correlations:

$Q = Q_p + Q_g$
$Q_p = \alpha Q$ (Privatization function $\alpha = f(t)$)
$Q_g = \beta Q$ (Nationalization function $\beta = f(t)$)
$r_p = D_p / I_p$
$r_g = D_g / I_g$
$r1 = D_g / Q_g$
$r2 = D_p / Q_p$
$\chi = Q_g / Q_p$ (Property structure)
$\gamma = D_g / D_p$
$\eta = I_g / I_p$
$\chi = \beta / \alpha$
$Q_p = \alpha Q_g / (1\ \alpha)$
$r_g = \gamma r_p / \eta$
$Q_g = \chi Q_p$

Using the cited correlations it is possible to make a decision on privatization and nationalization as on the whole on the economic system, so on each kind of asset individually. The following parametres are useful for the analysis: γ, χ, η, r_p, r_g, r1, r2. Parametres r = f (t), characterize investments efficiency in public and private sector, and the general efficiency of public and private property.

If the value added created in the public sector (on the basis of state property) is less than the value added created in the private sector (γ <1), profitability of investments is also less in the public sector in comparison with the private one ($r_g < r_p$), general efficiency of the property is also less r1 <r2. Then at $\chi \geq 1$ privatization expediency is high as the value of state property excels private property. And vice versa, when χ <1, nationalization is most probable. Though, I would not separate these two processes. Both procedures can be used simultaneously on different assets, at least, theoretically. And practically there are no serious obstacles for this.

Having written down the key condition as follows:

$\frac{r1}{r2} < 1, \chi \geq 1$ - Privatization

$\frac{r1}{r2} < 1, \chi < 1$ - Nationalization

Having substituted expressions for r1 and r2 and having made substitutions to express α (t), we'll get:

$$\gamma < \chi$$

$$\alpha < \frac{1}{1+\gamma}$$

In other words, correlation of the values added in the public and private sectors should be less, than correlation of the values of the public and private properties with the efficiency not in favour of public sector (profitability correlation). Parametre α (t) should be less than the expression in the right part of the inequality 1 / [1 + γ (t)].

Thus, at

$$\chi \geq 1$$

$$\gamma < \chi$$

$$\alpha < \frac{1}{1+\gamma}$$

privatization is possible.

And at

$$\chi < 1$$

$$\gamma < \chi$$

$$\alpha < \frac{1}{1+\gamma}$$

nationalization is possible.

If profitability correlation is in favour of the public sector in comparison with the private one, that is, the state property is more effective according to the criterion r1/r2 ≥ 1, then, at χ ≥1 privatization is more probable to support private sector. Or the decision depends on additional correlations γ, r_p, r_g, that is, both privatization and nationalization are possible, depending on these additional parametres. At χ <1 – nationalization is more possible.

The optimum property structure can be set with the criterion of maximization of the value added per unit of the value of public and private properties created on its base. In other words, it is possible to write down the following for each sector (kind of property):

$$r1 = \frac{D_g}{Q_g} \rightarrow \max,$$

$$r2 = \frac{D_p}{Q_p} \rightarrow \max$$

Considering the total volume of property Q in the economy on the interval of privatization and nationalization invariable, having carried out the necessary substitutions, and taking a derivative dr_i/dt, from the first criterion for r1 we will have:

$$\frac{d\alpha(t)}{dt} = \alpha(t)\frac{1}{D_p(t)}\frac{dD_p}{dt}$$

The second criterion r2 will give the following correlation:

$$\frac{d\alpha(t)}{dt} = -\beta(t)\frac{1}{D_g(t)}\frac{dD_g}{dt}$$

Thus, the growth rate of the private sector is proportional to the share of this sector in the economy, where proportionality coefficient is the relation of rate of change of the value added to its value (an increment of the value added). On the other hand, the rate of change of the share of the private sector is proportional to the share of public sector with a negative sign, where the proportionality coefficient is an increment of the value added in the public sector. The negative sign means that during privatization one sector is decreasing and the other is increasing for the account of the reduction of the first one. Certainly, the general tendency of economic growth can change this correlation, providing growth of both sectors. In this case, when the derivatives are taken, value Q should not be considered constant (Q = const). Then, taking a derivative we will get:

$$\frac{d\alpha(t)}{dt} = \alpha(t)[\frac{1}{D_p(t)}\frac{dD_p}{dt} - \frac{1}{Q(t)}\frac{dQ(t)}{dt}]$$

And it is necessary to notice, that

$$\frac{dr1(t)}{dt} > 0, t < t0$$

$$\frac{dr1(t)}{dt} < 0, t > t0$$

where t0 is a point in which there is the extreme of function α (t).

As a hypothesis, it turns out, that the general growth of the value added in the private sector favours privatization, and the general economic growth reduces the necessity of privatization.

If we substitute value $\chi Q_p = \chi\alpha Q$ in the second criterion for r2, and defining Q = const, it is possible to receive the expression for the increment of public sector share β (t) depending on the increment of investments profitability in the public sector, correlation of investments in the public and private sectors and increments of private investments:

$$\frac{1}{\beta(t)}\frac{d\beta(t)}{dt} = \frac{1}{r_g(t)}\frac{dr_g(t)}{dt} + \frac{1}{\eta(t)}\frac{d\eta(t)}{dt} + \frac{1}{I_p(t)}\frac{dI_p(t)}{dt}$$

And here using the received correlation the restriction concerns the function r2 (t) in order to receive maximum on criterion $r2 = D_p/Q_p \rightarrow \max$:

$$\frac{dr2(t)}{dt} > 0, t < t0$$
$$\frac{dr2(t)}{dt} < 0, t > t0$$

The optimum property structure will be set by parametre $\chi = \beta / \alpha$. Having defined values β and α for the point where there is maximum of the established criterion r1 and r2, we will get optimum property structure for the given economic system at a certain interval (moment) of time. Having substituted necessary sizes we will receive:

$$\chi = \frac{D_g(t)}{D_p(t)}\left[\frac{dD_p(t)}{dt} / \frac{dD_g(t)}{dt}\right];$$
$$\chi = \gamma\left[\frac{dD_p(t)}{dt} / \frac{dD_g(t)}{dt}\right]$$

At D^*_p and D^*_g which correspond to the extreme point the optimum property structure according to the given criterion (β / α) will be achieved. It is important to notice, that optimum structure depends on many factors. It is defined by both initial distribution of property, sectors profitability, and by privatization and nationalization process. If prospective costs of both privatization and nationalization are more than the expected benefits, both processes are inexpedient. Though costs are hypothetical here, that is, they are expected as well as benefits. And the time period, during which they are estimated or can be estimated, is important. As we can see, initial profitableness of kinds of property (assets) will strongly affect privatization and nationalization and the scale of public and private sector. It is important to note quite different thing. For example, there are objects of infrastructure, the construction of which demands much time and capital investments, but financial cover of expenditure lasts decades and is not obvious while calculating. However, the construction of such objects is necessary proceeding from the strategic positions of development and life organization. This refers to the objects of energy, power and resources supply.

Property structure cannot be considered stable, if the costs of privatization and nationalization are higher than the benefits even if they can be estimated precisely. The property as a kind of asset wears out in use. Specific conditions of use of separate kinds of property and their purpose within the framework of public and private sectors can change. Yes, these changes can be less scaled than privatization and nationalization, however, they should not be neglected. Moreover, the value added created in both sectors cannot provide maximum according to the considered criterion. Though the problem of economic science

and the theories describing the problems of property and privatization is in the fact, that it is impossible to stop on the criterion. Our criterion can also be criticized, however, its utility is in its presence as the presence of some strict criterion is better, than its absence, or presence of several rather conventional criteria, even from the terminological point of view. For example, when both terms, "rational structure" and "optimum property structure", are used.

Rational structure is reasonably substantiated property structure and the most expedient one if to proceed from the meaning of the word "rational". And optimum structure is the most favourable or the best structure from all the possible ones. In other words, rational property structure is a suitable, acceptable structure, but not the optimum one. As to the optimum structure, it is a certain unique and the best structure. Some structures of assets (property) distribution between the owners can be rational, and all the same the optimum structure is a unique structure.

The only thing is quite clear, that both definitions assume the presence of the criterion, which serves the estimation basis of acceptability, expediency of the property structure, as well as the consideration about the best structure variant from the set of possible alternatives. By the way, there may be not a unique criterion in defining rational and optimum property structure, as there are various forms of ownership with their efficiency. Besides, the alternative of property use and its efficiency can depend on the owner within the limits of one and the same form. The criteria can be both quantitative and qualitative. Certainly, the major criterion is asset profitableness, its profitability.

It is also necessary to differentiate inefficiency of privatization and nationalization from their impossibility. Thus, impossibility results from the basic criterion in the form of identity which is discussed above, when costs on all accounts are higher than all the benefits (again we make a reservation, that it is difficult enough to estimate such values fully), and inefficiency of the processes is a function of numerous factors. If property structure is rational, privatization and nationalization are not necessary and are not carried out. Criteria, when privatization and nationalization are expedient and what the condition is, are specified above. If the structure is irrational, any process is possible, or both processes on different kinds of assets (property) are necessary.

The problem of optimum property structure can be presented from the point of view of "portfolio" theories, elementary models of optimization.

If there is a purpose, that a certain property structure should give the greatest net profit D (income maximum) of all possible, then at N - assets number (property) characterized by some efficiency r_j (t) (j=1 … N) at the expenses for functioning (investments) of j^{th} active x_j (t) it is possible to present model (I):

$$D = \sum_{j=1}^{N} \mu_j x_j \rightarrow \max, \quad \text{with restrictions: } \sum_{j=1}^{N} x_j \le M, \quad x_j \ge 0,\ M_{1j} \le x_j(t) \le M_{2j},$$

$$r_{1j} \le r_j(t) \le r_{2j}, \text{ and } r_j(t) = f(x_j(t)).$$

If such property structure, which would provide the least losses for some acceptable income level, is important, then model (II) will be as follows:

$$D = x^T K x \rightarrow min$$

$$\text{with restrictions: } \sum_{j=1}^{N} x_j \le M, \quad x_j \ge 0,\ \mu^T x \ge D_R,\ M_{1j} \le x_j(t) \le M_{2j},$$

$$r_{1j} \le r_j(t) \le r_{2j}, \text{ and } r_j(t) = f(x_j(t)),$$

where: M is the general value of resource (finance) available, M_{1j}, M_{2j} – limits of expenses change (investments) $x_j(t)$ on each kind of property (asset), r_{1j}, r_{2j} - limits of the return change, asset (property kind) profitability.

These are elementary models of conventional optimization, the first model assuming strategy of quantitative growth when qualitative features of structure formation of assets (property) are not important. Mobilization development strategy is also within the frameworks of such "philosophy". The second model sets (assumes) the objective of qualitative changes with the account of necessary economizing of resources, paying the main attention to institutional structure which finally predetermines value $r_j(t)$ and creates low value of possible losses. Such strategy immanently includes measures for growth inhibition of unreasonable needs. The presented models, though they are simple, allow demonstrating impact and regularities of appearance of new rules, influence of rules and property structure on the rate of economic development. For example, with their help it is possible to consider functioning of the rules regulating the volume of ecological pollution (models of conditional optimization allow increasing and writing down differently the restrictions which define the point of model optimum) and besides to carry out the analysis of what set of reforms is necessary to carry out simultaneously (privatization and/or nationalization), pursuing the aim to achieve some value of total revenue and to define what general risk of loss of national income will be while realizing the measures of governmental policy. Within the "portfolio" transfer of asset (property) from public into private possession changes the value of return, the limits of return change on this kind of asset and even the possible amount of expenses and investments into this asset. That is why the result of optimization on the portfolio will change at once, as initial conditions of optimization and its restrictions change. At the same time, these two ideal models set two trajectories of realization of development strategy of the property structure, the original choice of alternative trajectory being such, that the required trajectory is between the specified ideal variants.

Considering that income and expected losses (risk) have monetary measurement, it is possible to present the model on interval [0; T] as follows:

$$P(t) = \sum [G_j - D_j] = \sum_{j=1}^{\cdot\cdot} \mu_j x_j - x^T K x \to max \text{ at: } \sum_{j=1}^{\cdot\cdot} x_j \le M, \quad x_j \ge 0,\ M_{1j} \le x_j(t) \le M_{2j},$$

$$\mu^T x \ge D_R,\ r_{1j} \le r_j(t) \le r_{2j},\ r_j(t) = f(x_j(t)) = \frac{V_j}{x_j},\ \mu_j = \frac{1}{T}\sum_{t=1}^{T} r_j(t),\ K = [\sigma^2_{ij}],$$

$$\sigma^2_{ij} = \frac{1}{T}\sum_{t=1}^{T}(r_i(t) - \mu_i)(r_j(t) - \mu_j).$$

where: x_j - value of cash security of functioning of j^{th} asset (property kind) for some period of time [t1, t2];

M - total amount of monetary resource per unit of time;

V_j - acquired real income by j^{th} asset kind (property) per unit of time;

r_j - return value;

μ_j - average return of j^{th} asset (property kind) on interval [0; T], including interval $[t_1; t_2]$;

D_R - limit of growth of the whole structure can eventually change in connection with wealth augmentation and property concentration. On rather short interval, especially at privatization, planning can be accepted as constant and equal to the planned value of property increment and income.

Then the maximum of function P will be achieved, when:

$$\sum_{j=1}^{N}\left[\frac{\partial \mu_j}{\partial t}x_j + \frac{\partial x_j}{\partial t}\mu_j\right] - \sum_{i=1}^{N}\sum_{j=1}^{N}\left\{\frac{\partial \sigma^2_{ij}}{\partial t}x_i x_j + \frac{\partial x_i}{\partial t}x_j\sigma^2_{ij} + \frac{\partial x_j}{\partial t}x_i\sigma^2_{ij}\right\} = 0, (*)$$

$$\frac{\partial \mu_j}{\partial t} = \frac{1}{T}\sum_{t=1}^{T}\frac{\partial r_j(t)}{\partial t} \qquad \frac{\partial r_j}{\partial t} = \frac{\partial V_j}{\partial t}\frac{1}{x_j} - \frac{V_j}{x_j^2}\frac{\partial x_j}{\partial t}$$

Having substituted the values for μ_j and r_j in the expression (*), we will have the system of equations N for N kinds of assets/properties, solving which, we will receive optimum vector $x = \{x_1, \ldots x_N\}$ of resources distributions on the kinds of assets/property with known restrictions for the search of extremum on differentiable function P (t). The dynamic interpretation will be exactly the same, only it is required to have the maximum product on each interval $[0; T_1] \ldots [T_{n-1}, T_n]$. $\frac{\partial V_j}{\partial t}$ Value will be included into the system, and it is none other than the change of real income generated by the j^{th} kind of asset/property.

Such statement activates the problem of investments distribution on property structure at once. To be more precise, the model of dynamics N of interacting ranges of efficiency/inefficiency is introduced. Each of them represents the j^{th} kind of asset/property.

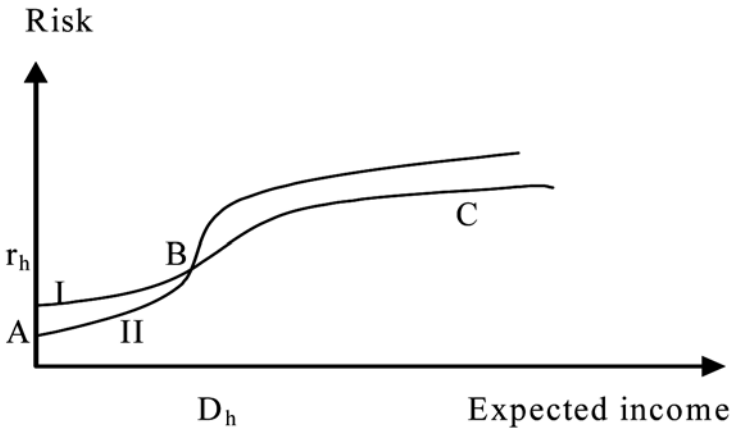
From the point of view of aggregated approach, this problem can be solved in static and dynamic formulation with reference to the portfolio of the property

presented by three kinds of property: public, private, municipal, and also with the account of greater differentiation and specializations of assets (property). Thus there may be privatization with the increasing volume of private asset. But the thesis concerning change of return, which can or cannot occur from such action (privatization), remains important. The similar reasoning is also true for nationalization, and for carrying out of both actions simultaneously on different kinds of assets, to which there is no ban, neither logic, institutional (legislative), or political. Taking into account the specificity of assets in such models is possible through the system of restrictions (conditions of optimization). Certainly, the distribution problems of the property and its structure change can be solved through modelling of various agents interaction in the frameworks of the agent-focused models, evolutionary models and, that is the most important, models of the games theory. However, for a series of models of such class it is required to consider the influence of the structure change of property on the behavior. Though, the intensity of such influence on different economic systems will depend on the initial point, initial condition of the system (reference point).

"Portfolio" model says that is not important how the right of ownership is realized and even how this right is distributed on agents and how it is unequally realized in practice for each economic system (such institutional qualities are usually not visible in mathematical statements). But it is important what kind of property prevails in the economy, what structure has been formed, and what risk and income are generated by this structure and this kind of property and what income it allows to increase. And what else is very important – how it should be distributed.

Various assets (property kinds) structure allows expecting different income and level of risk (possible loss of income). It is a basic position which is not often considered in economic analysis and all the more at planning and carrying out of different reforms, including privatization and nationalization. The situation which can be called "characteristic point" is possible (point B, Figure 1) in which various assets/properties structures give identical combination of expected income and overall risk of functioning of the structure. Curve I is drawn on the basis of corresponding model of income maximization, and curve II on the basis of the model of risk minimization. In point B (r_h, D_h) – intersection of curves, the assets structures are different, and combination of expected income and risk is identical. In this point there is a problem not only of choice of property structure and search of additional efficiency criteria (For example, estimations of structure quality, or public administration efficiency and positive models of market agents which are formed under the influence of this or that property structure. Some authors use the term "market quality", etc.). But, besides, there is a problem to define the demand for privatization and/or nationalization.

Figure 1: *Various Property Structures (Combination of Income and Risk) and "Characteristic Point".*



If the economic system moves to point B, or is more to the left of this point, the most acceptable variant of development is branch AB, as risk is the least at the same income. Structures, which will give branch above AB, are possible, but it is obligatory below the upper branch r_hB. However, from point B the further movement along the line BC is the most acceptable, that is, the assets structure should provide the movement on this branch, or above it, but it should be below line AB (the part of it that is more to the right of point B). Thus, the acceptable envelope symbolizes a set of property structures of ABC. Of course, movement goes on from structure to structure during considerable period of time, privatization and nationalization being considered as the tools providing such movement, that is, changing property structure. Actually, the feature of institutional and structural neutrality of privatization and nationalization is substantiated here, and in wider meaning, institution of "ownership". If to present the transition from one property structure in the economy to the other one as realizable due to the influence of operating factor (privatization and nationalization) plus a certain evolutionary-genetic structure change, then privatization and nationalization are absolutely unproductive in point B, as two structures give the same expected income and risk. In this connection transition from one structure to the other has no motive if not to take into consideration the qualitative aspect and certain criteria (auxiliary) corresponding it, but to proceed only from the criterion of profitableness and risk as the basic rational criteria of economic analysis. In this case, neither privatization, nor nationalization is necessary. In the same point it is not important, how the property right will pass to the state (priority of state ownership and nationalization) or to the private sector (priority of private prop-

erty and privatization). I proceed from the fact that possession expansion also strengthens the right itself, as an authority system which, of course, cannot vary in content. And their change can lead to the change of possession efficiency and to the change of possession scale that will affect both privatization, and nationalization processes.

Privatization and nationalization have various purposes, functional filling, and tool implementers. Privatization should create possibilities for income augmentation in the economy. Nationalization should solve qualitative management problems of economy structure, fill in missing types of production, technologies, infrastructures, benefits and level differentiation on incomes. By all appearance, nationalization is aimed at quality and structure, on recouping the losses. Privatization is aimed at development rate, quick solution of short-term and medium-term problems and often the auxiliary problems. Of course, it is not always so. Large-scale privatization, that is, privatization not in the "market economy" pursues an overall aim of transformation of the type of social system. This problem was being solved in the post-Soviet countries.

5. Privatization in Transitive Economies: Errors and Consequences

Privatization in transitive economies in 1990-2000s which actually used this instrument for curtailment of centralized planning and organization of markets economy didn't fulfill the specified function, having simultaneously lost its primordial functions, characteristic for privatization in the developed and functioning economy of the markets.

Critical relation to centralized planning depreciated planning function in principle as the function of social and economic system management. During transformations the absence of this function led to infringement of other functions - organization, motivation, control and coordination, with the following general dysfunction of macroeconomic management. It is this aspect that was central in inefficiency of both conducted reforms in whole, provoking deep transitive crisis, and privatization in particular. For the ideological reasons which are in no way connected with the essence of economic analysis, the estimation of nationalization possibility or revaluation of the conducted privatization was not carried out. Competitive economy of the markets didn't arise (when separate markets appeared, control function over them was modified due to many influences including external ones), and planning function was curtailed. Why didn't economy of markets arise? Because this economy is not connected in any way with liquidation of home market, loss of control over it and loss of property. The result of privatization was unfair (unearned) enrichment of one people for the account of others (the model of pure competition of "mainstream" plan does

not assume such outcomes), de-industrialization and loss of competitiveness, raider captures of property, and etc.

For example, there is still a point of view in Russia that these results must not be reconsidered or nationalization must not be conducted as it may provoke new revolution or shakes of other sort. Certainly, from the point of view of pure theoretical analysis, and practical possibilities as well, this point of view is a usual absurdity. It is another matter, that creative function is more cost-based and long-term in comparison with the destruction function. It is especially seen on the example of evolution of different economic systems in different epochs.

Two processes became the major effects of privatization in the countries of transitive economy. They are: a) liquidation of information function of enterprises, loss of information potential, with the establishment of blocking level on transactional costs for restoration of this level; b) provocation of monopolism level when loss of assets during privatization and "import attack" on home market resulted in either absolute loss of enterprises and production, or in strengthening of the western owners (corporations) in the home market that increased monopolism level on home market and made tangible contribution to maintain high inflation. A special contribution was made by the so-called natural monopolists.

If the costs of privatization and nationalization exceed the profit, that is, the basic identity presented above is not carried out, it means, that the need for carrying out these two processes is absent. However, it does not mean at all, that the property structure is rational or optimum. The criterion of optimum means, that other thing being equal, both kinds of property should provide the greatest possible value of created added cost per unit of cost estimation of the property. Such criterion as it was specified is possible. However, I do not reject introduction of other criteria. The problem of any institutional changes, and it, certainly, concerns privatization and nationalization as versions of institutional changes (the property structure and frequently the behaviour motives vary), is in the fact that while they are not carried out to their logic end, it is problematic to estimate their efficiency. The only thing that is possible to do is to represent the controllable changes on stages, to plan these stages and to estimate intermediate efficiency, proposing to improve some actions and to change the course and trajectory of institutional changes from stage to stage if the movement begins in the direction different from the planned one. However, such management can seldom be observed. May be China demonstrates such management style.

So far as the assets which are in this or that property, are non-homogeneous, costs can generally exceed benefits if they are correctly estimated. But on certain kinds of assets the basic identity can be executed, that is, benefits will be above costs. It is a necessary criterion to carry out privatization or nationalization accordingly, but the criterion is obviously insufficient. It is important to proceed from the criterion of optimum of property structure. Whether the economic

system will come nearer to this optimum point or it will move off. When costs are discussed, it is necessary to consider costs in full, that is, including negative effects or costs shifted on the third party, which is not participating actually in the course of privatization or nationalization. When benefits are discussed, it is necessary to consider positive externalities. I have already mentioned the complexity of estimation of such costs and benefits.

When privatization is investigated the following mistakes are often made. Such mistakes should not be made in the successive researches and wider estimation problems of privatization and nationalization productivity.

1. Privatization process is presented apart from nationalization process. The opposite orientation of these processes as it has been shown here, is not the basis to consider and apply only this or that process, that is, either privatization, or nationalization, because assets are heterogeneous and property is of various types, specification and state. So, different procedures can be probably applied to such different assets. But in practice some process prevails or only one is really used.

2. Incomparable kinds of efficiency are compared. For example, efficiency of the public and private sectors, or public and private property, one aggregated efficiency criterion being insufficient for estimation of system consequences of activity, privatization and nationalization. It is connected with the assets nature, their heterogeneity and development problems. In reality, it is possible to compare according to only one certain criterion, but who and why establishes one efficiency criteria in efficiency estimation of rather complicated system or economic sector, interacting with the other sector the efficiency of which is also estimated. In this case, at system relation inefficiency of one sector can provide the efficiency of the other one. Such interrelations and possible factors generating them should be considered.

3. Explanation of privatization by "inconsistency of the state", and explanation of nationalization by "market inconsistency" is one more mistake. These concepts demand additional criteria and they are indistinct enough in itself and inexact to make far-reaching conclusions on their basis and especially to make decisions from the point of view of economic system management[8].

Separation of the created blessings into public and private ones does not also solve the problem. It is considered, that the state has the prerogative to produce only public goods, and the prerogative of the private sector is only private goods. However, what is the demand for the former and the latter? This question is the defining one from the point of view of privatization and nationalization. Production efficiency of public and private goods is different kinds of efficiency if not to compare indicators only according to the resource part. Even carrying out this or that policy the state provides a certain blessing with the fact of its carrying out, for example, it prevents monopolistic effects, slows down inflation, stimulates development of backward regions (for example, due

[8] Kirzner I.M. (2010): *Competition and Entrepreneurship*. SOTSIUM, Chelyabinsk.

to climatic features), creates support programs of various branches: agriculture, coal industry, infrastructure, etc., stimulates export orientation of manufacturing activity or import substitution. The major function of the state, defense, cannot be provided without state ownership and public sector. The defense sector includes not only the army and defense facility and the property, but defense enterprises and auxiliary infrastructure. In this sector secret development works are made, new technologies are created assuming considerable volume of investment. Such investments cannot be accumulated by the private owner and he is not interested in such development works. There is no corresponding regime for realization of such works at the private sector. Only the state has the monopoly on them and this public good is strictly supervised legislatively from creation up to storage and use.

4. "Bare" comparisons of the development level of the country according to social indicators and the scale of the public and private sector and connection of the rate of economy growth and the scale of the public sector seem to be limited according to the formulation as the set of other significant factors is not considered. They are inertia system, and the problems of income distribution, the state of productive forces and technologies and the place of the country in the international division of labour, level of competitiveness, and etc. Non-registering these factors it is impossible to draw a certain parallel. The assertion, that in the catching-up countries the public enterprises should play a role of development institutions, and in the leader-countries they should not, is wrong without specifying, what "to catch up" means, and what for to catch up is, whether it is possible, and why private enterprises, for example, large transnational companies do not represent these development institutions. The fairness of this statement is clearly observed according to the changes of today's capitalism where large monopolies define all the world dynamics. Though, the illusion about the importance of small-scale business is persistently supported. The importance of small business, as well as its contribution to economic growth, is, certainly, present, but it can be designated in some different way. Even if different kinds of property make different contribution to the increment of output aggregate, that is, to economic growth, it does not mean, that the kind of property making the smaller contribution should be reduced for the account of privatization or nationalization. Economic growth should be accelerated not by privatization and nationalization, but by the property (assets) structure formed during these processes. It is a basic condition of research and application of these tools. The result of privatization, as well as nationalization should be income created with the use of this property. If privatization and nationalization are held during the limited interval of time which is not so large, the general volume of property does not vary. There is its redistribution, and there is also redistribution of the rights on it with the successive income redistribution. Application of these tools should not be terminated by this redistribution. The important purpose is income increment.

5. Large private proprietor and the state appoint manager - managing director - for control their property, delegating him the responsibility for the disposal of this asset. The efficiency of management is defined by the functions and powers, certain situation, abilities of the managing director, the executive agents subordinated to the manager, and besides, by motivation and control. It is considered, that the manager operating the property in the private sector has aspired to increase wage or salary which was appointed by the proprietor, and the proprietor aspires to profit maximization, that is, he aspires to increase efficiency of the capital which owns. In the theory this contradiction was called the problem of the "principal-agent" when interests of operating and owning link differ. However, the interest of the managing director in the public sector is also increase of salary, but appointed by the state. Besides, interest in profit increase is possible if the government pays a percent from profit in the form of bonus to managing directors of state enterprises as a stimulating measure for labour. In the private sector managing director affects the proprietor to increase wages, in the public sector managing director affects higher link in the state hierarchy on which wages increase depends on. Or if he has authority, he can increase the bonus from the profit (as a variant). Thus, it is absolutely incorrect to consider, that the problem of the principal-agent does not concern the public sector at all. This problem has other viewpoint here, and the meaning of management doesn't actually change from sector to sector much. Therefore the property efficiency is, of course, stipulated by a set of factors, but it doesn't depend on motivation of managing director, it is more likely defined by the routine of destination and use, that is, a set of problems of higher level connected with operation of this asset.

6. There is also one more mistake. As if when the state sells the enterprises even on "fair" price, that is, having truly estimated their market cost (though such estimation is often misrepresented, to say nothing about the problem of the criterion of true cost) it loses a constant source of incomes. I wrote above, that the former public property which has become private, should bring income to the budget in the form of tax revenues. And it is important to compare these receipts with the income which this asset would have brought (enterprises) if it remained in the public ownership (and it is necessary to discount these values). Losses are not predetermined at privatization. They appear when the strategy of privatization is incorrect and there are mistakes in management. There are no objective losses here and there should not and cannot be. Besides, it is extremely erroneous to consider, that expenses on social program do not pay off. Such statements can be seen in passing in economic literature, but their incorrectness is connected with the criterion introduced for estimation, as such statement is simply estimation from the point of view of the criterion which the researcher uses.

7. The problem of the property cross-ownership when shares of some object, firm or corporation are in the hands of private persons and the state deserves special discussion. The package of ownership defines possibilities to make strategic

decisions, but also allows direct influence of the state through available share holding on management, approval of the board of directors, and etc. State-private partnership is the form where ownership is mutual, and there are practically no distinctions between the forms of ownership. Besides, today's tendencies of modern capitalism development presuppose almost no borders between the private and public sector that can't but reflect in the change of property structure and its efficiency. Usual criteria here can be not much in use and it is necessary to use the estimations of system efficiency of such joint possession.

Thereby, there are two main approaches to privatization as a process[9].

Firstly, privatization, as well as nationalization, should be considered as management of property and assets in order to change their structure with the general orientation to change their use efficiency from the point of view of introduced criterion or criteria. Hence, it follows, that efficiency decrease and deterioration of conditions of fair possession are incompatible with the prolongation of the specified processes, privatization and nationalization. Theoretically, both processes can proceed permanently, that is, as long as possible, up to the exhaustion of their main restriction connected with the scale of the public and private property. In practice, from the management position, any process or measure has the purpose which should be quantitatively and qualitatively defined, measurable and there should be a certain time for its achievement. Only thus it is possible to sum up and estimate success or failure of measure undertaken by the government.

Secondly, privatization and nationalization are considered the tools changing the market structure and the level of monopolistic power. Such presentation is also true, as when the assets are bought or sold, there is an additional demand for the property in the property (assets) market. It influences the price and operates in the direction of redistribution of the part of wealth which is embodied in the property, with the successive change of operation profile of these assets. At the same time, it is necessary to understand, that monopoly and "monopolistic effects" are not a market inconsistency (I see the delusion of modern economic theory, even "mainstream". It starts the analysis round the equilibrium point and aspiration to it and considers monopoly as a certain removal from the equilibrium point and competitive market which is somehow recognized effective from the point of view of distribution and use of incomes and resources.). And the form of organization of economic activity plus the form to which competitive market aspires owing to occurrence of surpluses and redistribution of power and incomes.

Moreover, the state possesses absolute monopoly for defense and production necessary for this purpose, including secret ones. It possesses an exclusive right to accept basic legal ordinances, constitutional acts, and the laws resulting from them, and monopoly power to punish for non-observance of these laws, etc. Monopoly has developing science and it allows the science to develop.

[9] Coase R.H. (2010): *The Firma. The Market. The Law.* Delo, Moscow.

Monopolistic effects accompany research and development sphere (patents and copyright certificates) and help calculate the price for intellectual achievements and royalties to authors for such work. Large monopoly on microeconomic level is a household as an elementary economic structure where problems of life organization, leisure are solved, time is distributed, including time for child-bearing, education and upbringing, expenses are planned, manufacture process of some kinds of blessings is carried out, and their consumption sometimes overstepping the limits of one family. Monopoly here is connected with the transfer of genetic information, education of children, transfer of the assets obtained by it, and etc. Here effects of property loss, assets augmentation, inheritance, leaving by will, sale of a part property or the whole property and even transfer of some assets in favour of the state or for charitable needs, that is, to the private persons, especially requiring material security are possible.

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STRUKTURNA ANALIZA SVOJINE: PRINCIP OPTIMALNOSTI

S a ž e t a k

Rad predstavlja strukturnu analizu svojine u smislu njena dva osnovna elementa: javne i privatne svojine. Mnogo pažnje se posvećuje kriterijumima procene efikasnosti funkcionisanja ovih imovinskih vrsta, kao i svrsishodnosti dokazivanja privatizacije i nacionalizacije imovine. Predlaže se princip optimalnosti strukture imovine u privrednom sistemu. Polazeći od dokazivanja teorijskih kriterijuma privatizacije i nacionalizacije u privredi, analiziraju se opšte greške i posledice privatizacije u ekonomijama u tranziciji na primeru ruskog ekonomskog sistema. U radu su ispitane osnovne institucije poslovne delatnosti pokazujući model države kao preduzetnika koji se bavi privatizacijom i nacionalizacije u određenom vremenskom periodu. Razrađeni su osnovni principi i pokazatelji procena efikasnosti i upravljanja procesom "državnog posla ".

Ključne reči: institucije, imovina, struktura, privatizacija, nacionalizacija, kriterijumi efikasnosti, optimum principle, poslovna delatnost, vlada

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Original scientific paper

SENIOR´S LIFESTYLE AND THEIR STORE CHOICE

To attract and retain customers, an understanding of their motives and reasons for selecting particular food and grocery store is needed. This is of particular importance in the growing segment of seniors. The size of the senior´s market demands a better understanding of the older consumer. The aim of our study is to identify psychographic characteristics of the elderly consumer, and to indicate the lifestyle groups and the relationship between these groups and retail store attributes. Differences in the motives for patronizing specific food stores are analyzed for lifestyle groups. We use the lifestyle as a segmentation variable in the diverse population of seniors for the reason, that the lifestyle of the elderly provides more valuable information than chronological age alone. This information can be used by retailers to improve marketing strategies in order to appeal to a target group of senior shoppers. Empirical research is based on a self-administrated questionnaire aimed on the identification of the lifestyle characteristics and retail store attributes of the consumers in 65+ age, used for the choice of food purchasing retail stores. Lifestyles characteristics were measured by the respondents activities, interests and opinions (AIO). The results of the research indicate that there are differences among the lifestyle groups with significant differences in attitudes towards quality of products or internal store environment. Our research demonstrates the value of psychographic information over age alone regarding the patronage factors in store selection. Our study is a part of the research project VEGA 1/0612/12 „Determinants of the size, structure and tendences in the individual consumption of seniors"

Key words: seniors, segmentation, psychographics, lifestyle classification, grocery store choice

1. The role of psychograpics and lifestyle in market segmentation

Customer segmentation is one of the most important concepts in marketing. Customer segmentation can be divided into four distinct types according to the different criteria used in segmenting the population: socioeconomic, geographic, product-related and psychographic. Socioeconomic segmentation focus on the

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customers physical attributes, such as age, sex, income, education, occupation, etc. Geographic segmentation emphasizes the place where customers live. Product-related segmentation classifies customers focusing on their purchase behavior within the relevant product category or the benefits, which the customer expects from a product category. Finally, psychographic segmentation, which is sometimes called also lifestyle segmentation, divides the total population into groups based on the customers motivation, attitudes, preference and values.

Psychographics is a term first introduced by Demby (1974), which brings together „psychology" and „demographics". He emphasized psychological aspects in order to enhance understanding of consumer behaviour and to develop more effective marketing strategies. Demographic segmentations provide relatively hollow classifications of customers, which reveal nothing about the motives underlying their consumption decisions.

The first wave of psychographic research was mainly rooted in personality profiles. However, this research accompanied with low and even inconsistent correlations with consumer behaviour, was dissapointing and failed to satisfy marketer´s needs. One of the main reasons probably was due to the fact that this research used standardized personality tests originally developed in clinical medical diagnostics, or academic – mainly students population – context (Gunter and Furnham, 1992).

In a second wave of psychographic research, the personality concept was replaced with the concept of „lifestyle". Today, lifestyle is usually defined as the patterns in which people live and spend their time and money. Chaney (1996) defines lifestyles as patterns of action that differentiate people. He writes „lifestyles help to make sense of what people do, and why they do it, and what doing it means to them and others". Today, the lifestyle concept has become so central, and the personality concept so marginal to psychographic research, that the latter is currently equated with lifestyle research (Kahle and Chiagouris, 1997). In general, lifestyle research is based on extensive surveys. Also here we can distinguish different waves of research.

In the first wave lifestyles were researched using large sets of AIO items. AIO refers to measures of activities, interests and opinions. Peter and Olson (1994) define „lifestyle" as „the manner in which people conduct their lives, including activities, interests and opinions". Activities are manifested actions (work, hobbies, social events, vacation, entertainment, community, shopping, sport, etc.). Interest in some objects, events or topics (family, home, job, community, recreation, fashion, food, media, achievements, etc.) is the degree of excitement that accompanies both special and continuing attention to it. Finally, opinions are descriptive beliefs (of oneself, social issues, politics, business, economics, education, products, culture, etc.) (Plummer, 1974).

Often very large sets of AIO statements were used. For example Cosmas (1982) used a questionnaire containing 250 AIO statements.

In a second wave of research the AIO framework was replaced by value concept. Values are commonly defined as desirable, trans-situational goals, varying in importance, that serve as guiding principles in people´s lives. The most important instrument for measuring values is the Rokeach Value Survey (Rokeach, 1973). His inventory comprises 18 values like: Family security, Freedom, Happiness, Inner harmony, Pleasure, Self-respect, Social recognition, etc.

A shorter and more easily implemented instrument is the List of Values (LOV), suggested by Kahle (1983), including only nine values. Another important scale for assessing value systems was developed by Schwartz (1992).

Now values are of particular interest because values may affect a wide spectrum of behaviour across many situations. Therefore values are also important lifestyle determinants. As Gunter and Furnham (1992) point out: „Lifestyles are defined as patterns in which people live and spend their time and money. They are primarily functions of consumer´s values".

Values are broader in scope than attitudes or the types of variables contained in AIO measures. Value inventories in general often only contain a shorter set of values, instead of 200 or 300 AIO items. This led researchers of the second wave of lifestyle research to use value sets as input for their questionnaires, which proved to be much more elegant and fundamental than the AIO approach.

In general, by combining psychographic information with demographics, the marketer will understand better the wants and needs of the consumer. Firms that wish to sell their products and services to the seniors, should use lifestyle variables in segmenting the market. According to Gollub and Javitz (1989), psychology, socioeconomics, and health are the kyes to understanding how seniors can live. Greco (1986) states, that many retailers and manufacturers seem to think that age alone dictates buying pattern and purchasing behavior. However, proper identification of segments which exist within seniors market will allow the development of more effective marketing strategies for serving the seniors. Moschis (2004) indicates that the buying behavior, desires, and needs of the older people must be unique. If uniqueness is lacking, then older consumers are not a distinctive market.

The aim of our paper is to identify lifestyle characteristics of the older consumers and based on these findings to determine distinct lifestyle groups. We intend to find the relationship between the lifestyle groups and the perception of retail store attributes. Differences in the motives for patronizing specific food stores are analyzed for each identified lifestyle group. The research question addressed in our paper is: How do the lifestyles of the older people affect their perceptions of the attributes of retail stores which sell food.

2. Retail store attributes and shopping experience

It was documented in the marketing literature that seniors put special emphasis on retail store attributes when selecting a store for purchase (Moschis et al., 2004). Previous research of older consumers has brought some unambiguous results, concerning the factors influencing their buying behaviour. Some authors (Lumpkin et al., 1985) found that the older people base their store choice on the same attributes as younger people. Other studies of senior shoppers have suggested that there are segments of older people which can be described by unique shopping preferences (Moschis, 2003). We intend to reveal such preferencies and to explore their weight.

The shopping patterns of the elderly support the perception that the elderly posses store loyalty (Moschis, 1997). The elderly do not change their store patronage just to try something different. Price and price-related aspects are of highest importance, which can explain the preference for discount stores and supermarkets with lower price-levels by seniors.

Several studies found that seniors enjoy shopping as an opportunity for social contacts. Lumpkin´s study (1988) contradicts these studies. He did not find that the seniors look for interpersonal exchanges with the store personnel. Lumpkin et al. (1985) agree that the most important attributes of store selection relate to the relationship of quality to price and finding of satisfactory products. The senior shoppers want quality products, yet to attractive prices.

The belief among marketers that older consumers are unwilling to try new products is widespread, but the evidence is mixed. Although there is some evidence associating older consumers with a slight tendency to brand loyalty (Lesakova, 2013), most research supports the view that the brand choice processes of older people are as vigorous as those of the young people. Innovativeness is not linked to youth, as is commonly thought, but to personality. Consequently, most variation in brand loyalty is not related to age or other demographic differences. Older consumers are prepared to switch if there are clear benefits for them and they can be described as „late adopters".

Another group of attributes which affects the store choice by the elderly consumers are helpful and courteous salespeople and readability of tags or labels on shelves (Moschis, 1997). Purchase decision of seniors is strongly influenced by emotional factors and approach of selling personnel. Hence, in communication with seniors relationship building must precede presentation of product (Hayley, 2008).

Typical marketing literature and sale presentations tend to be linear presentations of benefits and features. Traditional focus on product features and benefits, or other objective information reaches a point of diminishing returns more quickly among older customers. Marketing messages which lack coherent story and deliver information fragments have only a limited potential to be recalled by seniors. However, to attract seniors, „hard facts should be integrated

into an emotionalizing story line, to gauge the potential emotional quality of the relationship" (Schewe, 1988).

It was documented in the literature that emotion increases with age. This suggests that the best way to deliver objective, emotionally neutral information to older markets is to combine it with emotionally enriched information. This knowledge has enormous potential importance. It proposes that memory deficits ascribed to senior customers may be overcome by adequate stimuli and that older minds can remember items of categorical importance to them as competently as younger minds.

3. Methodology

It was suggested above that chronological age is not the most appropriate segmentation variable. Lifestyle or psychographic variables seem to be more useful in identifying distinct categories of senior´s buyer behaviour.

A self-administered questionnaire was used to determine the lifestyle segments and the perception of retail store attributes of the seniors in 65+ age, applied in the choice of retail stores for the purchase of food. We included in the questionnaire several psychological, social and experience dimensions and several factors and events describing the seniors social position and life circumstances. To determine the lifestyle segments, we included in the questionnaire 46 statements describing the activities, interests and opinions (AIO) of seniors. Statements used in the lifestyle research were drawn from Lumpkin et al. (1985). A five-point Likert scale was used, with responses ranging from „not at all for me" (1) to „very much for me" (5). Factor analysis was used to reduce the number of variables to a smaller number of factors, which were subjected to cluster analysis to identify the different segments. Utilizing factor analysis and cluster assignment, we were able to identify four distinct lifestyle profiles: Active and self-reliant, Family oriented, Passive and insecure and Stubborn sceptics. Our aim was to identify to what extent these lifestyle groups affect buyer perceptions and behaviour and to show the relationship between seniors lifestyle and perception of retail store attributes.

A random sample of 265 seniors aged over 65 was used for the research. Participation in the research required that the respondents are 65 or older, live in homes or in flats, and do their own shopping for personal or family use.

In the second part of the research the importance of of the various store attributes for the lifestyle segments identified in the first part of the research was determined. Various store attributes related to the convenience of the store location, in-store environment, external environment, quality and price policy, etc. have been studied. Lumpkin et al. (1982) suggest that various attributes may be important to a customer when choosing a store. To determine the

importance of each attribute, a five-point scale ranging from „never“ (1) to „always“ (5) was used. To identify problems with questionnaire clarity, the initial questionnaire was pre-tested on 8 seniors and the questionnaire was revised after the pre-test.

The lifestyle data were submitted to a factor analysis which performed a principal components analysis along with a varimax rotation. Eigenvalues of ≥ 1 were used as the indicator for the extraction of factors. These extracted factors were then submitted to the varclus procedure to determine the four clusters.

To each created cluster was given a name to describe the key characteristics of the respondents in that particular cluster. Table 1 contains the questionnaire statements in each cluster and their respective loadings, indicating the relative importance of each item. The largest of the clusters was Family oriented with 92 respondents accounting for 34,7 percent of the sample. Active and self-reliant segment counted 62 seniors (23,4 percent), Passive and insecure 60 seniors (22,6 percent) and Stubborn sceptics 51 seniors (19,2 percent).

4. Results and discussion

The questionnaire was distributed to 226 women and 39 men, all aged over 65, with the majority of respondents being in the age group of 65-74. The principal focus of the research was to determine how the different lifestyles of the older people affect their perceptions of the attributes of retail stores selling food. Totally 46 statements have been presented to respondents.

Table 1 indicates four distinct lifestyle profiles: Active and self-reliant, Family oriented, Passive and insecure, Stubborn sceptics.

Table 1: *Lifestyle segmentation: statements and their loadings*

Family oriented		Active and self-reliant		Passive and insecure		Stubborn sceptics	
Prefer spending time with family	0,86	Take active part in community life	0,71	Financially very concerned	0,83	Make no plans ahead	0,73
Enjoy to be with friends	0,81	Like to go to cultural / sporting events	0,66	Prefer to stay at home	0,70	Feel often lonely	0,62
Like to talk to other people	0,78	Use to plan my timeschedule even in retirement	0,64	Spend much time watching TV	0,53	Affected by the past and nostalgia	0,51
Feel pride of things I have made /built during my life	0,67	Interested in politics	0,54	Fashion dress is not important for seniors	0,49	Used to complain	0,49
Enjoy going out	0,54	Enjoy listening to radio	0,46	Low market-place knowledge	0,46	Highly price-conscious	0,42
Reed the newspaper daily	0,45	Enjoy reading magazines	0,42	Positive towards marketing and advertising	0,45	All in life is predicted	0,40
Carefull to eat the healthy food	0,42	Able to manage my household budget	0,40	Fear to go out in the evenings	0,39		
		Enjoy travelling in the country	0,38				

Note: Factor loadings ≥ 0,3 = significant (if sample ≥ 50); Factor loadings ≥ 0,4 = more important; Factor loadings ≥ 0,5 = very significant

As demonstrated in Table 2, there are some differences among the lifestyle groups. Family oriented differ significantly from Stubborn sceptics ($p < 0,05$). The Family oriented seniors consider the attributes of sortiment and quality of products and staff very important in their store choice. There are no significant differences between Family oriented and Active and self-reliant in these attributes; they are equally important to both lifestyle groups. In contrast, Passive and insecure do not find these particular attributes of crucial importance in choosing a retail store.

When considering store characteristics such as fast check-outs, readable tags on shelves, or store location, the research results indicate no significant differences among the groups.

Table 2: *Reasons for patronizing particular food store among older shoppers (65+) by lifestyle segments*

Retail store attributes	Family oriented %	Active and self-reliant %	Passive and insecure %	Stubborn sceptics %
Lower prices	84,4	84,2	92,4	88,0
Quality of products	82,0	81,3	71,6	68,4
Display of products	44,6	39,8	47,2	49,6
Broad sortiment	49,8	47,6	35,6	40,2
Fast check-outs	54,2	49,8	55,4	56,0
Knowledgeable staff	66,6	65,0	60,4	54,4
Helpful staff	69,2	65,4	56,6	53,8
Store location close to the seniors home	81,4	76,6	80,6	80,0
Frequent sales actions and discounts	82,2	80,8	90,3	86,4
Like discount stores	76,3	79,2	88,0	84,4
Respondents (total)	92	62	60	51
Respondents (percent)	34,7	23,4	22,6	19,2

Source: own calculation

The Active and self-reliant seniors find the knowledge and courteous behaviour of the staff to be important in the selection of a retail store. In contrast, the Stubborn sceptics place little importance on this attribute.

There is no significant variance in the importance placed on lower / reduced prices, however Passive and insecure perceive this factor as most important among all segments.

The lifestyle groups do not find the display of products or broad assortment to be significantly important when selecting retail store. These attributes are not key consideration.

The lifestyle groups differ significantly when considering quality of products, broad assortment or helpful staff. Overall, lifestyle groups do not differ significantly when considering such store characteristics as fast check-outs, readable tags on shelves, or store location and price policy.

While quality of products is an important preference attribute for food store, it is more important to Family oriented (82,0 percent) and Active and self-reliant (81,3 percent) than to Passive and insecure (71,6 percent) and Stubborn sceptics (68,4 percent). Passive and insecure and to a lesser extent also stubborn sceptics are more likely to prefer food stores because of their prices or discount policy. Family oriented consider whether the grocery stores personnel can assist and advice them, with 66,6 percent and 69,2 percent.

The Family oriented and Stubborn sceptics differ significantly in their assessment of the quality of products and personnel, with Family oriented placing high importance on both these attributes when selecting a retail store. Also Family oriented and Active and self-reliant differ significantly from the remaining two lifestyle groups regarding quality of products or breath of assortment.

When considering price policy, the Passive and insecure perceive this factor as most important, placing the highest emphasis on it. Also the frequent sales actions and discounts are viewed by this segment as most important.

According to our results, broad assortment and display of products were not seen as important by any of the lifestyle groups.

The research study confirms that age alone does not explain the shopping behaviour of the older people. Lifestyle of the seniors provides more valuable information than chronological age alone. This lifestyle information can be used by retailers to improve marketing strategies in order to appeal to a target group of senior shoppers. It was shown that different lifestyle segments value different retail store attributes.

Based on the findings, some recommendations can be presented. For example, if the store customers are largely Family oriented or Active and self-reliant, the retailer can emphasize quality products and fair prices. It would also be important to hire and train knowledgeable and helpful staff.

If the majority of customers are Passive and insecure or Stubborn sceptics, the store should offer and advertise discounts and lower prices.

5. Conclusion

The research presented in the paper indicates that consumer behaviour of seniors not only differ from the consumer behaviour of younger people, but it is also differentiated by psychographic characteristics of seniors consumer segment.

The findings demonstrate the value of psychographic variables and lifestyle in explaining the preference attributes in store selection by seniors. In order to retain the loyalty of Family oriented, food retailers should carry high quality products as well as broad sortiment of products. Senior´s households make serious decisions on food purchase, hence it is important also to consider special health needs of this segment (low fat, low sodium, etc.).

Seniors value helpful staff with professional knowledge about the items in the store. Hence, food retailers should train store personnel to be more helpful and courteous.

Because of the seniors physical and health requirements, food stores should pay special attention to the internal store environment, particularly to the display of products, comfortable trolleys, efficient check-outs, etc. The retailers that follow these requirements, are more likely to retain customers and to attract new customers.

Retailers can benefit from conducting lifestyle analysis of their customers and use that information to adapt their marketing programmes to acquire and retain senior shoppers. Although there are limitations in this research, the findings show the benefits of lifestyle characteristics of the seniors, with psychographic variables supplementing age variable in developing an effective retail strategy.

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ŽIVOTNI STIL STARIJE POPULACIJE I NJIHOV IZBOR TRGOVINA HRANE

S a ž e t a k

Privlačenje i sadržavanje kupaca, kao i razumevanje njihovih motiva i razloga za odabir određene trgovine hrane su neophodni. Ovo je od posebnog značaja kod sve većeg segmenta starije populacije. Veličina tržišta starije populacije zahteva bolje razumevanje starijeg potrošača. Naše istraživanje ima za cilj da identifikuje psihografske karakteristike starijih potrošača, kao i da ukaže na grupe životnih stilova i odnos između ovih grupa i atributa maloprodajnih objekta. Za grupe životnih stilova analizirane su razlike u motivima za posećivanje određenih trgovina hrane. Životni stil se koristi kao segmentaciona promenljiva u različitoj populaciji starijih iz razloga što životni stil starijih pruža dragocenije informacije nego samo hronološka starost. Trgovci mogu da koriste ove informacije za poboljšanje marketinške strategije kako bi se dopali ciljnoj grupi starijih kupaca. Empirijsko istraživanje se zasniva na upitniku čiji je cilj da identifikuje karakteristike životnog stila i atribute potrošača maloprodajnih objekta starosne dobi 65+, upotrebljenih za izbor malorpodajnih trgovina. Karakteristike životnih stilova su merene na osnovu aktivnosti ispitanika, njihovih interesovanja i mišljenja (AIM). Rezultati istraživanja pokazuju da postoje razlike među grupama životnih stilova, tj. značajne razlike u stavovima po pitanju kvalitetu proizvoda ili unutrašnjeg okruženja prodavnice. Naše istraživanje pokazuje vrednost psihografskih informacija u vezi sa starosnom dobi, po pitanju faktora koji utiču na izbor prodavnice. Studija je deo istraživačkog projekta VEGA 1/0612/12 pod nazivom:"Determinante veličine, strukture i tendencija lične potrošnje kod starije populacije"

Ključne reči: starija populacija, segmentacija, psihografija, klasifikacija životnih stilova, izbor trgovina hrane

Ioan Talpoş*

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Original scientific paper

COMPARATIVE ANALYSIS OF GOVERNMENT DEBT IN THE EUROPEAN UNION'S MEMBER STATES, 2000-2013

The paper presents a detailed comparative analysis of the evolution of government debt stocks in the E.U. Member States at the end of the period 31.12.2000-31.12.2013 from the point of view of the share of these debts in the GDP, with a focus on six groups of the E.U. Member States (E.U.-28 countries, E.U.-27 countries, Euro area-18 countries, Euro area-17 countries, Non Euro area-10 countries, Non Euro area-11 countries), on the E.U. Member States with a government debt stock share above or below 60% of the GDP at 31.12.2013, on the Member States which recorded very large deviations of the government debt stocks and of those stocks' shares in PIB in the analyzed period or which recorded a decrease in government debt stock shares in PIB – and, separately, on Romania as well.

Key words: government debt, government debt stock, government debt accumulation, public indebtedness, government debt stock increase, gross domestic product, absolute deviation, relative deviation, times of increases, government debt crisis

1. Introduction

Based on data taken from Eurostat and on the author's own calculations (reproduced in the annexes no. 1, 2, 3, 4, 5 and 6) a detailed analysis has been carried out for the evolution of the government debt stock within a period of **14 successive years** – from 01.01.2000 to 31.12.2013.

This analysis comprises *the evolution of the government debt stock share in the GDP at the end of the studied 14 year-period* with the **benchmark limit of 60% of the GDP** – determined as a convergence criterion to the Economic and Monetary Union of the European Union through the **Maastricht Treaty** [1], *as well as the evolution of the absolute government debt stocks at the end of the years (and at the end of the 56 quarters as well – in the case of Romania).*

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The analysis focused on the following economic areas:

I. The European Union with 28 Member States;
II. The European Union with 27 Member States;
III. The Euro area with 18 Member States;
IV. The Euro area with 17 Member States;
V. The Non Euro area with 10 Member States;
VI. The Non Euro area with 11 Member States;
VII. The European Union's Member States which:

a) have registered government debt stock shares above 60%;
b) have significant deviations of government debt stock shares at 31.12.2013, which, in relative expression, exceeded 50% (Ireland, Slovenia, Portugal, United Kingdom, Croatia, Cyprus, Greece, France and Spain);
c) have registered important increases (3 times) of the government debt stock size during the analyzed period (Latvia, Luxembourg, Romania, Estonia, Czech Republic, Ireland, Lithuania, Slovenia, Slovakia, Croatia, Portugal, Poland, Cyprus);
d) have registered significant relative deviations – above 100% - of government debt stock shares at 31.12.2013 (Luxembourg, Ireland, Latvia, Slovenia, Portugal, Czech Republic, United Kingdom);
e) have registered decreases of the government debt stock share at the end of the analyzed period (Bulgaria, Sweden and Denmark);
f) have government debt stock shares below 60% of the GDP at 31.12.2013; these 11 Member States are: Estonia (10,1%), Bulgaria (18,9%), Luxembourg (23,5%), Latvia (38,0%), Romania (38,1%), Sweden (39,1%), Lithuania (39,4%), Czech Republic (45,6%), Denmark (45,8%), Slovakia (55,7%) and Finland (58,2%).

VIII. Romania.

2. The results of the comparative analysis

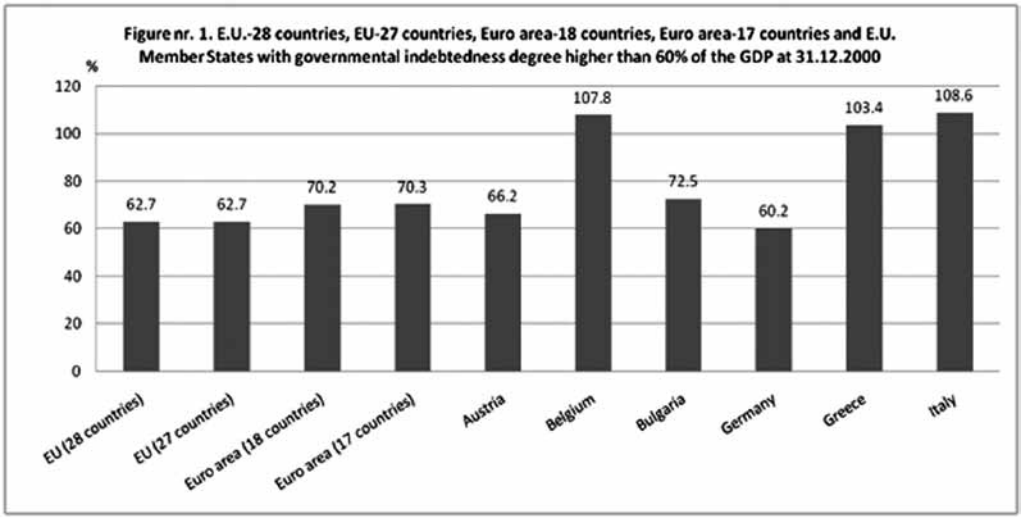
Taking into consideration the evolution of the government debt stock shares in the GDP at the end of the years in analyzed period, the absolute value (million Euros) of these stocks, as well as the absolute value of the annual GDP, the outcome of the detailed analysis is:

1. At the beginning of the analyzed period (31.12.2000), as figure no. 1 shows, the following **have registered a government debt stock share above 60% of the GDP:**

- the total for the EU-28 countries (62.7%);
- the total for the EU-27 countries (62.7%);
- the total for the Euro area-18 countries (70.2%);
- the total for the Euro area -17 countries (70.3%);

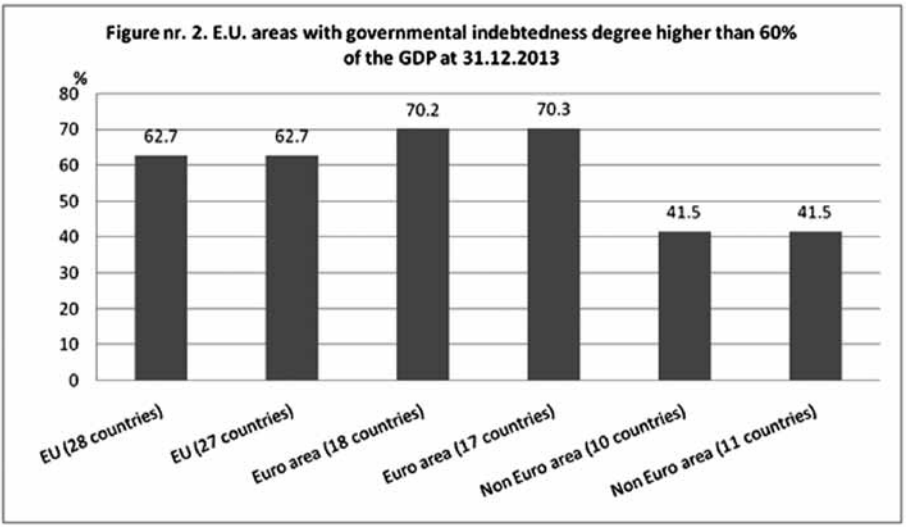
- 6 Member States of the E.U.-28 countries, which we enumerate in the descending order of this share: **Italy (108.6%), Belgium (107.8%), Greece (103.4% at 31.12.2000), Bulgaria (72.5%), Austria (66.2%) and Germany (60.2%).**

Both E.U.-28 and E.U.-27, both Euro areas and the 6 states with government debt stock shares above 60% of the GDP at 31.12.2000 are shown in figure no. 1.



2. At the end of the analyzed period (31.12.2013), as shown in Figure no. 2, the following **have registered actual amounts of government debt stock above 60% of the GDP**:

- the entire E.U.-28 countries (90.2%);
- the entire E.U.-27 countries (90.2%);
- the Euro area-18 countries (96.2%);
- the Euro area-17 countries (96.4%);
- the Non Euro area-10 countries (73.2%);
- the Non Euro area-11 countries (73.3%);
- in 16 Member States of the E.U.-28 countries, which we present in table no. 1.



In the European Union with 27 Member States, respectively 28 Member States (although this number of Member States can be referred to only since 01.01.2007, respectively from 01.07.2013), **the government debt stocks share in the GDP went upward** – from 62.7% to 90.2% with an absolute deviation of +27.5 percentage points and a relative growth of 43.9%, i.e. 1.44 times (see the results in annex no. 6).

Expressed as an absolute value, the total government debt stocks showed an increase at 31.12.2013 with 6,006,364.4 million Euros at the level of E.U.-28 countries, and respectively with 5,982,951.0 million Euros at the level of E.U.-27 countries, doubling the size of these stocks compared to 31.12.2000 (see annex no. 4).

Within the Euro area with 18 and 17 Member States, there was also **an increase of the government debt stocks share in the GDP** – from 70.2% (70.3%) to 96.2% (96.4%), with a deviation of 26 (26.1) percentage points and a relative growth of 37% (37.1%).

The absolute deviations of the government debt stocks in the Euro area account for +4,470,271 million Euros (EA-18 countries), respectively for +4,462,406 million Euros (EA-17 countries).

The increasing evolution was even more obvious for the group of 10, respectively 11 Non-Euro area Member States – from 41.5% to 73.2% (73.3%), with an absolute deviation of 31.7 (31.8) percentage points and a relative growth of 76.4% (76.6%).

The absolute deviations of the government debt stocks at 31.12.2013 represented +1,520,545 million Euros (NEA-10 countries), and respectively +1,543,545 million Euros (NEA-11 countries), with more significant relative growths compared to those in the Euro area (+151.5% and +152.4%).

The analysis went further with the situation of EU-28 countries Member States which are presented in table no. 1, in the descending order of government debt stock shares at the end of the analyzed period, as suggestively shown in figure no. 3.

Table 1: *The situation of the E.U.-28 countries Member States with a government debt stock share above 60% in the GDP at 31.12.2013*

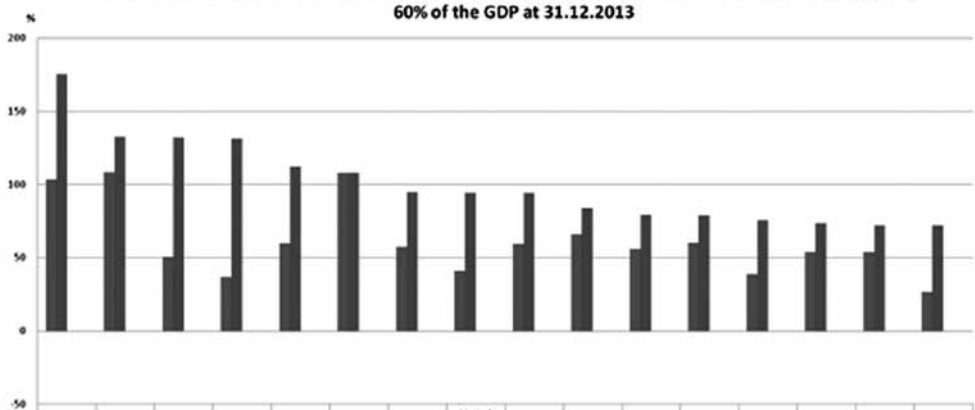
No.	Member State	The government debt stock share of the GDP (%) at:		Deviations in the analyzed period of time		Deviations from the 60% limit of the GDP	
		31.12.2000	31.12.2013	Absolute (pp)	Relative (%)	31.12.2000	31.12.2013
1	Greece	103.4	175.3	+ 71.9	+ 69.5	+ 43.4	+ 115.3
2	Italy	108.6	132.7	+ 24.1	+ 22.2	+ 48.6	+ 72.7
3	Portugal	50.7	132.3	+ 81.6	+ 160.9	- 9.3	+ 72.3
4	Ireland	37.0	131.4	+ 94.4	+ 255.1	- 23.0	+ 71.4
5	Cyprus	59.6	112.2	+ 52.6	+ 88.3	- 0.4	+ 52.2
6	Belgium	107.8	108.0	+0.2	+ 0.2	+ 47.8	+ 48.0
7	France	57.5	94.6	+ 37.1	+ 64.5	- 2.5	+ 34.6
8	United Kingdom	41.1	94.4	+ 53.3	+ 129.7	- 18.9	+ 34.4
9	Spain	59.4	94.4	+ 35.0	+ 58.9	- 0.6	+ 34.4
10	Austria	66.2	83.7	+ 17.5	+ 26.4	+ 6.2	+ 23.7
11	Hungary	56.1	79.3	+ 23.2	+ 41.3	- 3.9	+ 19.3
12	Germany	60.2	78.9	+ 18.7	+ 31.1	+ 0.2	+ 18.9
13	Croatia	38.9	75.9	+ 37.0	+ 95.1	- 21.1	+ 15.9
14	Netherlands	53.8	73.2	+ 19.4	+ 36.1	- 6.2	+ 13.2
15	Malta	53.9	72.2	+ 18.3	+ 33.5	- 6.1	+ 12.2
16	Slovenia	26.3	72.1	+ 45.8	+ 174.1	- 33.7	+ 12.1

Sources of data: Eurostat, on 14.11.2014 (Annex no. 4) and author's own calculations

The ability to support the government debt differs undoubtedly from one Member State to another and the motivation of government indebtedness is also different. But the significant increase above the limit of 60% of the GDP determines us to consider that the 16 Member States from the previous table make up **the group of Member States undergoing a government debt crisis inside the European Union.**

Among the 16 E.U. Member States referred to, 11 had government debt stock shares below 60% of the GDP at the beginning of the analyzed period (01.01. 2000) and we list them in ascending order of their share: Slovenia (26.3%), Ireland (37.0%), Croatia (38.9%), United Kingdom (41.1%), Portugal (50.7%), Malta (53.9%), Hungary (56.1%), France (57.5%), Spain (59.4%), Cyprus (59.6%) – fulfilling at the time the criterion for accessing the Economic and Monetary Union (EMU) established by Maastricht Treaty.

Figure nr. 3. Situation of the E.U. 28 member states with government debt stock shares higher than 60% of the GDP at 31.12.2013



	Greece	Italy	Portugal	Ireland	Cyprus	Belgium	France	United Kingdom	Spain	Austria	Hungary	Germany	Croatia	Netherlands	Malta	Slovenia
■	103.4	108.6	50.7	37.0	59.6	107.8	57.5	41.1	59.4	66.2	56.1	60.2	38.9	53.8	53.9	26.3
■	175.5	132.7	132.3	131.4	112.2	108.0	94.6	94.4	94.8	83.7	79.3	78.9	75.9	73.2	72.2	72.1
	43.4	48.6	-9.3	-23.0	-0.4	47.8	-2.5	-18.9	-0.6	6.2	-3.9	0.2	-23.1	-6.2	-6.1	-33.7
	115.5	72.7	72.3	71.4	52.2	48.0	34.6	34.4	34.8	23.7	19.3	18.9	15.9	13.2	12.2	12.1

Legend:
Percentage of GDP at 31.12.2000
Percentage of GDP at 31.12.2013
Deviation above 60% of the GDP at 31.12.2000
Deviation above 60% of the GDP at 31.12.2013

As one can notice, the deviations above 60% limit of the GDP differ significantly from one Member State to another – ranging from +115.3 percentage points for Greece to 12.1 percentage points for Slovenia.

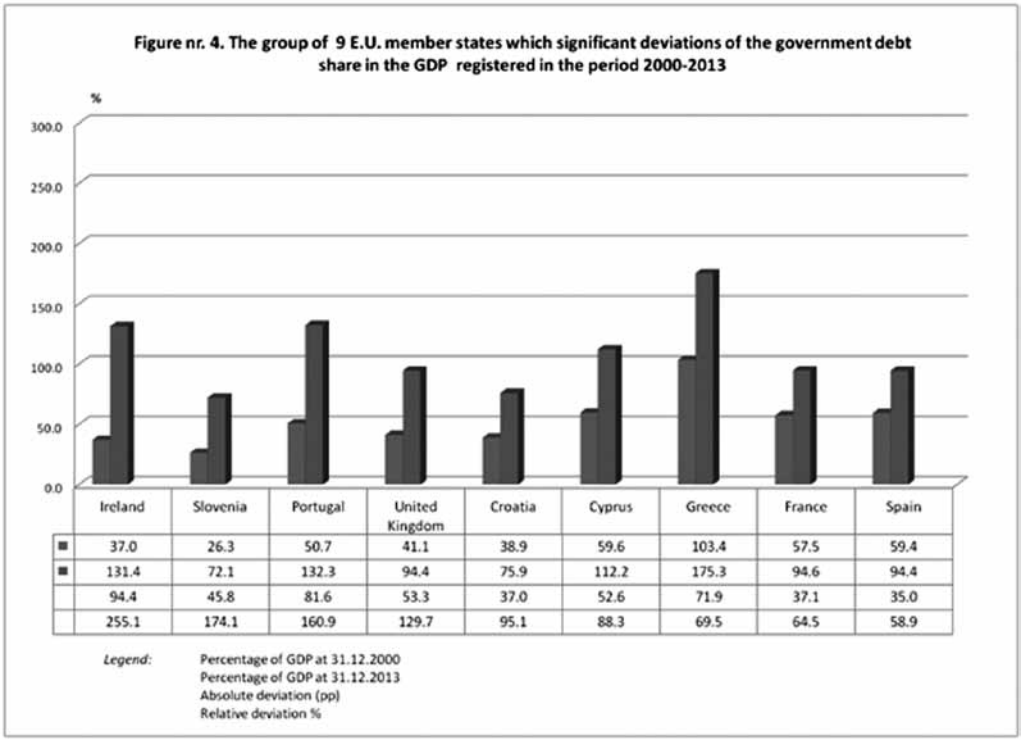
3. Obviously a separate analysis could be carried out for 9 Member States out of this group of 16 – in their case the relative deviation of the government debt stock share exceeded 50% at 31.12.2013. We list these Member States in descending order of their relative deviation: Ireland (+255.1%), Slovenia (+174.1%), Portugal (+160.9%), United Kingdom (+129.7%), Croatia (+95.1%), Cyprus (+88.3%), Greece (+69.5%), France (+64.5%) and Spain (+58.9%).

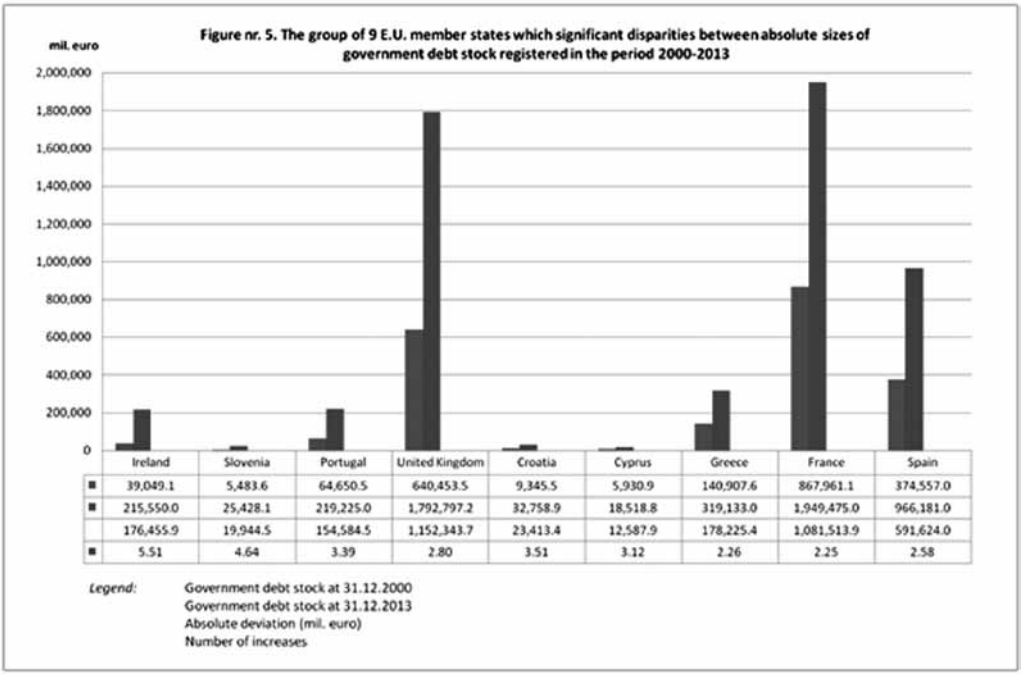
The data of the analysis for these 9 Member States are presented in table no. 2 and illustrated through figures no. 4 and 5.

Table 2: *The group of 9 E.U.-28 countries Member States with significant disparities between government debt stock shares in GDP, registered in the period 2000-2013 and between absolute sizes of government debt stocks*

No.	Member State	Government debt stock share in GDP (%) at:		Deviation		Government debt stocks (mill. Euros) at:		Absolute deviation (mill. Euros)	Times of increases of government debt stock
		31.12.2000	31.12.2013	absolute (pp)	relative (%)	31.12.2000	31.12.2013		
1	Ireland	37.0	131.4	+94.4	+255.1	39,049.1	215,550.0	+176,455.9	5.51
2	Slovenia	26.3	72.1	+45.8	+174.1	5,483.6	25,428.1	+19,944.5	4.64
3	Portugal	50.7	132.3	+81.6	+160.9	64,650.5	219,225.0	+154,584.5	3.39
4	United Kingdom	41.1	94.4	+53.3	+129.7	640,453.5	1,792,797.2	+1,152,343.7	2.80
5	Croatia	38.9	75.9	+37.0	+95.1	9,345.5	32,758.9	+23,413.4	3.51
6	Cyprus	59.6	112.2	+52.6	+88.3	5,930.9	18,518.8	+12,587.9	3.12
7	Greece	103.4	175.3	+71.9	+69.5	140,907.6	319,133.0	+178,225.4	2.26
8	France	57.5	94.6	+37.1	+64.5	867,961.1	1,949,475.0	+1,081,513.9	2.25
9	Spain	59.4	94.4	+35.0	+58.9	374,557.0	966,181.0	+591,624.0	2.58

Sources of data: Eurostat (Annexes 3, 4, 5, 6) and author's own calculations





Depending on the size of the analyzed Member States, the absolute deviations of the government debt stocks differ significantly from one Member State to another – ranging from +1,152,343.7 million Euros in the case of the United Kingdom to +12,587.9 million Euros in the case of Cyprus, and the times of increases of government debt stocks registered in these 14 years is between 5.51 times in the case of Ireland and 2.25 times in the case of France.

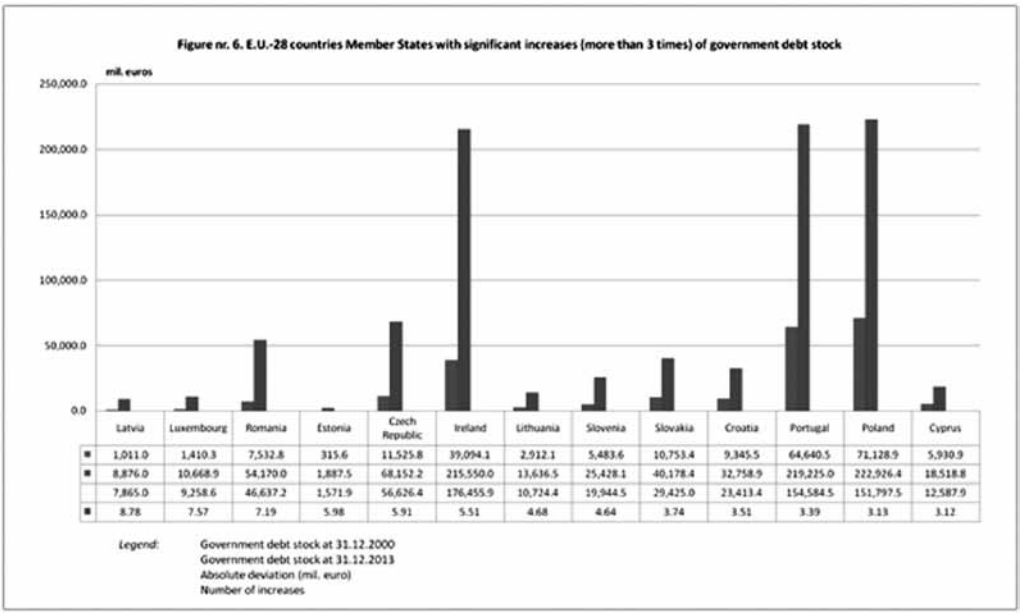
4. Very large increases in the size of the government debt stocks during the 14 years of the analyzed period (more than 3 times) were registered by 13 Member States of the EU-28 countries, and the analysis results are shown in table no. 3, with graphic illustration in figure no. 5.

Table 3: *E.U.-28 countries Member States with very large increases (more than 3 times) of government debt stocks*

No.	Member State	Government debt stocks (mill. Euros) at:		Deviation		No. of increases of gov.debt stock	Government debt stock share in the GDP at:	
		31.12.2000	31.12.2013	in absolute numbers (mill. Euros)	relative (%)		31.12.2000	31.12.2013
1	Latvia	1,011.0	8,876.0	+7,865.0	+777.9	8.78	12.4	38.0
2	Luxembourg	1,410.3	10,668.9	+9,258.6	+656.5	7.57	6.2	23.5
3	Romania	7,532.8	54,170.0	+46,637.2	+619.1	7.19	22.5	38.1
4	Estonia	315.6	1,887.5	+1,571.9	+498.1	5.98	5.1	10.1

5	Czech Republic	11,525.8	68,152.2	+56,626.4	+491.3	5.91	17.8	45.6
6	Ireland	39,094.1	215,550.0	+176,455.9	+451.4	5.51	37.0	131.4
7	Lithuania	2,912.1	13,636.5	+10,724.4	+368.3	4.68	23.6	39.4
8	Slovenia	5,483.6	25,428.1	+19,944.5	+363.7	4.64	26,3	72.1
9	Slovakia	10,753.4	40,178.4	+29,425.0	+273.6	3.74	50.3	55.7
10	Croatia	9,345.5	32,758.9	+23,413.4	+250.5	3.51	38.9	75.9
11	Portugal	64,640.5	219,225.0	+154,584.5	+239.1	3.39	50.7	132.3
12	Poland	71,128.9	222,926.4	+151,797.5	+213.4	3.13	38.3	57.2
13	Cyprus	5,930.9	18,518.8	+12,587.9	+212.2	3.12	59.6	112.2

Sources of data: Eurostat (Annexes no. 3, 4) and author's own calculations



As one can notice, all the 13 Member States in the previous table had at 31.12.2000 a government debt stock share below 60% of the GDP, but – by 31.12.2013 – 5 Member States entered the group of Member States with a government debt that exceeded 60% of the GDP. These states are in a descending order of their share: Portugal (132.3%, from 50.7%), Ireland (131.4%, from 37.0%), Cyprus (112.2%, from 59.6%), Croatia (75.9%, from 38.9%) and Slovenia (72.1%, from 26.3%).

The times of increases of the government debt stock at 31.12.2013 ranges from 8.78 for Latvia, to 3.12 for Cyprus, and the increase of the absolute government debt stock registers quite different values and ranges from 176,455.9 million Euros for Ireland to 1,571.9 million Euros for Estonia.

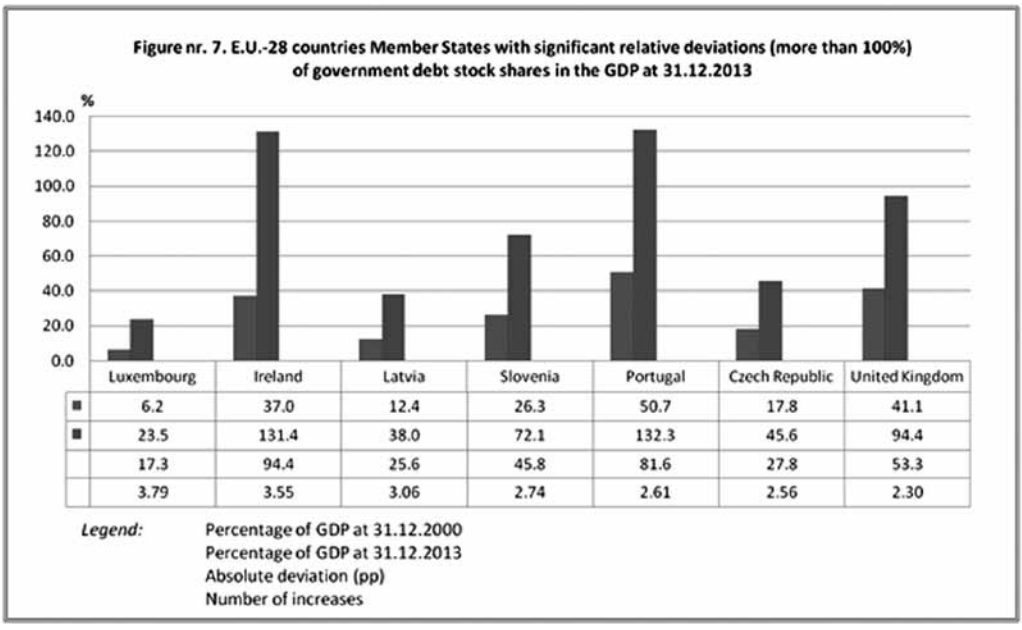
5. A significant number of Member States inside the EU-28 having made up a group based on the evolution of the government debt stock share in the GDP registered considerable relative deviations of these shares which exceeded 100%.

The data of this analysis are specified in table no. 4, with graphic illustration in figure no. 7.

Table 4: *EU-28 countries Member States with significant relative deviations (more than 100%) of government debt stock shares in the GDP at 31.12.2013*

No.	Member State	Government debt stocks (%) at:		Deviation		Times of share increases
		31.12.2000	31.12.2013	absolute (pp)	relative (%)	
1	Luxembourg	6.2	23.5	+17.3	+279.0	3.79
2	Ireland	37.0	131.4	+94.4	+255.1	3.55
3	Latvia	12.4	38.0	+25.6	+206.5	3.06
4	Slovenia	26.3	72.1	+45.8	+174.1	2.74
5	Portugal	50.7	132.3	+81.6	+160.9	2.61
6	Czech Republic	17.8	45.6	+27.8	+156.2	2.56
7	United Kingdom	41.1	94.4	+53.3	+129.7	2.30

Sources of data: Eurostat (Annexes no. 5, 6) and author's own calculations



The variation interval of the relative deviations of the government debt stocks shares in the GDP at 31.12.2013 is very high, ranging from + 279.0 % (Luxembourg) to + 129.7 % (United Kingdom). As one can notice, at 31.12.2000 all 7 Member States had government debt levels below 60% of the GDP while at 31.12.2013 4 of these Member States exceeded this government debt level (Portugal 132.3%, Ireland 131.4%, United Kingdom 94.4% and Slovenia 72.1%), expanding the area of E.U. Member States with a government debt crisis.

6. Referring again to the group of the 16 E.U. Member States with government debt stocks shares above 60% of the GDP at 31.12.2013, one can see that only 5 of them had such levels of shares at 31.12.2000, namely (in descending order) Italy (108.6%), Belgium (107.8%), Greece (103.4%), Austria (66.2%) and Germany (60.2%). In the remaining 11 E.U. Member States the shares were well below 60% of the GDP [Slovenia (-33.7%), Ireland (-23.0%), Croatia (-21.1%) and United Kingdom (-18.9%)], less below 60% of the GDP [Portugal (-9.3%), Netherlands (-6.2%), Malta (-6.1%), Hungary (-3.9%) and France (-2.5%)] or slightly below 60% of the GDP [Spain (-0.6%) and Cyprus (-0.4%)].

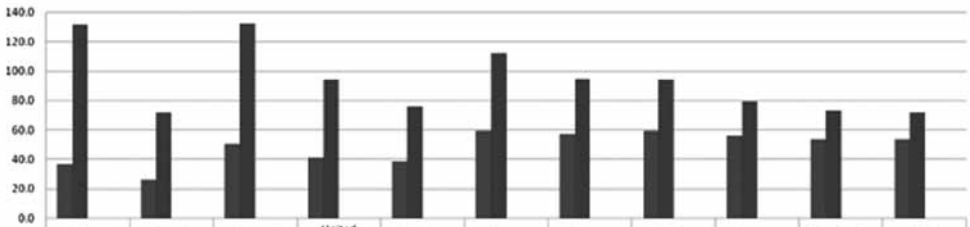
7. According to **the descending size of the relative deviation of the government debt stock share in the GDP at the end of the analyzed period**, we further present the registered evolutions in the 11 Member States, by means of respective data in table no. 5, with graphic illustration in figure no. 8.

Table 5: *EU-28 countries Member States with government debt stock shares below 60% of the GDP at 31.12.2000 and with significant relative increases of those shares at 31.12.2013*

No.	Member State	Government debt stock share in the GDP (%) at:		Deviations in the analyzed time interval		Times of share increases
		31.12.2000	31.12.2013	absolute (pp)	relative (%)	
1	Ireland	37.0	131.4	+94.4	+255.1	3.55
2	Slovenia	26.3	72.1	+45.8	+174.1	2.74
3	Portugal	50.7	132.3	+81.6	+160.9	2.61
4	United Kingdom	41.1	94.4	+53.3	+129.7	2.30
5	Croatia	38.9	75.9	+37.0	+95.1	1.95
6	Cyprus	59.6	112.2	+52.6	+88.3	1.88
7	France	57.5	94.6	+37.1	+64.5	1.65
8	Spain	59.4	94.4	+35.0	+58.9	1.59
9	Hungary	56.1	79.3	+23.2	+41.3	1.41
10	Netherlands	53.8	73.2	+19.4	+36.1	1.36
11	Malta	53.9	72.2	+18.3	+33.5	1.33

Sources of data: Eurostat (previous table no. 1) and author's own calculations

Figure nr. 8. The group of 11 E.U. -28 countries Member States with government debt stock share below 60% of the GDP at 31.12.2000 and with significant relative increases of those shares at 31.12.2013



	Ireland	Slovenia	Portugal	United Kingdom	Croatia	Cyprus	France	Spain	Hungary	Netherlands	Malta
■	37.0	26.3	50.7	41.1	38.9	59.6	57.5	59.4	56.1	53.8	53.9
■	131.4	72.1	132.3	94.4	75.9	112.2	94.6	94.4	79.3	73.2	72.2
	94.4	45.8	81.6	53.3	37.0	52.6	37.1	35.0	23.2	19.4	18.3
	3.55	2.74	2.61	2.30	1.95	1.88	1.65	1.59	1.41	1.36	1.33

Legend: Percentage of GDP at 31.12.2000
Percentage of GDP at 31.12.2013
Absolute deviation (pp)
Number of increases

The government debt stock share in the GDP increased in Ireland in the analyzed period with 94.4 percentage points, with a relative deviation of +255.1%, compared to the registered value at 31.12.2000 (37.8%), i.e. a growth of 3.55 times of this share.

The government debt stock of Ireland increased in the analyzed period by 5.51 times – from 39,094.7 million Euros, at 31.12.2000, to 215,550.0 million Euros, at 31.12.2013, with an absolute deviation of +176,455.9 million Euros, whereas the absolute increase of the GDP represented only 58,275.2 million Euros (from 105,774.6 million Euros to 164,049.8 million Euros), which represents a growth of only 1.55 times.

The government debt stock share increased **in Slovenia** at 31.12.2013 by 45.8 percentage points, with a relative deviation of +174.1%, which represents a growth of 2.74 times of this share.

The absolute government debt stock of Slovenia increased by 4.64 times, with a deviation of +19,944.5 million euro – from 5,483.6 million Euros to 25,428.1 million Euros, whereas the GDP increased only by 13,741.5 million Euros, i.e. by only 1.64 times.

In **Portugal**, the government debt stock share in the GDP registered 132.3% at 31.12.2013 and exceeded with 81.6 percentage points the share level at 31.12.2000 (50.7%), which shows a growth of 2.74 times of this share.

The government debt stock of Portugal in absolute numbers increased by 3.39 times – from 64,640.5 million Euros at 31.12.2000, to 219,225.0 million Euros at 31.12.2013, with an deviation in absolute numbers of +154,584.5 million Euros, whereas the absolute deviation of the GDP increased by only 38,373.1 million Euros (from 127,316.9 million Euros to 165,690.0 million Euro), i.e. by only 1.3 times.

The government debt stock share of the GDP in the **United Kingdom of Great Britain and Northern Ireland** increased at the end of the analyzed period

to 94.4%, with 53.3 percentage points above the share level at 31.12.2000 (41.1%), with a relative growth of 129.7%.

The absolute value of the government debt stock in the United Kingdom, of 1,792,797.2 million Euros at 31.12.2013, **increased by 1,152,343.7 million Euros,** compared to the minimum government debt stock of 640,453.5 million Euros, at 31.12.2000, which means a **growth of 2.8 times**.

In the same time interval the evolution of the GDP registered an increase in absolute numbers of only 298,891.3 million Euros (from 1,600,206.7 million Euros, to 1,899,098.0 million Euros), i.e. by only 1.19 times.

In Croatia, (E.U. Member State since July 1st 2013), the governmental debt stock share in the GDP grew significantly during the 14 year interval discussed here – from 38.9% to 75.9%, that is 37 percentage points, meaning a relative increase of 95.1%, that is 1.95 times.

In absolute numbers, the raise in the governmental stock debt totals 23,413.4 million Euros – from 9,345.5 million Euros to 32,758.9 million Euros, that is 3.51 times, while the GDP grew only 1.8 times, by 19,133.6 million Euros – from 23,994.3 million Euros to 43,127.9 million Euros.

In **Cyprus**, during the analyzed period, **the governmental debt stock share in the GDP grew by 52.6** percentage points – from 59.6%, to 112.2%, meaning a relative increase of 88.3%, that is 1,88 times.

As an absolute value, **the governmental debt stock share of Cyprus grew by 12,587.9 million Euros** – from 5,930.9 million Euros, to 18,518.8 million Euros**, meaning an important increase by 3,12 times.**

During the same time interval, the GDP of Cyprus grew by only 1.66 times, by 6,554.7 million Euros (from 9,949.0 million Euros to 16,503.7 million Euros).

In **France**, during the analyzed period, the governmental debt stock share in the GDP grew by 37.1 percentage points – from 57,5% to 94,6%, by a relative deviation of 64.5%, that is a 1.65 times increase.

The governmental debt stock share of France grew, during the analyzed period, by 1,081,513.9 million Euros – from 867,961.1 million Euros, to 1,949,475 million Euros, **that is 2,25 times**, and the GDP grew by only 620,248.6 million Euros (from 1,439,603.4 million Euros, to 2,059,852.0 million Euros), that is 1.43 times.

Spain recorded an increase of 35 percentage points of the GDP share of the governmental debt stock to 31.12.2013 – from 59.4% to 94.4%, with a relative increase of this share of 58.9%, i.e. by 1.59 times.

As an absolute value, governmental debt stock share of Spain at 31.12.2013 was by 591,624 million Euros bigger than the one recorded at 31.12.2000, the growth being by 2.58 times – from 374,557.0 million Euros to 966,181.0 million Euros.

During the same interval, the GDP grew by only 1.62 times, by 393,081.0 million Euros, from 629,907.0 million Euros to 1,022,988.0 million Euros.

In **Hungary**, the governmental debt stock share in the GDP by 31.12.2013 grew to 79.3%, that is 23.2 percentage points above the share recorded at

31.12.2000 – which was by 56.1%. The relative growth of this share was by 41.3%, that is a 1.41 times growth.

As an absolute value, the governmental debt stock share of Hungary grew by 50,020.4 million Euros, that is 2.81 times – from 27,696.4 million Euros to 77,716.8 million Euros, while the GDP grew only 1.95 times, by 47,613.3 million Euros, from 50,334.7 million Euros to 97,948.0 million Euros.

The governmental debt stock share in the GDP in the **Netherlands** grew to 31.12.2013 by 19.4 percentage points against the one recorded at 31.12.2000 (53.8%), reaching 73.2%, with a relative deviation of +36.1%, meaning an increase by 1.36 times.

During the 14 year interval of the analyzed period, the governmental debt stock of the Netherlands grew 1.91 times, by 210,728.0 million Euros – from 230,311.0 million euros to 441,039.0 million euros, while the GDP grew only 1.44 times, that is 184,698.0 million euros – from 417,960.0 million euros to 602,658.0 million euros.

In **Malta** the increase of governmental debt stock share in the GDP was by 18.3 percentage points – from 53.9% to 72.2%, that is 1.33 times.

In absolute numbers, the governmental debt stock share growth of Malta was by +2,587.0 million Euros, that is 1.97 times – from 2,654.0 million Euros to 5,241.0 million Euros.

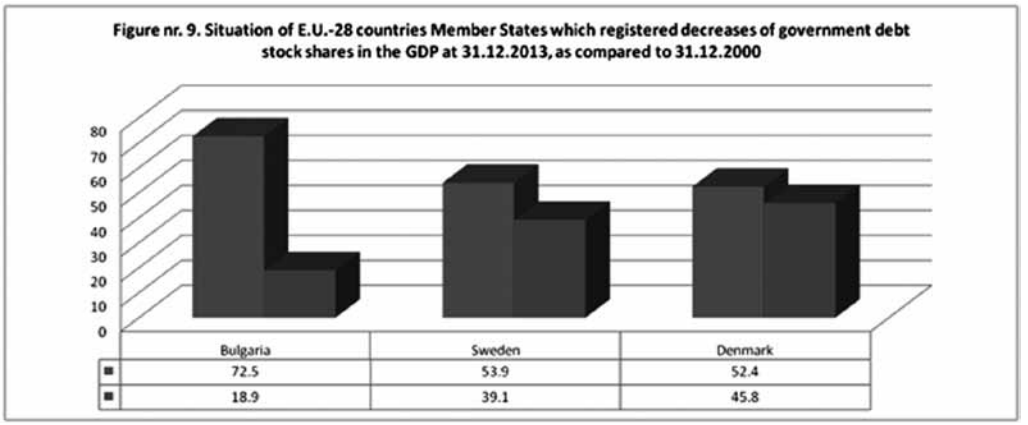
During the same time interval, the GDP grew only 1.66 times, by 2,884.8 million Euros – from 4,377.8 million Euros to 7,262.6 million Euros.

8. Of the 28 states that constitute the European Union at the moment, **only 3 Member States recorded decreases of GDP shares of governmental debt stocks** at the end of 2013, compared to the end of 2000, with values presented in the table no. 6 below and illustrated by figure no.9:

Table 6: *The situation of the E.U.-28 Member States which registered decreases of government debt stock shares in the GDP at 31.12.2013 as compared to 31.12.2000*

No.	Member State of the EU-28 countries	Share in the GDP of governmental debt stock (%) at:		Deviation	
		31.12.2000	31.12.2013	absolute (pp)	relative (%)
1	Bulgaria	72.5	18.9	- 53.6	-73.9
2	Sweden	53.9	39.1	-14.8	-27.5
3	Denmark	52.4	45.8	-6.6	-12.6

Sources of data: Eurostat (Annex no. 5) and author's own calculations



Of particular relevance is the **significant decrease** recorded in **Bulgaria** – from 72.5% to only 18.9%, that is by 53.9 percentage points and a relative decrease of 73.9%, given the fact that the GDP grew by 25,905.2 million euros (from 14,035.1 million euros, to 39,940.3 million euros), that is by 184.6% (2.85 times). In the case of this E.U. Member State, a decrease **in the absolute value of governmental debt** could be noticed, by 2,635.5 million euros – from 10,168.5 million euros, to 7,532 million euros.

With such an evolution in the absolute sizes of the shares of governmental debt stock and of the GDP, and of the share of governmental debt stock share in the GDP, **Bulgaria left the group of E.U. Member States that have an over 60% share of governmental GDP debt,** as it was in 2000 and 2001 (when Bulgaria was not a member state of the EU), that it joined the group of EU Member States that have the lowest share of GDP governmental debt, coming on second place in the ranking of Member States that have the lowest public debt rate in the European Union (after Estonia, which, by 31.12.2013, has a share of governmental debt in the GDP of only 10.1%).

In the case of **Sweden,** the GDP share of governmental debt stock decreased to 31.12.2013 by 14.8 percentage points, compared to the share registered by 31.12.2000 (from 53.9%, to 39.1%), but the size of governmental debt stock increased by 26,152.4 million euros, reaching the amount of 164,420.2 million euros by 31.12.2013, compared to 138,267.8 million euros by 31.12.2000, the relative growth being +18.9% (that is 1.19 times). However, at the same time, the Gross Domestic Product registered an accentuated relative growth (+56.9%, that is 1.57 times), being by +152,596.5 million euros bigger by 31.12.2013 (420,849.1 million euros, compared to 268,252.6 million euros).

Obviously, in the case of this member state, part of the 28 countries large EU, **the GDP growth was progressive compared to the increase in governmental debt** stock. **Denmark** is included in the group of EU Member States that meets the euro convergence criteria **established by the Maastricht Treaty**, but is not a

member of the Euro Zone, as the Danish did not accept to join this zone, out of respect for their cherished „crown" as national currency.

The decreasing evolution of the GDP share of governmental debt stock in the case of this EU member state is **of lesser dimension** (6,6 percentage points, with a relative reduction of -12.6%), but still an important one, being registered under the circumstances of an increase in governmental debt stock by 21,014.5 million euros (from 93,084 million euros, to 114,098.5 million euros), that is by 22.6% (1.23 times) of a GDP increase of 75,377 million euros (from 173,597.8 million euros, to 248,974.8 million euros) – a more accentuated one, that is by 43.4%, in relative terms (1.43 times).

9. Of the entire 28 EU Member States, by 31.12.2013, with GDP shares under 60% of governmental debt stock, in decreasing order of shares, the following 12 states can be mentioned: Estonia (10.1%), Bulgaria (18.9%), Luxembourg (23.5%), Latvia (38.0%), Romania (38.1%), Sweden (39.1%), Lithuania (39.4%), Czech Republic (45.6%), Denmark (45.8%), Slovakia (55.7%), Poland (57.27%) and Finland (58.2%).

According to a prior analysis, in 3 Member States (Bulgaria, Sweden and Denmark) out of the 12 Member States mentioned, a decrease in the GDP share of governmental debt stock could be noted. As a consequence, there are still 9 Member States where the GDP share of governmental debt stock increased by 31.12.2013, and the value in absolute numbers of this stock is also bigger than the one recorded by 31.12.2000.

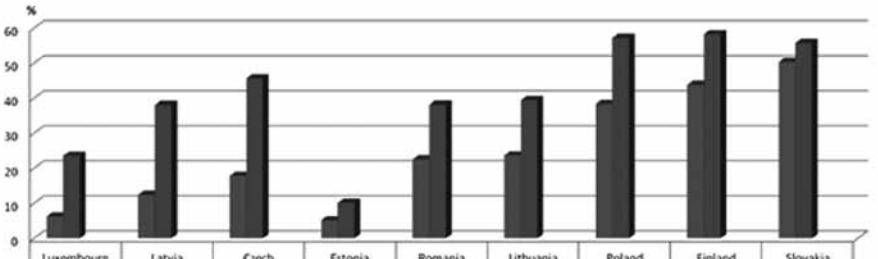
For these 9 Member States of the 28 countries EU, the data corresponding to an ascending evolution of the GDP share of governmental debt stock are shown in table no. 7 and illustrated in figure no. 10.

Table 7: *The upward evolution of government debt stock shares in the GDP, in the EU-28 countries Member States with shares below 60% in the GDP at 31.12.2013*

No.	Member state of the EU-28 countries	GDP share of governmental debt stock (%) by:		Deviation		Times of share increase
		31.12.2000	31.12.2013	absolute (pp)	relative (%)	
1	Luxembourg	6.2	23.5	+17.3	+279.0	3.79
2	Latvia	12,4	38.0	+25.6	+206.5	3.06
3	Czech Republic	17.8	45.6	+27.8	+156.2	2.56
4	Estonia	5.1	10.1	+5.0	+98.0	1.98
5	Romania	22.5	38.1	+15.6	+69.3	1.69
6	Lithuania	23.6	39.4	+15.8	+66.9	1.67
7	Poland	38.3	57.2	+18.9	+49.3	1.49
8	Finland	43.8	58.2	+14.4	+32.9	1.33
9	Slovakia	50.3	55.7	+5.4	+10.7	1.11

Sources of data: Eurostat (Annex no. 5, 6) and author's own calculations

Figure nr. 10. The upward evolution of of government debt stock shares in the GDP in the EU-28 countries Member States with shares above 60% of the GDP at 31.12.2013



	Luxembourg	Latvia	Czech Republic	Estonia	Romania	Lithuania	Poland	Finland	Slovakia
■	6.2	12.4	17.8	5.1	22.5	23.6	38.3	43.8	50.3
■	23.5	38.0	45.6	10.1	38.1	39.4	57.2	58.2	55.7
	17.3	25.6	27.8	5.0	15.6	15.8	18.9	14.4	5.4
	3.79	3.06	2.56	1.98	1.69	1.67	1.49	1.33	1.11

Legend: Percentage of GDP at 31.12.2000
Percentage of GDP at 31.12.2013
Absolute deviation (pp)
Number of increases

Absolute deviations in the case of this group of E.U. Member States range between +27.8 percentage points in the case of the Czech Republic and 5.0 percentage points – in the case of Estonia, and relative deviations range between +279.0% – in the case of Luxembourg and only +10.7% – in the case of Slovakia.

If we take into account the GDP share of governmental debt stock by 31.12.2013, then the order of the 9 Member States changes significantly, as follows: Finland (58.2%), Poland (57.27%), Slovakia (55.7%), Czech Republic (45.6%), Lithuania (39.4%), Romania (38.1%), Latvia (38.0%), Luxembourg (23.5%) and Estonia (10.1%).

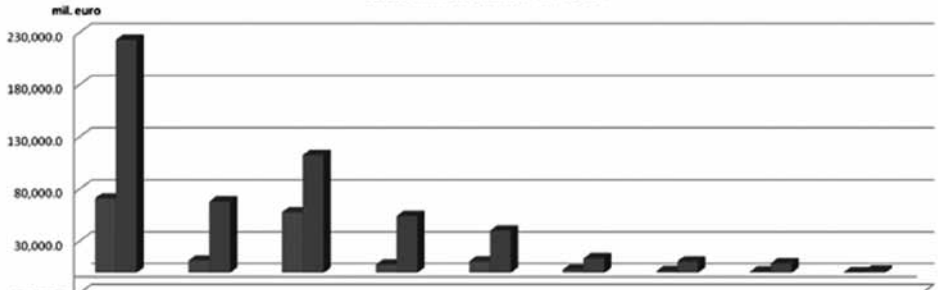
In absolute numbers, the deviations of governmental debt stock, in descending order, are as follows in table no. 8 and illustrated in figure no. 11.

Table 8: *Absolute deviations and times of increases of government debt stocks in the EU-28 countries Member States with shares below 60% in the GDP*

No.	Member state of the EU-28 countries	Share of governmental debt stock (mill. Euros) by:		Absolute deviation (mill. Euros)	Times of stock increase
		31.12.2000	31.12.2013		
1	Poland	71,128.9	222,926.4	+151,797.5	3.13
2	Czech Republic	11,525.8	68,152.2	+56,626.4	5.91
3	Finland	57,926.2	112,664.0	+54,737.8	1.94
4	Romania	7,532.8	54,170.0	+46,637.2	7.19
5	Slovakia	10,753.4	40,178.4	+29,425.0	3.74
6	Lithuania	2,912.1	13,636.5	+10,724.4	4.68
7	Luxembourg	1,410.3	10,668.9	+9,258.6	7.57
8	Latvia	1,011.0	8,876.0	+7,865.0	8.78
9	Estonia	315.6	1,887.5	+1,571.9	5.98

Sources of data: Eurostat (Annex no. 3, 4) and author's own calculations

Figure nr. 11. Absolute deviations and government debt stock number of increases in the E.U.-28 countries Member States with shares below 60% of GDP



	Poland	Czech Republic	Finland	Romania	Slovakia	Lithuania	Luxembourg	Latvia	Estonia
■	71,128.9	11,525.8	57,926.2	7,532.8	10,753.4	2,912.1	1,410.3	1,011.0	315.6
■	222,926.4	68,152.2	112,664.0	54,170.0	40,178.4	13,636.5	10,668.9	8,876.0	1,887.5
	151,797.5	56,626.4	54,737.8	46,637.2	29,425.0	10,724.4	9,258.6	7,865.0	1,571.9

Legend: Government debt stock at 31.12.2000
Government debt stock at 31.12.2013
Absolute deviation (mil. euro)
Number of increases

As it can be noticed, the order size of governmental debt stock and of absolute deviation registered vary a lot from one member state to another, with governmental debt stocks ranging from 315.6 million Euros (Estonia by 31.12.2000) and 222,926.4 million Euros (Poland by 31.12.2013, that is 706.4 times the size of Estonia's governmental debt stock by 31.12.2000).

With regard to the increase in number of times of governmental debt stock, the order of Member States is completely different than the one registered in the previous table, as it can be seen in the last column of the table. Therefore, this decreasing order is as follows: Latvia (by 8.78 times), Luxembourg (by 7.57 times), Romania (by 7.19 times), Estonia (by 5.98 times), the Czech Republic (by 5.91 times), Lithuania (by 4.68 times), Slovakia (by 3.74 times), Poland (by 3.13 times) and Finland (by 1.94 times).

10. The analysis of the consolidated governmental debt of Romania was made on the basis of data registered at the end of the 56 quarters of the 14 year interval of the period 2000-2013, presented in table no. 9 and illustrated by figures no. 12 and no. 13.

Table 9: *The consolidated government debt of Romania, expressed in million Euros and in percentage of the GDP at the end of the quarters in the period 01.01.2000-31.12.2013*

Years	The consolidated governmental debt stock în million Euros				The GDP share of consolidated governmental debt stock			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
2000	7,258.6	7,372.4	7,535.2	7,532.8	23.7	24.2	22.9	22.5
2001	8,573.6	9,668.7	9,285.4	10,917.2	24.7	25.5	25.0	27.3
2002	9,994.3	9,718.6	10,175.5	10,757.1	25.0	26.5	25.5	26.8
2003	10,165.0	10,333.3	10,414.4	10,309.5	24.9	24.7	23.5	22.8
2004	10,764.2	11,331.7	11,697.0	11,768.7	22.6	22.3	21.7	19.7
2005	11,513.3	12,844.1	12,492.1	12,397.7	17.4	17.6	16.3	16.0
2006	12,284.7	11,753.6	11,884.9	12,585.6	15.3	14.7	15.0	13.3
2007	13,287.7	14,113.2	13,737.4	14,763.0	14.1	13.8	13.6	13.9
2008	14,262.8	14,677.7	14,955.4	17,158.6	14.1	13.0	12.5	13.6
2009	19,429.7	21,002.7	25,650.3	27,955.5	16.4	17.4	21.7	23.0
2010	32,731.5	32,864.1	34,607.4	37,426.2	26.4	27.9	28.4	29.5
2011	39,806.3	43,123.3	41,955.8	44,675.1	30.5	33.3	32.1	32.4
2012	48,242.8	47,199.9	46,617.9	50,128.1	35.8	34.8	34.3	38.0
2013	52,062.1	52,324.4	53,540.2	54,170.0	38.7	38.8	39.2	38.1

Sources of data: Eurostat Date of extraction: 22/04/2013 for the period 01/01/2000-30/09/2012, 20/11/2014 for the period 01/10/2012-31/12/2013.

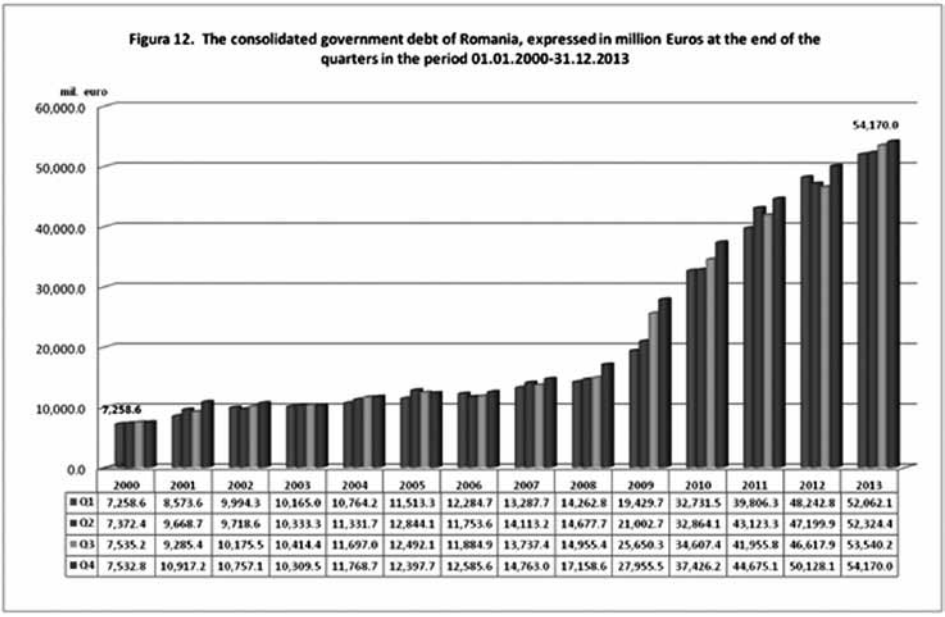
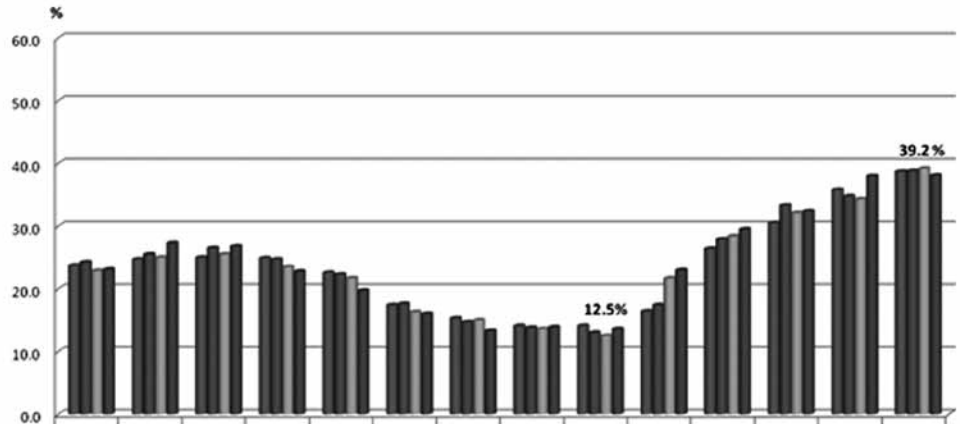


Figure nr. 13. The consolidated government debt of Romania, expressed percent of GDP at the end of the quarters in the period 01.01.2000-31.12.2013



	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Q1	23.7	24.7	25.0	24.9	22.6	17.4	15.3	14.1	14.1	16.4	26.4	30.5	35.8	38.7
Q2	24.2	25.5	26.5	24.7	22.3	17.6	14.7	13.8	13.0	17.4	27.9	33.3	34.8	38.8
Q3	22.9	25.0	25.5	23.5	21.7	16.3	15.0	13.6	12.5	21.7	28.4	32.1	34.3	39.2
Q4	23.1	27.3	26.8	22.8	19.7	16.0	13.3	13.9	13.6	23.0	29.5	32.4	38.0	38.1

As it can be observed, in the time interval analyzed here, **the GDP share of consolidated governmental debt stock varied between 12.5% by 30.09.2008 and 39.2% by 31.03.2012**, therefore, taking into account this UEM criteria of convergence, established by the Maastricht Treaty, **Romania did not go through a crisis of governmental debt!**

But..., the maximum stock of **governmental debt**, totalling 54,170.0 million Euros, registered by 31.12.2013, has **increased 7.46 times** against the minimal stock of governmental debt, totalling 7.258,6 million Euros, registered by 31.03.2000, it being 46,911.4 million Euros bigger.

At the same time, **the GDP of Romania grew by 101,593.8 million Euros** (from 40,651.3 million Euros, to 142,245.1 million Euros), **this being a significant increase by 3.5 times.**

The deviation between the two GDP shares of maximum and minimum stock of governmental debt at the end of the analyzed trimesters is of **14.4 percentage points,** which, in a relative expression, means a significant increase of 60.8%, that is 1.61 times.

In absolute numbers, **the consolidated governmental debt stock of Romania** increased almost continuously, with small minus variations at the end of some quarters (quarter 4 of the year 2000, quarter 3 of the year 2001, quarter 2 of the year 2002, quarter 4 of the year 2003, quarters 3 and 4 of the year 2005, quarter 2 of the year 2006, quarter 3 of the year 2007, quarter 3 of the year 2011 and quarter 3 of the year 2012).

The accentuation of the increase of the governmental debt stock began during quarter 4 of the year 2008, that is after the previous quarter registered **the smallest GDP share of governmental debt stock (12,5%).** From this minimal share, the evolution was **marked by a solid increase**, **reaching a maximum share of 39.2%, registered at 30.09.2013, with an absolute deviation of 26.7 percentage points, which means a relative increase of 213.6%, that is an "unhealthy" increase of** 3.14 times, given the fact that by the end of the year 2009, **the economic crisis was completely "imported" into Romania as well.**

Given this background, in the year 2010, Romania had to contract major loans, including from the International Monetary Fund, **in order to be able to sustain salary payments in the budget sector and payments for state social insurance and other forms of social protection.**

Doubtlessly, the increase of governmental debt stock in order to finance consumption is an error and it needs to be avoided in the future. Otherwise, if Romania's public debt continues in the rhythm registered since 2009, the 60% GDP limit of public debt would be surpassed in a short period of time and **Romania would be faced with a crisis of governmental debt too!**

3. Conclusions

The comparative detailed analysis of the evolution of governmental debt stock at the end of each year in the EU Member States revealed the following aspects:

- The evolution of governmental debt stock **has increased**: at the level of 28 EU countries, EU-27 countries, the Euro area including 17 Member States and 18 Member States, the Non-Euro area with 10 Member States and with 11 Member States and in 27 Member States of the EU (except for Bulgaria);
- in 3 EU Member States (**Bulgaria, Sweden and Denmark**) **there was a decrease of the GDP share of governmental debt stock**, one of these states (**Bulgaria**) exiting the group of E.U. Member States that have a public debt bigger than 60% of the GDP – it was part of it at the beginning of the analyzed interval (31.12.2000);
- at the end of the analyzed interval (31.12.2013), the limit of over **60% of the GDP was reached by the sums of effective stock of governmental debt**:
  - at the level of the entire European Union, with a share of 90.2%, compared to 62.7% by 31.12.2000;
  - at the level of the Euro region comprising 18 Member States and 17 Member States, with shares of 96.2% and 96.4%, compared to 70.2% and 70.3%, by 31.12.2000;

- at the level of the Non-Euro area with 10 Member States and with 11 Member States, with a share of 73.2% and 73.3%, compared to 41.6% in both areas, by 31.12.2000;
- in 16 EU Member States of the EU-28, compared to only 6 Member States of the EU-28 by 31.12.2000;
- in all 16 Member States registering significant public debt there was an increase in the GDP share of governmental debt stock varying between 94,4 percentage points (in Ireland) and 0.2 percentage points (in Belgium);
- very high absolute and relative deviations (between +255.1% and +58.9%) of the GDP share of governmental debt stock were registered in 9 Member States of the EU-28 (**Ireland, Slovenia, Portugal, United Kingdom, Croatia, Cyprus, Greece, France and Spain**), with increases in the size of governmental debt stock between 5.51 times (in the case of Ireland) and 2.25 times (in the case of France);

- in 15 Member States of the EU-28 countries out of 16 Member States that have an over 60% GDP rate of governmental debt by 31.12.2013**, the increase in the absolute sum of governmental debt stock, from the beginning until the end of the analyzed time interval, surpassed the growth in absolute sums of the GDP,** excepting Malta, in which case the deviation in absolute sum was over 2,587.0 million Euros, impacting the share growth in the GDP of governmental debt stock;
- **in the year 2009, GDP registered decreases in absolute numbers, compared to 2008**:
  - at the level of the entire European Union – EU-28 countries and EU-27 countries;
  - at the level of the 2 Euro areas with 18 Member States and with 17 Member States;
  - at the level of the 2 Non-Euro areas with 10 Member States and with 11 Member States;
  - in all 28 Member States of the EU;
- in the year 2010, compared to the year 2009, decreases in the size of the GDP were registered in 5 Member States of the EU-28 countries (Ireland, Greece, Spain, Croatia, Latvia);
- in the year 2011, compared to the year 2010, decreases in the size of the GDP were registered in only 3 Member States of the EU-28 countries (Greece, Croatia, Portugal);
- **decreases in the size of the GDP were registered** in the year **2012, compared to the year 2011**, but only in 9 Member States of the EU-28 countries (**Czech Republic, Greece, Spain, Croatia, Italy, Cyprus, Slovenia, United Kingdom**), 6 of these states being part of the group of 16 E.U. Member States with high public debt;

- Greece and Croatia registered decreases in the size of the GDP in 5 consecutive years (2009, 2010, 2011, 2012 and 2013);
- in 5 Member States of the EU-28 countries (Czech Republic, Spain, Italy, Cyprus, Slovenia) there were **decreases in the size of the GDP** 3 years after the year 2008 (2009, 2012 and 2013);
- in the case of **Romania**, the evolution of the size of **consolidated governmental debt stock** has increased significantly, registering a deviation in absolute numbers of +46,911.2 million Euros by 31.12.2013, compared to the one registered at the end of the first trimester of the year 2000, an increase of 7.46 times;
- against the background of an accentuated growth in the size of Romania's GDP – that in absolute numbers was by 3.5 times bigger at 31.12.2013, compared to the size of the GDP by 31.12.2000, the GDP share of governmental debt stock has increased by only 15.6 percentage points, that is 1.69 times;
- under these circumstances, with a GDP share of governmental debt stock of 38.1% by 31.12.2013, **Romania comes 5th among the states with the least public debt of the 28 Member States of the EU-28 countries** (after Estonia – 10.1%, Bulgaria – 18.9%, Luxembourg – 23.5% and Latvia – 38.0%).

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UPOREDNA ANALIZA JAVNOG DUGA ZEMALJA ČLANICA EVROSPEK UNIJE, 2000 - 2013

S a ž e t a k

Rad daje detaljnu komparativnu analizu razvoja akcija javnog duga kod država članica Evropske unije na kraju perioda 31.12.2000-31.12.2013 sa tačke gledišta učešća ovih dugova u BDP, sa posebnim osvrtom na šest grupa članica Evropske unije (EU – 28 zemalja, EU – 27 zemalja, Evrozona – 18 zemalja, Evrozona – 17 zemalja, zemlje koje nisu u Evrozoni – 10 zemalja, zemlje koje nisu u Evrozoni – 11 zemalja), zemlje članice Evropske unije sa udelom akcija javnog duga iznad ili ispod 60% BDP-a na dan 31. 12. 2013, zemlje članice kod kojih su zabeležene velike devijacije akcija javnog duga i udela tih akcija u BDP u posmatranom periodu, ili one koje su zabeležile smanjenje akcija javnog duga u BDP, kao i posebnim osvrtom na Rumuniju.

Ključne reči: javni dug, akcije javnog duga, akumulacija javnog duga, javna zaduženost, povećanje akcija javnog duga, bruto domaći proizvod, apsolutna devijacija, relativna devijacija, periodi povećanja, kriza javnog duga

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AN OPTIMUM CONDITION FOR ATTAINMENT OF A SINGLE CURRENCY PROJECT IN WEST AFRICA

The paper examines the primary and secondary convergence conditions for a monetary union in the second monetary zone for West Africa. The focus of the paper is on the primary conditions as they provide the basis for the secondary conditions. The annual panel data used for the research are obtained from the West African Monetary Agency website: www.wami.imao.org. The panel variables are first tested for unit root and stationarity. The panel unit root test results show that all the variables are integrated of order one. The stationarity test confirms the result, as the variables are non-stationarity in level but stationarity after first difference. The Long-run co integration equation is obtained using the pooled group mean estimator. Linear programming is then applied on the result of the long-run equationto obtain the optimal conditions for attainment of single currency project for West Africa. The result shows that the objective value of 0.0462 is obtained with inflation contributing more to the variation in the government external reserves. The Central Banks in West Africa should be cautious in implementing inflation targeting as a way of tackling their economic problem.

Key words: Convergence criteria; Linear programming; optimum condition; objective value; pooled group mean estimator

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1 Introduction

The Economic Community of West African States (ECOWAS), is a regional body which was formed on May 28, 1975 with fourteen members. The main objective was to work towards a single currency leading to a single economic block (Masson and Pattillo, 2001). The countries that signed the treaty creating ECOWAS include the following: Benin Republic, Burkina Faso, Gambia, Ghana, Guinea Bissau, Guinea Conakry, Ivory Coast, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo. Eight of these countries, Benin Republic, Burkina Faso, Guinea Bissau, Ivory Coast, Mali, Niger, Senegal and Togo are already operating a single monetary union, Union Économique et MonétaireOuest-Africaine (UEMOA) using a single currency, the franc de la CommunautéFinancière de l'Afrique (CFA franc), and a common central bank, the BanqueCentrale des Etats de l'Afrique de Ouest (BCEAO) (Benassy-Quere and Coudet, 2005).

The creation of a single monetary zone has been high on the agenda of the ECOWAS members since its inception in 1975 (Masson and Pattillo, 2001). To this end the following three primary objectives were formulated:

- Integration of monetary and fiscal policies to eventually create a common market,
- Creation of a single currency,
- Improve welfare of members through intra-regional trade (see Masson and Pattillo, 2001 for details).

Even though members were very enthusiastic at the formation of the regional body, and pursued these objectives with vigor, intra-regional trade could not be stimulated (Ojo, 2003). This has been blamed on the low volume of trade in the region (Itsede, 2002;Ogunkola, 2005). Similarly the objective to form a single monetary union for the entire region is still far away from being realized (Benassy-Quere and Coudet, 2005). Instead the five Anglophone countries Ghana, Nigeria, The Gambia, Guinea and Sierra Leone have gone ahead to initiate another monetary union tagged 'The West African Monetary Zone (WAMZ)' which will merge with the UEMOA after its take-off. Till date there is no assurance that even this single monetary zone for the five countries will take-off as proposed less the entire region.

Several dates tentatively fixed for the commencement of the WAMZ could not stand due to a number of factors which include the short time table for preparing a monetary union (see Itsede, 2002). A transition programme was put in place to commence in 2000 and terminate in December 2003, with the take-off date for the monetary union in July 2005, and merger date with UEMOA in 2006. These deadlines have slipped by, with the envisaged single currency project yet to commence. Nevertheless (because of the commitment

to the realization of these goals) a new date December 1, 2015 has been fixed for the take-off of this monetary union (WAMA, 2009;Egwaikhide and Ogunleye, 2010).

Four primary and six secondary convergence criteria have been agreed upon. The targets and schedule of primary and secondary convergence criteria are shown in Table 1 and Table 2 below.

Table 1: *Targets for Primary Convergence Criteria*

Criteria	**Benchmark**
Inflation Rate	Single digit $(\leq 10\%)$
Gross External reserves (Months of Imports	≥ 3 months
Central Bank Financing of Fiscal deficit as % of Previous Tax's Revenue	$\leq 10\%$
Fiscal Deficit/Surplus/GDP (%) Excl. Grants	$\leq$ **4**%

Table 2: *Targets for Secondary Convergence Criteria*

Criteria	**Benchmark**
Change in Domestic Arrears	$\leq 0\%$
Tax Revenue/GDP ratio	$\geq 20\%$
Salary Mass /Total Tax Revenue	$\leq 35\%$
Exchange Rate (+:Depreciation/ -: Appreciation)	$\pm$ **15**%
Real Interest Rate	$> 0\%$
Domestically Financed Investments/Domestic Revenue	> 20%

Available literature (WAMA, 2011) show that as at 2010 The Gambia satisfied two (2) primary and two (2) secondary conditions; Ghana satisfied three (3) primary and Zero (0) Secondary conditions; Guinea satisfied zero (0) primary and one (1) secondary condition; Nigeria satisfied two (2) primary and three (3) secondary conditions; while Sierra-Leone satisfied one (1) primary and one (1) secondary condition. Our focus is on the primary conditions stipulated above. This is because they are more difficult for a state controlled economy to attain.

2. Theoretical framework

The quantity theory of money explains the relationship between money supply and inflation. It states that there is direct relationship between quantity of money in an economy and prices of goods and services. In its simplest form

the theory could be expressed as MV=PQ, where M is the money supply in an economy, V is the velocity of money in expenditures, P is the price level associated with transactions for the economy and Q is the real output.The equation assumes that V and Q are constant in short terms. This has however been criticized by prominent economists like Keynes, especially the assumption that V is constant (Catao and Terrones, 2003).

The criticisms above suggest the relaxation of the assumptions underlying the quantity theory of money. The relaxation allows for a broader analysis of the possible interactions among the variables in the identity. Thus, given that the percentage change in a product, say U and V which is equal to the sum of the percentage changes ($\Delta U + \Delta V$). The quantity theory could be rewritten in terms of percentage changes as :$\Delta\pi + \Delta Q = \Delta M + \Delta V$. Rearrange the variables to get the identity:

$$\Delta M_t = \Delta\pi_t + \Delta Q_t - \Delta V_t \quad (1)$$

Equation (1) implies that an increase in money supply leads to increase in inflation or output. In other words, a decrease in money supply leads to decrease in inflation or output. Thus a decrease in velocity or a combination of changes in these variables (depending on a number of factors) such as elasticity of supply and the level of unemployment in the economy concerned leads to increase in money growth or decrease in inflation.

The relationship between fiscal deficit to GDP ratio and inflation has been investigated by many authors including Catao and Terrones (2003), Bhattacharya (2009)andAmmama et al. (2011). A study conducted by Catao and Terrones (2003) for 23 countries found that a 1% reduction in ratio of fiscal deficit to gross domestic product (GDP)ratio lower long-run inflation by 1.5 to 6%. They concluded that fiscal deficit is efficient determinant of inflation. Similarly, Bhattacharya (2009) tested the effect of fiscal deficit on inflation and concluded that any increase in demand caused by large deficit will raise prices. These studies did not investigate convergence, and the use the linear programming approach as adopted in this paper. Moreover, their focus was on long-run economic relationship between these variables.

The core issue under the ECOWAS monetary union is the convergence in microeconomic variablesas stated in the primary and secondary convergence criteria.In addition to facilitating policy coordination, it affords the opportunity to ensure microeconomic stability (WAMA, 2009). Available literature (WAMA, 2009;Egwaikhide and Ogunleye, 2010) shows that as at end of 2008 three primary criteria were satisfied except inflation whose average was 13.6 above the targeted value$(\leq 10\%)$. It is sad to note that from here these countries could not maintain the momentum for which they used to satisfy these primary conditions.As demonstrated above, all the countries performed

poorly in attaining the target set by the monetary agency. The five countries have to tighten their belts if not, the dream of a single currency come December 2015 will be a mirage.

The past has been very ugly for ECOWAS, in terms of implementation of set goals. None of the objectives of the regional body have been achieved on schedule. The region is still among the poorest in the world with weak institutions as reported in Benassy-Quere and Coudet (2005) and Roudet et al. (2007). The big question is 'can the goals of ECOWAS be achieved in the near future?'

Many solutions have been professed in the literature as documented by Ojo (2003), Itsede (2002), Obadan (2002), Ogunkola (2002), Masson and Pattillo (2001, 2003), Benassy-Quere and Coudet (2005), Ogunkola (2002, 2005) and WAMI (2006, 2007). Masson and Pattillo(2001) for instance argued in favour of genuine trade liberalization as a precondition for successful monetary unification with an independent single currency. Quoting from Hanink and Owusun (1998), and Yeats (1998), they observed that because of low market potentials, high transportation costs, similar factor endowments, liberalization might not be the solution. Itsede (2002) quoting from Corden (1972) emphasized the concept of monetary union as premised on two essential but interwoven parts. These include: exchange rate union which is an area in which exchange rates bear permanent relationship to each other and currency convertibility where exchange rate controls are permanently removed. Monetary union is then defined as the existence of a single monetary zone with a high degree of monetary stability in furtherance of economic integration (Itsede, 2002).

Other obstacles besides the conditions laid in the OCA[1] theory that militate against monetary integration all over the world are lack of commitment, political will and strong leadership to implement the policies and actions that will move the programmes forward (Itsede, 2002). In West Africa, another factor is the non convertibility of the currencies of countries in the zone. Besides the UEMOA countries that already use the CFA Franc whose convertibility is backed by the French Treasury, all the other currencies (including the Nigerian naira) are not yet fully convertible. According to Obadan (2002), for a monetary union to be successful, the several currencies in the integrating zone must be fully convertible one into the other at permanently fixed exchange rates, thereby effectively creating a single currency. As stated earlier, the focus of the paper is to use the convergence criteria given at Table 1 to obtain an optimum convergence point for these economic

[1] An Optimum Currency Area (OCA) is an area that maintains fixed exchange rate within their members, and flexible exchange rate with trading partners outside the area(Appleyard and Field, 1998).

variables. This point is to serve as a point of convergenceto be satisfied by the primary conditions, hence this study.

Before monetary union is in place, conditions for its sustenance have to be in place. Implementing the monetary union before these primary and secondary convergence conditions are satisfied is like putting the cart before the horse, a major asymmetric shock would result in unbearable pressure within the union because of limited mobility and inadequate fiscal redistribution (Yuen, 2008). There is a common understanding that lasting economic convergence is a main prerequisite for a full monetary union. As such, significant degrees of convergence will have to be attained prior to monetary unification. The steps to be taken will be interdependent and will reinforce one another in particular the development of monetary unification, must be based on sufficient progress in the field of convergence and then the unification of economic policies (Yuen, 2008).Simulation studies by Solomon and De-Wet (2004) indicate that inflation is very responsive to shocks in budget deficit as well as GDP.

3 Materials and methods

3.1. Data

The data for this research was collected from the West African Monetary Agency (WAMA) in the website http://www.wami.imao.org. The annual data is for 10 years 2001 - 2010. The variables are: inflation rate (π_t), ratio of fiscal deficit/surplus to GDP (b_t), Central Bank financing of fiscal deficit (d_t), and gross external reserves (m_t). These data were collected for the five countries The Gambia, Ghana, Guinea, Nigeria and Sierra Leone.

3.2. The Model Formulation

Thestarting point of the model formulation is the empirical relationship between fiscal deficit, gross external reserve (G) and inflation of a single equation model as given by Akçay et al. (2002),Vit (2003) and Solomon and De Wet (2004). Let us assume thatinflation(π_t)$\leq \mathbf{0.1}$, gross external reserve (G)$\geq$ 0.25Imp_t, where $Imp_t$is annual imports, central bank financingof fiscal deficit $\leq \mathbf{0.1}Tr_{t-1}$, where $Tr_{t-1}$is the tax revenue in the previous year and fiscal deficit to GDP ratio (Fd)$\leq \mathbf{0.04}$. The equation linking fiscal deficit to GDP ratio (Fd_t) with real interest rate (r_t) is given by Vit (2003) as:

$$r_t = c + Fd_t + \varepsilon_t \tag{2}$$

where c is a constant and ε_t is the random error.

However, similar to equation (1) Akcay et al. (2002) started with the following equation:

$$G_t - Tr_t + i_t B_{t-1} = \Delta M_t + \Delta B_t \tag{3}$$

where M_t is the reserve money, B_t is total stock of domestic and foreign debt, i_t is nominal interest rate, G_t and Tr_t are already explained above. If the budget deficit is inclusive of interest payment then

$$D_t^* = \Delta M_t + \Delta B_t \tag{4}$$

where D_t^* is the budget deficit. For countries with high inflation like those in WAMZ

$$d_t + b_{t-1}\rho_t = \Delta b_t \tag{5}$$

where d_t is the primary deficit less reserve money with each variable scaled by nominal output Y, b_t is total stock of domestic and foreign debt at period t, and ρ_t is reserve money (see Akcay et al. 2002 for details).Equation (4) therefore follows that:

$$b_{t-1} = \frac{1}{(1+\rho_t)}(b_t - d_t) \tag{5}$$

The discounted debt-output ratio can be thus calculated using

$$X_t = b_t \prod_{k=1}^{t} (1+\rho_k)^{-1} \tag{6}$$

Taking logarithm transformation of equation (6) and rearranging leads to

$$\log(b_t) = \log(X_t) + \sum_{k=1}^{t}(1 + \rho_k) \tag{7}$$

The starting point of the long run government budget constraint of Solomon and De Wet (2004) is:

$$\frac{B_{t-1}}{P_t} = \sum \frac{1}{r_j}\left(\tau_{t+j} - g_{t+j} + \left(M_{t+j} - \frac{M_{t-j-1}}{P_{t+j}}\right)\right) \tag{8}$$

where $\frac{B_{t-1}}{P_t}$ is government debt, r_j is discount rate, τ_t is the tax revenue, g_t is the government expenditure and M_t is the broad money supply.Catao and Terrones (2003) derived a long-runequationthat explains the inflation rate by the budget deficit and money supply as:

$$\pi_t = \alpha\, b_t \frac{p_t}{M_t} \tag{9}$$

where α is the inverse linear multiplier, b_t is the budget deficit which is $b_t = g_t - \tau_t - B_{t-1}$ and $\frac{M_t}{P_t}$ is the money supply.

Studies carried out by Vit (2003) found the relationship between real interest rate (discount rate) and budget deficit as follows:

$$r_t = c + b_t + \varepsilon_t \tag{10}$$

where r_t is the real interest rate, b_t is the budget deficit, c and ε_t are drift and residual terms respectively. Considering equations (5), (9) and (10), we have the functional form of the model given as:

$$m_t = \mathrm{f}(\pi_t, d_t, b_t) \tag{11}$$

Linearly,equation (11) can be expressed as

$$m_t = \phi_1 d_t + \varphi_2 b_t + \varphi_3 \pi_t + \varepsilon_t \tag{12}$$

where π_t is the inflation rate $\leq \mathbf{0.1}$, b_t is the fiscal deficit/surplus/GDP ratio $\leq \mathbf{0.04}$, d_t is Central Bank financing of fiscal deficit $\leq \mathbf{0.1}$, and m_t is the gross external reserves $\geq \mathbf{0.25}$.

The long-run economic relationships between these variables are obtained by conducting the cointegration test. The long run cointegration equation is:

$$\Delta y_t = \Pi y_{t-1} + \sum_{t=1}^{p-1} \Gamma_j \Delta y_{t-j} + x_t + \varepsilon_t \tag{13}$$

where $y_t = \left(m_t, d_t, b_t, \pi_t\right)'$ is a vector of endogenous variables, x_t is a vector of exogenous (explanatory) variables which include deterministic terms and ε_t is the residual error term.

This can beextended to the panel cointegration like the pooled mean group estimator of Persaran et al. (1999) given in section 3.4.

3.3.Panel Unit Root Tests

3.3.1 Im, Pesaran and Shin test

The Im, Pesaran and Shin (2003), test is based on N augmented Dickey-Fuller regressions:

$$\Delta y_{it} = \rho_i y_{i,t-1} + \sum_{j=1}^{p_i} \varphi_{ij} \Delta y_{i,t-j} + \alpha_i + \gamma_i t + u_{it} \text{ for } i = 1,\ldots,N;\ t = 1,\ldots,T \tag{13}$$

where T is the length of the sample, N is the cross-section dimension, $\Delta y_{i,t-j}$ are the lagged dependent variables included to eliminate serial correlation in the error term, p_i are the country-specific lag lengths, α_i and γ_i are country-specific intercepts (fixed effects) and trend parameters, respectively. The error term u_{it} is distributed as a white-noise random variable across i and t, with $E(u_{it}) = 0$, $E(u_{it}^2) = \sigma_i^2 < \infty$ and $E(u_{it}^4) < \infty$. p_i, is assumed to be known and in practice it is estimated using an information criteria. The null hypothesis in the IPS test is $H_0 : \rho_i = 0$ for all i, which implies that all individual series contain a unit root (are independent random walks). The alternative hypotheses assume that $H_{1a} : \rho_1 < 0, \cdots, \rho_{N_0} < 0$, and $H_{1b} : \rho_i = 0$ for i = $N_0 + 1, ..., N$ (heterogeneous alternative). The IPS test averages the Augmented Dickey-Fuller statistics across groups to remove contemporaneous correlation in the errors. The statistic is given by:

$$\overline{t}_{NT} = \frac{1}{N} \sum_{i=1}^{N} t_{iT}(p_i, \varphi_i). \tag{14}$$

This statistic converges sequentially to normal distribution as $T \to \infty$ followed by $N \to \infty$, while the ratio $\frac{N}{T} \to \alpha > 0$, where α is a constant (see Lukacs, 1975). IPS compute the values $E[t_{iT}(p_i, \varphi_i)]$ and $Var[t_{iT}(p_i, \varphi_i)]$ and propose a statistic which tends asymptotically to the standard normal distribution.

$$W_{\overline{t}} = \frac{\sqrt{N}\left[\overline{t}_{NT} - N^{-1}\sum_{i=1}^{N} E[t_{iT}(p_i, 0) \mid p_i = 0]\right]}{\sqrt{N^{-1}\sum_{i=1}^{N} Var[t_{iT}(p_i, 0) \mid p_i = 0]}} \xrightarrow[T,N\to\infty]{d} N(0,1) \tag{15}$$

In practice, IPS test has been used recommended for use in many empirical applications (see for example Al-Rabbaie and Hunt, 2004; Aslan, 2008).

3.3.2 The Hadri test

The test proposed by Hadri (2000) is a residual-based Lagrange Multiplier test (LM) in the spirit of the KPSS test suggested by Kwiatkowski et al. (1992). The Hadri test has a reverse null hypothesis, i.e. that the time series for each cross-section unit is stationary around a deterministic level or trend, against the alternative hypothesis of a unit root. It is based on the following regression:

$$y_{it} = \alpha_i + \gamma_i t + \sum_{t=1}^{T} u_{it} + \varepsilon_{it} \tag{16}$$

where α_i and $\gamma_i t$ are the deterministic terms defined in (16) above, and the error term has two components: ε_{it} which is white noise, and $\sum_{t=1}^{T} u_{it}$ which is a random walk. Under the null hypothesis $H_0 : \sigma_u^2 = 0$ versus alternative hypothesis $H_1 : \sigma_u^2 > 0$. That is the null hypothesis is that the variance of the random walk component $\left(\sigma_u^2\right)$ is zero. The autocorrelation in ε_{it} is accounted for by considering the long-run variances of the ε_{it} which is estimated by

$$\hat{\sigma}_{\hat{\varepsilon}_i}^2 = \frac{1}{T-1}\sum_{t=2}^{T} \hat{\varepsilon}_{it}^2 + 2\sum_{j=1}^{\bar{k}} w_{\bar{k}j} \left(\frac{1}{T-1} \sum_{t=j+2}^{T} \hat{\varepsilon}_{it}' \hat{\varepsilon}_{i,t-j} \right) \tag{17}$$

where $w_{\bar{k}j}$ are weights used to ensure that $\hat{\sigma}_{\hat{\varepsilon}_i}^2$ are always positive. These Bartlett weights are given by $w_{\bar{k}j} = 1 - \left(\frac{j}{\bar{k}+1} \right)$, where k is the bandwidth. The k has to be efficiently chosen in order to get reasonable results. The statistic H_0 is the average of the individual KPSS statistic for each series. The test statistic is standardized to take the form $\frac{\sigma_u^2}{\sigma_\varepsilon^2}$, which has a standard normal distribution under the null hypothesis.

3.4. The Pooled-Mean Group Estimator

The test for panel ARDL as proposed by Pesaran et al. (1999) is based on the pooled mean group estimator (PMGE). This allows for the short-run coefficients and error variances to differ across group, but constrains the long-run coefficients to be identical in an error correction framework. The pooled mean group estimator of order (p_i, q_i) is given by the following equation

$$\Delta y_{it} = \phi_i y_{it-1} + \beta_i' x_{it} + \sum_{j=1}^{p_i-1} \lambda_{ij} \Delta y_{i,t-j} + \sum_{j=0}^{q_i-1} \delta_{ij}' \Delta x_{i,t-j} + \alpha_i + \varepsilon_{it} \qquad (2),$$

where y_{it} is the dependent variable, x_{it} is vector of explanatory variables, α_i are country specific intercepts and λ_{ij} and δ_{ij} are the country specific coefficients of the short-term dynamics, ε_{it} the white noise error term. The long-run coefficients $\phi_i = \phi$ (are defined to be the same across countries). If ϕ_i <0, there is a long-run relationship between y_{it} and x_{it} defined by $y_{it} = -(\beta_i' / \phi_i) x_{it} + \eta_{it}$. The maximum likelihood procedure based on the concentrated likelihood function is used to estimate the PMGE. A Gauss-Newton algorithm is used to maximize the likelihood function. The pooled mean group regression equation (23) can be estimated with individual specific ϕ_i which are then averaged over N to obtain a PMGE.

3.5. Linear Programming Formulation

The model formulated in equation (12) can be expressed as a linear programming as follows:

minimize $m_t = \phi_1 d_t + \varphi_2 b_t + \varphi_3 \pi_t$

subject to $\pi_t \leq \mathbf{0.1}$; $b_t \leq \mathbf{0.04}$; $d_t \leq \mathbf{0.1}$; $m_t \geq \mathbf{0.25}$.

The optimal solution is obtained by the use of the Simplex method as shown in Hillier and Lieberman (2001).

4. Resultsand discussions

A preliminary step is taken to calculate the correlation matrix for the four variables. The result shows that government external reserve is most correlated with the fiscal deficit to GDP ratio.

$$\begin{array}{c} \\ \pi_t \\ b_t \\ d_t \\ m_t \end{array} \begin{array}{c} \begin{array}{cccc} \pi_t & b_t & d_t & m_t \end{array} \\ \begin{pmatrix} 0000 & & & \\ .1161 & 1.0000 & & \\ .4206 & -0.2259 & 1.0000 & \\ ).2657 & 0.4590 & -0.2846 & 1.0000 \end{pmatrix} \end{array}$$

4.1.Results of Panel Unit Root Tests

The variables are tested for panel unit root and panel stationarity using Im et al. (2003) and Hadri (2000) to determine their degree of integration and level of stationarity. The results of the panel unit root tests are given in Table 3. The result shows that the variables are nonstationary in levels but stationary in first difference. An indication the variables are integrated of order 1.

Table 3: *Panel Unit Root Tests*

	IPS-W-test		**Hadri-test**	
Variable	**No trend**	**Trend**	**No trend**	**Trend**
m_t	-1.31(0.09)	-0.04(0.48)	2.65(0.00)	4.13(0.00)
Δm_t	-2.76(0.003)	-1.02(0.155)	0.95(0.17)	3.34(0.00)
π_t	-1.19(0.12)	-0.12(0.45)	0.97(0.17)	3.79(0.00)
$\Delta \pi_t$	-1.45(0.07)	-0.28(0.39)	0.16(0.44)	0.12(0.45)
d_t	-1.99(0.02)	-0.55(0.29)	2.53(0.01)	6.68(0.00)
Δd_t	-3.28(0.0005)	-2.57(0.005)	1.25(0.11)	7.82(0.00)
b_t	0.203(0.58)	0.57(0.72)	1.96(0.03)	5.19(0.00)
Δb_t	-0.83(0.204)	0.02(0.51)	2.51(0.01)	13.08(0.00)

The IPS - w -test at 5% are: for N=5, T=50. The numbers in parentheses are the p-values.

4.2. Panel Cointegration Results

The results of the long-run cointegration parameters using the PMGE are given in Table 4. The result of the long-run panel cointegration test shows that the variables inflation rate, fiscal deficit/surplus to GDP ratio account for most of the gross external reserves in agreement with the results of Catao&Terrones (2003).

Table 4: *Estimation Results of PMGE*

Variables Dep. var m_t	**PMGE**	**t-value**
π_t	0.4437	4.48
d_t	-0.072	0.24
b_t	0.0288	2.78

Central Bank financing of the fiscal deficit however, did show little influence on the gross external reserves with a low t- ratio of 0.24. The long-run panel cointegration relation using the PMGE with individual constants is

$$ec_t^{m_t} = \mathbf{0.4437}\,\pi_t + \mathbf{0.0288}\,b_t - \mathbf{0.0720}\,d_t \qquad (4)$$

Equation (4) shows that a 1% increase in government external reserves (m_t) induces0.4437%inflation rate (π_t). Similarly, a 1% increase in m_t will induce a 0.0288% increase in the fiscal deficit to GDP ratio, and -0.0720% decrease in the Central Bank financing of fiscal deficit. This result compares favorably with Solomon and de Wet (2004) whose simulation study showed that inflation is very responsive to shocks in budget deficit as well as GDP.

4.3. The Optimum Convergence Criteria

The objective value of the optimum convergence criteria is 0.0452. The objective value for the variables, objective coefficients and their objective value contribution are given in Table 5. Inflation is the highest contributor to the optimum value followed by Central Bank financing of fiscal deposit, while fiscal deficit to GDP ratio is the least.

Table 5: *The Optimum Convergence Criteria*

Variables	Value	Objective Coefficient	Objective Value Contribution	Slack-/Surplus+
m_t	0.25	0.00	0.0000	0.0000
π_t	0.10	0.44	0.0440	0.0000
d_t	0.00	0.03	0.0012	0.0000
b_t	0.04	-0.07	0.0000	0.1000

5. Conclusion

The conclusion we draw from the paper is that Government external reserves, inflation rate, fiscal deficit/GDP ratio, Central Bank financing of fiscal deficit are correlated with the highest correlation between government external reserves and fiscal deficit and GDP ratio.Theresult shows that the objective value of 0.0462 is obtained with inflation contributing more to the variation in the government external reserves at variance with the correlation matrix. This may be due to the non-stationarity of the variables in level. Due to the result of linear programming approach,we advise that Central Banks in the countries studiedto be cautious in implementing inflation targeting as a way of tackling their economic problems. In conclusion there is a warning by Solomon and De Wet (2004) that governments should note the sensitivity of price levels to fiscal policy.

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OPTIMALNI USLOVI ZA USPOSTAVLJANJE PROJEKTA ZAJEDNIČKE VALUTE U ZEMLJAMA ZAPADNE AFRIKE

S a ž e t a k

Ova studija ispituje konvergenciju primarnih i sekundarnih uslova radi uspostavljanja zajedničke valute u drugoj valutnoj zoni zapadne Afrike. Osnovni focus ove studije je sagledavanje primarnih uslova, obzirom da su oni osnova iz kojih proizilaze sekundarni uslovi. Godišnji panel podaci korišćeni za ovo istraživanje su dobijeni sa vebsajta Z. Afričke Valutne agencije: www.wami.imao.org. Promenljive vrednosti Panela su prvo ispitane za jedinični koren i stacionarnost. Rezultati ispitivanja jediničnog korena panela pokazuju da su promenljive vrednosti integrisane u red veličine jedan. Test stacionarnosti *potvrđuje taj rezultat, pošto su promenljive vrednosti nestacionarne u nivou, ali stacionarne posle prve razlike. Dugoročna kointegraciona jednačina se dobija korišćenjem procenitelja* aritmetičke sredine ciljne grupe. Linearno programiranje se onda primenjuje na rezultat dugoročne jednačine kako bi se dobili optimalni uslovi za postizanje projekta zajedničke valute Z. Afrike. Rezultat pokazuje da objektivni rezultat od 0.0462 se dobija tako ***što*** inflacija doprinosi više promenljivosti u vladinim spoljnim rezervama. Centralne Banke Z. Afrike bi trebale biti obazrive u ciljanju inflacije kao mehanizma u borbi s ekonomskim problemina.

Klučne reči: Kriterijumi konvergencija; Linearno programiranje; Optimalni uslov; Objektivni rezultat; procenitelj aritmetičke sredine ciljne grupe

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DISINTEGRATION OF MONETRY SYSTEM OF MEDIEVAL SERBIA

The subject matter of this paper is the process of gradual disintegration of monetary system of medieval Serbia during the second half of the 14th and the first half of the 15th century. This period is characterized by an appearance of frequent usurpations of the ruling right to mint coinage by local landlords and the attempts of the rulers from Lazarević and Branković families to restore unified monetary system. Common debasements and restorations of silver coinage provoked economic instability and induced frequent turning backwards to the custom of using weighted silver instead of silver coins as commodity monetary standard. The aim of this paper is to explain the reasons for those phenomena. We apply qualitative, historical, empirical analysis where we consider money minting right holders and their decisions to debase and restore the value of silver dinars. We found that gradual disintegration of monetary system of medieval Serbian State continued until the fall of Serbian Despotate as a consequence of political instability following dissolution of medieval Serbian Empire and economic and financial exhaustion of Serbia by Ottoman suzerains.

Key words: the right to mint coinage, commodity monetary standards, silver dinar debasements and restorations, Serbian Despotate, Ottoman Suzerainty

1. Introduction

Serbian medieval monetary system was the silver monometallic one. Starting from the 1270s, Serbian medieval state ruled by the Nemanjić dynasty regularly used domestic sources of silver ore to mint silver *dinars*. The basic metal was silver and copper was an auxiliary one. Minting standards of silver *dinar* were originally established after the Venetian silver *grosso* weighing 2,178 grams and having silver quality of 0.965. All payments in Serbia were actually made in silver *dinars* but they were calculated in *perpera,* named after Byzantine golden *yperpiron* (υπερπυρον) that was in circulation until the beginning of 14th century. *Perpera* was a fictitious accounting monetary unit of 12 dinars. *Perpera* was used as it was necessary to establish a permanent ratio between the silver dinar

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and a certain quantity of gold in a monetary system where golden coins were not minted.[1] All the calculations were still done in *perperas* even when in the 1330s Serbian medieval *dinar* lost a quarter of its value and weighed on average 1.70 grams. This custom remained also during the reign of both Tsar Dušan (1331-1355)., who minted *dinars* weighing up to 1.50 grams, and his son Tsar Uroš (1335-1371) whose most valuable *dinars* weighed 1.20 grams (D. Gnjatović, 1998, pp. 94-130). Imperial mints were situated in mining centres and urban imperial strongholds. Tsar Dušan's mints that were related to the mining centres operated on the Mountain Rudnik and in Novo Brdo, and those related to urban strongholds were situated in Trepča, Prizren, Skopje and Ohrid. Further, autonomous towns of Kotor and Ulcinj used to mint money on behalf of Tsar Dušan.

Rulers from the Nemanjić dynasty had been in exclusive right to mint coinage in medieval Serbia up till the death of Tsar Dušan. Perceived as an expression of the state sovereignty, this right was regarded as a grand, regal, non-material right pertaining to rulers. The ruler was the only one empowered to pass a piece of legislation by which national currency minting was regulated: to establish which precious metal the money was to be minted from, to ascertain the alloy structure of the primary and secondary metal, along with the number of silver *dinars* to be struck from one *litra* of pure silver. The first Serbian minting law, dating back from 1354, stipulates that silver *dinars* ought to be minted exclusively in those mints licensed by the Tsar.[2] Given that money minting was seen as a ruler sovereignty feature, money forgery was perceived as an attack on the ruler, that is, the state itself. Therefore, the Tsar Dušan's Code of Laws envisaged draconic penal measures for money forging.[3]

It was in the mid-14th century and accompanied by the general loss of power of that far centralised state authorities that Serbian medieval monetary system started falling apart. The process of fast decreasing in power of the centralised authority in Serbian medieval state is invariably linked to the sudden and to the day unexplained death of Tsar Dušan in 1355. Serbian Empire was at the peak of its power at the time. It encompassed the territories of today's Serbia, Montenegro, Macedonia, parts of Greece and Albania. Inland, it bordered Bosnia, Hungary, Wallachia, Bulgaria, Byzantine Empire and the Dukedom of Athens, whilst at sea it bordered the Venetian Republic. Serbian empire's economic strength laid in the abundance of precious metal ores, especially silver. Serbia supplied Venetian and other Italian mints with silver through Dubrovnik.

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1 To read more on the origin of fictitious *perpera* in medieval Serbia as an accounting monetary unit see (D. Gnjatovic, 1998, pp. 37-48)

2 Articles 168, 169 and 170 of the Tsar Dusan's Code of Laws, adopted at the Serez synod in 1354 (S. Novaković, 1898, p. 169)

3 Tsar Dusan's Code of Laws stipulated death penalty in the form of burning at the stake as a punishment for forging of silver dinars. (D. Gnjatović, 2000, pp. 107-128)

After the death of Tsar Dušan, Serbian Empire started stumbling under the burden of clashes of interests amongst individual local feudal rulers. At that time the Ottomans had already started their war campaigns in the Balkans with a view to expanding their young state and increasing their sources of income.[4] Their military advances in Europe in the second half of the 14th century were aided by the fact that they concurred with the political dissolution of not only Serbian Empire but also Byzantine and Bulgarian Empire. Whilst local Balkan feudal rulers were losing their strength in mutual clashes and skirmishes, thereby taking their respective states into chaos and dissolution, the Ottomans were quickly gaining ground in the Balkans with the considerable help from their strong centralised authorities and disciplined armed forces.

2. The usurpation of money minting right

Rulers from the Nemanjić dynasty perceived the money minting right as their private right that they could partly relinquish at their will. Thus, Tsar Dušan himself limited his monetary sovereignty by means of conceding his money minting right in the north of Macedonia to a powerful feudalist John Oliver (orig. Jovan Oliver).[5] In this case we cannot talk about the usurpation of the right to mint coinage as John Oliver did not lay claim to that right at his own will. This case was all about the limitation of the imperial monetary sovereignty as opposed to the money minting right usurpation, which is corroborated by the fact that despot Oliver's money had his name and title inscribed on one side of the coin and the Tsar's on the other.

However, during the reign of Dušan's son Uroš, ruler's right to mint coinage in Serbian medieval state was usurped on various occasions. The usurpation was preceded by the loss of a part of the state territory. At the very beginning of his reign, Uroš fought with Ottomans and lost in the south a part of Thessalia and Epirus, whilst in the north, in the Danube basin, he lost the region of Braničevo that fell into the hands of the Hungarian king Ludovic I. Thus reduced state territory and weakened Empire created favourable conditions for powerful feudal lords to thrive. Consequently, they started usurping various ruling rights, money minting right being one of them. It has been proven beyond any doubt that this right was then usurped by Tsar Dušan's widow, Tsarina Jelena, as well as the following feudal rulers: despot Uglješa, king Vukašin, queen Jelena, Nikola

[4] The foundations of the Ottoman Empire were set around 1300 in the northern part of Asia Minor by the chieftain of Turan tribes, Osman, who had just freed himself from the vassal position in relation to Ali-Edin, the sultan of the Seljuqs. S. Novaković, 1933, p. 23).

[5] John Oliver was one of the most powerful feudal lords during the reign of the King and Tsar Dusan. After the Empire was announced in 1436, the Tsar bestowed upon him Northern Macedonia and the title of despot for his extraordinary meritorious service. (J. Radonić, 1914, pp. 74-108)

Altomanović and Djuradj Balsić I (V. Ivanišević, 2001, p. 110). The king Vukašin family minted money in Prizren and Nikola Altomanović operated the same business on the Mountain Rudnik as from 1367. After the death of king Vukašin in 1372 the Prizren mint was grabbed by Djuradj Balšić I and after the defeat of Nikola Altomanović in 1373 the Rudnik mint fell for the first time into the hands of Prince Lazar (S. Stojaković, 2006, p. 127). They all minted the silver *dinars* employing the same minting standards as Tsar Uroš.

When Uroš succeeded his father Tsar Dušan as a ruler the so called imperial *dinars* were in circulation, weighing on average 1.50 grams. Owing to their quality and weight sustainability these imperial dinars were used as a means of payment even outside the borders of Serbia.[6] However, Uroš opted for the debasement of silver dinars. The same as Tsar Uroš' *dinars*, feudal lords' coinage also constantly lost its weight. Tsar Uroš' first silver coins weighed 1.20 grams and his last ones weighed only 0.64 grams, whilst during his reign the average weight of silver coins minted by the mentioned feudal lords dropped from 1.20 grams to 0.51 grams (V. Ivanišević, 2001, 152).

3. Autonomous monetary rights under the Ottoman suzerainty

After the battle on Marica river in 1371 the majority of Balkan feudalists, including Serbian local feudal lords, became vassals to sultan Murad I (1362-1389). Vassals were obliged to pay the annual tribute as a sign of their subjection to Islamic state and also to send auxiliary forces to aid the sultan's war campaigns. Sultan's vassals became Byzantine and Bulgarian tsars, many Greek feudalists, as well as Serbian feudal lords king Marko, Jovan and Konstantin Dragaš and some other Serbian princes in Macedonia. After Prince Lazar got killed in the battle of Kosovo in 1389 the same fate befell his successors too. Further, Vuk Branković became sultan Bayazit I's (1389-1402) vassal when in 1392 the sultan took Skopje away from him. At the same time the sultan's vassals in Zeta also became Djuradj Stracimirović II followed by his successor Balša II. Also, the majority of the Albanian rulers accepted to pay tribute to the sultan at the end of the 14th century and the same practice was adopted in the first half of the 15th century by Bosnia and across the Danube states Moldavia and Walachia (M. Spremić, 1970, pp. 9-59).

Unless vassals properly and timely fulfilled their obligations towards the sultan their states would be proclaimed "war abodes" and consequently subject to ruthless destruction (H. Inaldzik, 1974, p. 18). However, until the Ottomans in the end conquered a region, obedient vassals who regularly met their obligations towards the sultan enjoyed an internal, regional autonomy. It was a rule

[6] Dušan's *denarii del imperador,* are mentioned in Dubrovnik's written memorials dating from 1353 and 1354 (S. Dimitrijević, 1959).

that a vassal's first successor should become a vassal too but with a proviso that he agreed to pay some new and heavier duties to the sultan. These duties would in time exhaust citizens and their region economically and, consequently the region would, thus economically weakened, become an arena of the Ottoman final conquers (M. Spremić, 1970, pp. 47-52).

Autonomy of the sultan's vassals in the European part of the empire referred to the exploitation of silver mines and money minting. Out of these forms of his Balkan and across-the-Danube vassals' autonomy the sultan reaped enormous immediate material benefit of tributary character. The vassals would retain their monetary autonomy for as long as sultan found it profitable, upon which all the mines and mints would fall into the Ottoman hands. Monetary autonomy encompassed national money minting conducted in line with either existing customs or written rules which vassals would lay down by themselves. When the Ottoman rule in the Balkans was definitely established in the first half of the 15th century vassals started losing their monetary autonomy one after another. Amongst European vassal countries only Wallachia and Moldova retained their autonomy. Namely, the Ottomans failed to conquer these across-the-Danube states that remained in vassal position up until the 19th century (M. Maxim, 1998, pp. 69-88).

The defeat of the Christian army who lost to the Ottomans in the battle on the Marica in 1371, followed the same year by the death of the last ruler from the Nemanjić dynasty, tsar Uroš, marked the end of a centralised government in medieval Serbia. The dissolution of the state led to the dissolution of its monetary system too. Money minting no longer existed on the central government level as there was no longer such government in the first place. Some princes became regional rulers and primarily for fiscal reasons they started minting money independently. Thus, due to the dissolution of the state, money minting in Serbia lost its characteristics of *iura regalia*. Monetary sovereignty that used to belong to the ruler, that is, to the state, was replaced by a string of regional rulers' monetary autonomies. Each of their monetary autonomies reached exclusively to the "borders" of their respective autonomous regions that they effectively ruled. Still, as in a political sense, borders of the autonomous regions changed rapidly, the monetary autonomy was a very unstable category in the territorial sense. Apart from regional rulers some towns such as Prizren and Skopje also started to mint money.

If the territorial principle of monetary autonomy is regarded in a very broad and conditional way, Serbian regional rulers' monetary system in the period between 1371 and 1402 can be divided in four categories (V. Ivanišević, 2001, p. 147). The first group comprises all the mints in Macedonian region where minting was conducted by king Marko, county ruler Gropa, regional ruler Andraš, as well as Jovan and Konstantin Dragaš. The second group includes mints of Nikola Altomanović, Prince Lazar and Duke Stefan Lazarević, who ruled central and north regions of Serbian state. Vuk Branković' mints make up the third cate-

gory, including regional rulers subject to him in the regions of Sjenica, Mountain Kopaonik, centres in Trepča and Priština, as well as mints in Skopje and Prizren. The last, separate group includes the mints of the Balšić family who ruled in the Zeta region, Drač and Skadar. Regional rulers' money circulated mainly in Serbia, and predominantly in those regions where it was minted.

In a constant strife over sources of income vassals would be snatching from each other the right to exploit mines and mints, until, in the end, these same mints and mines ended up in the Ottoman hands. Political skirmishes amongst Serbian regional rulers, which always preceded final Ottoman conquers, directly affected frequent shifts in monetary autonomy holders in some regions under the sultan's suzerainty. The Ottomans made use of these clashes as they facilitated their easier and quicker usurpation of mines and mints. A telling example illustrating this is the Priština mint exploitation. Though he pledged to obedience to the sultan Bayazit I by means of paying him a toll, Vuk Branković would not participate in wars on the sultan's behalf. He did not partake in the battle on the Rovine in 1395 when the sultan was supported by both king Marko and Konstantin Dragaš. Neither did he participate in the Nikopolje battle in 1396 when Prince Lazar's son Stefan Lazarevic took part and contributed to the sultan's victory. For these reasons the sultan settled his accounts with Vuk Brankovic in 1396, which was followed by the Ottomans handing the majority of Brankovic's territories over to the Lazarević. Thus in 1396 the Lazarević family took over the Priština-based mint and continued its exploitation up until the re-ascent of the Branković family in 1402.[7]

Though dependent on the sultan and under a constant threat of losing their states, each regional ruler behaved in their respective areas as if they had an absolute sovereignty. Following suit of Serbian kings and tsars they each decided independently on minting arrangements in their respective areas. Still, regional rulers did not harmonise amongst themselves their monetary policies, which resulted in a great variety of types of *dinars* in circulation. These differed in their appearance, weight, silver quality and the alloy structure and primary-secondary metal ratio. On the top of regional rulers' coinage, the money minted earlier, during the period of kings and tsars, was also in circulation. Money hoards dating from the period of the dissolution of Serbian empire and emerging regional rulers' autonomy represent the clearest indicator of the money minting diversity and its wide-spread character. For example, a money hoard dating back from a period 1375-1380 was found in Kičevo, in Macedonia, and amongst 350 silver *dinars* found therein there were *dinars* minted during the reign of the king and Tsar Dušan, Tsar Uroš, as well as the following feudal rulers: Jovan Oliver, king Vukašin, king Marko, Andraš, Jovan Dragaš, Andrija Gropa, Prince Lazar and Djuradj Balsić I (V. Radić, V. Ivanišević, 2001, pp. 301-303).

[7] Vuk Brankovic died in an Ottoman prison in 1397 (M Spremić, 1994, p. 44)

4. An attempt to restore the monetary system

Monetary autonomy under the sultan suzerainty in the European part of the Ottoman Empire envisaged the right to mint coinage in line either with local customs or written rules that were laid down independently by vassals. After the dissolution of Serbian Empire in 1371 local feudal lords who had now become sultan's vassals did not harmonise the monetary standards or their respective monetary policies amongst themselves. Thereby, a great variety of silver coins were in circulation. These differed in their physical looks, weight, silver quality and the structure of alloy combining a basic and an auxiliary metal. There was an attempt albeit unsuccessful to unify minting monetary standards in vassal Serbia in the first half of the 15th century, during the epoch of Despotate. Favourable political circumstances for this to be achieved came about with the reunification of Serbian lands under the Lazarević and Branković families.

Lacking central state authority that could control money minting and feeling the pressure of duties towards the sultan, regional rulers minted money that was constantly losing weight. Apart from these political reasons, there was another valid reason of foreign economic character for the decrease in the silver *dinar* weight. Namely, there was a sharp silver shortage across Europe in the second half of the 14th century and the beginning of the 15th century. The crisis culminated after 1390 and lasted for two decades. Mints in Italian towns were closing down one after another. Only the Venetian mint was spared this money-making metal famine thanks to regular supplies from Serbian and Bosnian silver mines.

Due to growing demand for silver the price of this precious metal went up in the first decades of the 15th century, so it became very profitable to open new silver mines in the Balkans and expand production in the old ones. Thus, monetary metal shortage crisis was overcome temporarily. By renewing silver coins minting in Italian towns conditions were created for another international exchange boost. Growing demand for monetary metal made Serbian mining and trade flourish. The production was on the increase in old mints and at the same time new mints mushroomed. It was a favourable economic moment to discontinue the practice of debasements and to sort out the entire Serbian minting business. However, in order to conduct a monetary reform in the direction of minting standards unification it was necessary to achieve appropriate political conditions. First of all, a re-integration of Serbian lands was needed.

Several important political events from the beginning of the 15th century served to enable the reunification of Serbian lands under the reign of Stefan Lazarević (1396-1427) and Vuk Branković's successors. In 1402 Vuk Branković's successors came into possession of their lands again by buying them off from Ottomans. They accepted to start paying all vassal-related duties to the sultan and to participate in his auxiliary military forces. That same year, after the defeat of the sultan Bayezid I in the battle of Angora, Prince Stefan Lazarevic

nominally acknowledged Byzantine supreme rule and was conferred by John VII Paleologist the title of despot in Constantinople. Subsequently, he sought protection from a Hungarian king Sigismund and became his vassal. Sigismund conferred on him Belgrade and Macva region in 1403 and 1404 respectively. In 1411, Srebrnica, a great mining centre on the Drina was also conceded to Despot Stefan, and in 1421 he inherited Zeta region from Balsa III.

Money minting business was run in the mining centres such as Novo Brdo, Rudnik and Srebrnica, all of which were in the possession of Despot Stefan Lazarević. Rudnik and Novo Brdo mints operated from before, whereas minting in Srebrnica was restored in 1417 (V. Ivanišević, 2001, p. 61). Despot Stefan first continued minting silver *dinars* of low weight, ranging from 0.44 to 0.39 grams. However, a monetary reform was conducted between 1402 and 1407, after which he first introduced new, heavier silver coins, weighing between 1.22 and 0.82 grams, and then ordered that the old, lighter coins should be replaced. Also, Despot Stefan started minting a new type of silver coin, so called *obol,* which Djuradj Branković and his son Lazar would continue minting.

In want to bring some order in the money minting business Despot Stefan adopted Mining Code in 1412 whereby forgery was most severely punished.[8] That far, there had been no order in money minting whatsoever, which is substantiated by difficulties to calculate value in trade due to a vast diversity of *dinars* in circulation. Namely, all the payments in Nemanjić Serbia were calculated in fictitious *perperas* only up to the 15th century. However, ever since the beginning of that century, as various local rulers' coinage differed in quality and weight, it was difficult for the *perpera* to preserve its role as commonly accepted and acknowledged accounting monetary unit worth 12 silver dinars. This is why some transactions started to be calculated in *litras*, a silver weight measurement unit (M. Blagojević, 1981, pp. 47-62). It was a common phenomenon in the medieval ages to use monetary metal weight measurement unit as a monetary standard. Even in the times of most severe monetary crises trade transactions called for a unique measure of value, that is, of prices.

The weight of Serbian medieval *litra* differed from one mine to another and from one market place to the next. *Litra* was divided in 12 *unchas;* every *uncha* had six *ascaddios* and every ascaddio two *halves*. This system of the Serbian *litra* corresponded to the Roman and Byzantine *litra* (Č. Mijatović, 1869, p. 219). Serbian *litra* had varied weight, ranging from 288 to 346 grams. Written memorials mention *litras* of Novo Brdo, Smederevo, Srebrnica, and Rudište. For example, Novo Brdo *litra* weighed 337, 24 grams (M. Blagojević, 1981, p. 371). From the beginning of the 15th century to the fall of Serbian Despotate under the Ottoman rule in 1459 *litra* was used as an accounting monetary unit parallel with fictitious *perpera*. Thus, in Serbian Despotate the payments in internal trade were

[8] Burning at stake was replaced by thumb severing as a form of punishment for forgery (N. Radojčić, 1962)

made in various types of silver *dinars* whereas *perpera* and *litra* were used as accounting monetary units. Stefan Lazarević's Mining Code from 1412 bears witness to this. For example, Article 26 stipulates that membership in a mining association costs "one *perpera*", whilst Article 40 has it that officers in charge of granting concessions for mining exploitation were to be paid "two *litras* of *dinars*" (B. Marković, 1985, pp. 17-19). In economic sense, payments expressed in *litras* meant a retrograde process. Whilst fictitious *perpera* was used as 12-*dinars* worth unit of account, silver *dinars* that were used for paying would be physically counted.[9] Counting resulted from a need to technically facilitate and speed up payments expressed in money the quality of which was not doubted. However, when *litra* was used, as silver weight unit of account, then silver *dinars* were physically weighed. This process of going back to weighing money was a sure sign of losing trust in dinar quality and ruler's insignia.

Between 1402 and 1429, during the reign of Vuk's successor Djuradj Branković (1402-1456), Serbian territories spread from Sjenica in the north, Trepča and Prišitna in the east, Prizren in the south and Plav in the west. These lands were constantly under Ottoman attacks as they were situated on the road towards important mining and trade centres that Ottomans strove to conquer. For example, in 1415 the Ottomans captured some Branković lands and subsequently Bosnia, forcing it to pay tribute. They did the same in 1425 where they "conquered Serbs" in master Djuradj's lands (M. Spremić, 1994, p. 90). This time their target was Novo Brdo. Sultan Murad II (1421-1444, 1445-1451) reached the town's walls but never succeeded in taking it. In 1427, the moment when Despot Stefan Lazarević died Murad was in front of the town walls. The Novo Brdo siege lasted for 48 days. Sultan used heavy artillery. He lifted the siege when the winter started. Such unfavourable political conditions had a negative effect on production in all mints held by Djuradj Branković (V. Ivanišević, 2001, p. 176).

In 1427 Serbia was devastated and awash with Ottomans. There was a constant danger of new attacks, primarily with a view to taking some other important mining or trade centres. In order to save Serbia, after the death of Despot Stefan Lazarević, Master Djuradj became Hungarian vassal. Namely, with his health deteriorating gravely in 1426, at a state council in Srebrnica Despot Stefan had proclaimed Djuradj the Serbian throne heir. But in order to become a new Serbian ruler Djuradj had to be recognised abroad too. He was initiated in the Hungarian baron order by the contract of Trata in May 1426, and Hungarian king Sigmund made it clear that Djuradj, once he became the ruler, had to hand over Belgrade, Golubac and Mačva county back to Hungarians. When Djuradj became Hungarian vassal in 1427 he gave them back Belgrade, but not the surro-

[9] The payment system based on counting coins instead of weighing monetary metal was first introduced in the 7th century BC in Lydia, Asia Minor, as a sign of trust in traders who had started imprinting their insignia on pieces of electrum, gold and silver alloy, and then later such once stamped pieces would not be weighed any more. Shortly afterwards, Lydian rulers took the practice over from traders (V. Meichsner, 1981, p. 12)

undings. Thus the mine of Rudista near the Mountain Avala remained in Serbian possession. This was extremely important for Serbian monetary system as Djuradj Branković soon founded a new money mint in Rudište.

After the death of Despot Stefan Lazarević in 1427 and Master Djuradj Branković succeeding the throne, the Lazarevićs' and Brankovićs' countries were finally unified. Djuradj Branković ruled as a twofold vassal and his territory ranged from the Danube in the north and the Adriatic in the south. His country was squeezed in between Hungary and the Ottoman Empire and under constant threat from the both suzerains' conquering ambitions. Djuradj was conferred the title of despot in 1429 by the Byzantine Tsar John Paleologist VII (M. Spremić, 1994, p. 136). Despot Djuradj will continue ruling the vassal Serbia till his death in 1456. After acceding to Serbian throne he considerably increased coinage minting and continued the process of monetary system restoration, as started by Despot Stefan Lazarevic.

In 1430, a money mint started operating in Smederevo following the completion of building the town in the capacity of Serbian capital. Around 1435 Djuradj Branković conducted a monetary reform. The reform strengthened the silver *dinar* value and marking of the coins was started. It was stipulated that 16 old *dinars* should be exchanged for 10 new *dinars* (M. Dinić, 1955, p. 67), as their weight was now increased. Based on some numismatic findings it has been established that average weight of two different types of the new dinars minted at the time at the Novo Brdo mint stood between 1.00 gram and 1.05 grams (V. Ivanišević, V. Radić, 2004, p.234). Furthermore, new silver dinars had the new capital mint Smederevo marks on it, as well as the marks of the mints in Rudnik, Rudište and Novo Brdo (V. Ivanišević, 2001, p. 181).

Given incessant Ottoman attacks that brought either temporary or permanent loss of territories, political and economic circumstances in Serbian Despotate constantly deteriorated. Despot Djuradj Brankovic tried to preserve Serbian autonomy by means of fulfilling his vassal obligations on two sides, towards Ottomans and Hungarians. He also tried to act as a mediator between the two suzerains to remain at peace for as long as possible. The monetary autonomy character and money value itself depended increasingly less on reformist moves and more and more on political circumstances marked by the intentions of Murad II to conquer Serbia once and for ever. When the Ottomans annexed the south of Serbia to the Empire (with strongholds in Niš, Stalać, Bela Palanka and Pirot) and put it under sultan's direct rule in 1433, Djuradj's monetary reform effects were exhausted. Territorially, the Despot's monetary autonomy had shrunk significantly and the money was speedily being debased. At the time, Djuradj's silver *dinars* were losing their value not only due to constant decreasing of their weight but also through the monetary metal quality erosion. For example, Despot Djuradj Branković's dinars minted at the time in Srebrnica had a quality rate

of 0.666, which means that one third of every litra of the monetary metal was copper (V. Ivanišević, 2001, p. 47).

After the irreversible loss of territories in the south of Serbia, the rest of the Despotate's existence, which also meant the rest of Serbian monetary autonomy, depended exclusively on the sultan's whim. Murad II was led by the assessment on how much vassal duties had already exhausted the Despotate and what would pay off to him more: to keep it in the vassal position or to finally conquer it altogether. After he conquered the south of Serbia his advisors guided him towards finishing the process and annexing the rest of Djuradj's increasingly smaller state but he answered that "in this way, he would (author's remark: still) get more cavalry men than if the country were in his hands entirely" (M. Spremić, 1994, p. 98).

What brought a definitive disaster to Djuradj's state was a Hungarian war campaign via Serbia against the sultan's armed forces in 1437. Driving away the Hungarian army within the following two years, the Ottomans would conquer almost the whole of Serbia. When at the end of spring in 1439, after almost three months of siege, the sultan's army finally took Smederevo, the Serbian Despotate fell into the Ottomans' hands for the first time. That same year, all Djuradj's mints stopped working, except for the one in Novo Brdo. After months of siege, Novo Brdo surrendered too in 1441 when The Ottomans stormed it.

5. The loss of monetary autonomy

When the capital Smederevo fell into the Ottoman hands for the first time in 1439 Serbia temporarily lost its internal autonomy, to regain it only in 1444. On the other hand, when the same destiny befell Novo Brdo in 1441 Serbia lost its monetary autonomy likewise, that is, minting of silver *dinars* was discontinued, for the first time since 1270s. Djuradj Branković no longer had his capital city, mines or mints so he deposited his treasure in Dubrovnik and took refuge in Hungary. The only mint in Serbia that continued operating under the Ottoman rule was the one in Novo Brdo. Ottoman imperial minting supervisor, so called *emin,* was appointed there in 1441 and he organised minting of silver *akçe* coins that carried the name of Sultan Murad II and markings of a new Ottoman mint *Novar.*(S. Srećković, 1987, pp. 53-55).

Following several defeats in a row sustained by the Ottoman army in clashes with the Christian forces in 1442 and 1443 Murad II agreed to return to Despot Djuradj his state in 1444. Djuradj came back to Serbia and made a peace deal with Murad II whereby Djuradj promised to fulfil all vassal duties within the following ten years. In return, sultan re-established all the autonomous rights Djuradj enjoyed before, including the monetary autonomy. Despot Djuradj regained the control of some important mining centres and towns where mints were situated, so now, after four years, he was once again in a position to continue

national money minting. Serbian coin minting was renewed exclusively in the mints inland as in 1443 Venetians had conquered the entire coast, from Kotor to Bojana. Thus, after several centuries, Serbian state had lost exit to the sea, whereby Serbian money minting business lost important minting centres, such as Kotor and Ulcinj.

Following regaining of the state, Despot Djuradj renewed coin minting in Novo Brdo, as well as in Smederevo and Rudista. For the first time after four years minting of the Ottoman *akçe* in Novo Brdo stopped. The allegation that Despot Djuradj, apart from silver dinars, also had Ottoman *akçe* minted is unfounded (S. Dimitrijević, 1997, p. 20). It had never happened in the European part of the Ottoman Empire that sultan conceded to any vassal a part of his monetary sovereignty. The sultan's vassals' monetary autonomy in this part of the Empire had always encompassed exclusively their right to mint their own coins, never Ottoman ones (S. Pamuk, 2000, pp. 88-95).

Between 1444 and 1448 the minting centre in Srebrnica was alternately in the hands of the Bosnian king Tomaš or a part of Djuradj's state. Regional changes in autonomy holders under the Ottoman suzerainty affected coin minting in the Srebrnica mint. Between 1446 and 1448 when the Bosnian king temporarily ruled Srebrnica Despot Djuradj minted coins together with him. However, between 1448 and 1458, when Srebrnica was a part of Serbian Despotate throughout, only Serbian coins were minted there.

Though Djuradj Branković regained his right to mint his coins in 1444, he had neither political nor economic power anymore to renew Serbian monetary autonomy in the full sense of the phrase. At the time, one of the crucial characteristics of the monetary situation in Serbia was great presence of Ottoman coinage in circulation. Ottoman silver *akçe* appeared in circulation in Serbia after the Battle of Kosovo, during the reign of sultan Bayezid I, and during the rule of Murad II *akçe* coins were in parallel use with Despot Djuradj Branković's *dinars*. This could be accounted for both politically and economically. The Ottomans finally introduced their own monetary system in Serbia following the definitive conquest of the south of Serbia in the 1430s. However, Ottoman *akçe* coins soon appeared in circulation also in those regions regained by Djuradj in 1444 as Djuradj's mints had no capacity to satisfy the demand for specie. This is corroborated by the enormous presence of Ottoman copper *mangirs* in circulation that served for everyday small transaction payments (V. Ivanišević, V. Radić, 2004, pp. 234-236).

As soon as after sultan Murad II died in 1451, Mehmed II (1444-1445, 1451-1481) who acceded to the Ottoman Empire throne decided to subject the remaining Christian Balkan states. The fall of Constantinople in 1453 cleared his path towards the fulfilment of this intention. After 10 relatively peaceful years, in July 1454 Ottoman army attacked Serbia. The consequences of Mehmed's wars were fatal for Djuradj's state. The country was desolated, citizens scattered and redu-

ced, there were no more conditions to conduct peaceful trade whatsoever. For all these reasons, there can be no more talk about Serbian monetary autonomy in the period between Mehmed's conquests in 1454 until the final fall of Serbian Despotate in 1459. Only sporadic minting of silver *dinars* was in place in this period.

On the 1st of June in 1455, after a two-month siege, the Ottomans conquered Novo Brdo. The second fall of Novo Brdo marked the end of Serbian medieval minting at this that far most important Serbian mint of the time. The Ottomans then organised silver *akçe* minting anew, and now these were the coins of Mehmed II (S. Srećković, 1987, p. 53) By means of peace accord from 1455 between Mehmed II and Djuradj Branković, Serbian Despotate was confined to its northern part: it covered regions between the rivers Western Morava and The Danube. Its political and economic life was predominantly linked to the capital Smederevo where there was a mint operating until the capital's final fall into the Ottoman hands. At this mint Despot Djuradj had silver *dinars* and silver *obols* minted until his death in 1456. His son Despot Lazar (1456-1458) continued minting coinage. After the assassination of Despot Lazar in January 1458 for a short period of time his blind brother Despot Stefan ruled in Smederevo. He had his own coins minted so that "a spark of the state spiritual life was maintained under the last Serbian ruler" (M. Spremić, 1994, p. 525). Serbian last medieval *dinars* and *obols* minted in Smederevo weighed 0.99 and 0.22 grams respectively (M. Ivanišević, 2001, p. 193, 194). When Smederevo fell in the Ottoman hands in 1459 Serbia lost its monetary autonomy that was to be renewed as late as in the 19th century.

Conclusion

The right to mint coinage was one of grand ruling rights in the middle ages. Thus, this right was centralized in medieval Serbian State as long as the rulers were strong enough to oppose to the interests of local feudal landlords and ottoman suzerains. Disintegration of the monetary system of medieval Serbia started in 1355, only after the unexpected death of Tsar Dušan and lasted almost a century, to 1349, until Serbian Despotate was concurred by Ottomans. Thus the process of monetary system disintegration coincided with the dissolution of the State. During that long period, Serbian silver currency *dinar* had experienced alternatively debasements and restorations. It had been minted by local feudal landlords who usurped the ruling right to mint coinage as well as by rulers from Lazarević and Branković families who tried albeit unsuccessfully to restore the unified monetary system. The economy suffered continuously from instability. This can be proved best with the fact that this period was characterized by phenomenon of retrograde custom of frequent turning backwards to using weighted silver instead of silver coinage as unit of account in everyday economic transactions.

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DEZINTEGRACIJA MONETARNOG SISTEMA SREDNJOVEKOVNE SRBIJE

S a ž e t a k

Predmet ovog rada je analiza procesa postepene dezintegracije monetarnog sistema srednjovekovne Srbije tokom druge polovine 14. i prve polovine 15. veka. Ovaj period karakteriše pojava čestih uzurpacija vladarskog prava kovanja novca od strane lokalnih feudalnih gospodara i pokušaja vladara iz porodica Lazarević i Branković da restauriraju unificirani monetarni sistem. Česte pojave smanjivanja i povećavanja vrednosti srebrnog novca uzrokovale su ekonomsku nestabilnost i iniciale povratak na retrogradni običaj korišćenja merenog srebra umesto kovanog novca kao mere vrednosti u sistemu robne konvertibilnosti. Cilj ovog rada je da se objasne razlozi ovakvih pojava. Primenjena je kvalitativna, istorijsko empirijska analiza u kojoj se posmatraju nosioci prava kovanja novca i njihove odluke o smanjivanju i povećavanju vrednosti novca. Analiza je pokazala da je postepena dezintegracija monetarnog sistema srednjovekovne Srbije, koja je trajala sve do pada Srpske Despotovine bila posledica političke nestabilnosti prouzrokovane raspadom srpske carevine i finansijskim iscrpljivanjem Srbije od strane osmanlijskih sizerena.

Ključne reči: pravo kovanja novca, robna konvertibilnost, smanjivanje I povećavanje vrednosti srebrnog dinara, Srpska Despotovina, osmansko sizerenstvo

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UKLJUČIVANJE POSTSOVJETSKIH DRŽAVA U *STO* – ŠANSE I IZAZOVI AGRARNOM SEKTORU[***]

Rad istražuje prednosti i izazove sa kojima se suočava poljoprivreda, kao najosetljiviji sektor privreda postsovjetskih država koje su pristupile Svetskoj trgovinskoj organizaciji. Ključni delovi rada istražuju dosadašnje efekte koje su nova trgovinska pravila donela agrarnom sektoru Rusije, Ukrajine, Kirgizije, Moldavije, Jermenije, Gruzije.

Istraživanje je pokazalo da su efekti prijema u STO na poljoprivrede postsovjetskih država, suprotno prognozama i očekivanjima, uglavnom negativni. Poljoprivreda koja je imala najviše šanse da ostvari benefite liberalizacijom trgovine, u svim zemljama, osim nekih segmenata u Rusiji, beleži značajan pad proizvodnje i izvoza. U Rusiji su kontrasti između očekivanja i efekata najnaglašeniji. Agrarni sektori sa najboljim prognozama, kao i u drugim državama kontinuirano slabe, dok su oni najslabiji zabeležili rast proizvodnje.

Istraživanje se fokusira na objašnjenje načina na koji su u ovim sektorima ruske poljoprivrede izbegnuti očekivani negativni efekti, što bi pružilo korisne pouke budućim članicama STO. Neočekivani rezultati, kako istraživanje pokazuje, rezultat su mera koje je Rusija preduzela pre prijema u STO, prednostima koje je ugovorila tokom samih pregovora i treće, praktičnim potezima prilikom implementacije novih pravila.

Ključne reči: postsovjetske privrede, STO, poljoprivredna proizvodnja, trgovina poljoprivrednim proizvodima,

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Uvod

Svetska trgovinska organizacija (*World Trade Organization, WTO*) ima presudan značaj u promovisanju liberalne svetske trgovine i nadzoru trgovine robom i uslugama zemalja članica. Model liberalne međunarodne trgovine predviđen STO, podrazumeva da se države članice odriču suvereniteta u vođenju spoljnotrgovinske politike, a zauzvrat dobijaju povlastice koje proističu iz članstva u organizaciji. Trgovinska liberalizacija zemljama članicama može doneti brojne pogodnosti samom činjenicom da im je omogućen izvoz u razvijene zemlje, pod jednakim uslovima i pravima. Ipak, brojna ograničenja koja ova pravila nameću privredama zemalja članica, kao često pogađaju njihove najosetljivije sektore.

Rusija i druge zemlje postsovjetskog prostora, zatražile su članstvo u ovoj organizaciji odmah po raspadu Sovjetskog Saveza, videći tu svoju šansu za uspešnu tranziciju i integraciju u globalne trgovinske tokove. Neke od njih su veoma rano primljene u STO, neke su još uvek u procesu prijema. Tako je, na primer, Kirgizija postala član za 3 godine, a Rusija posle čitavih 18 godina.

Cilj ovog istraživanja je da utvrdi kakve su promene Rusija i druge postsovjetske države prihvatile stupanjem u STO, u kojoj meri ih primenjuju i najvažnije, kakve (merljive) efekte pojedina ograničenja i mogućnosti imaju na različite segmente njihove poljoprivrede. Istraživanje obuhvata samo agrarni sektor, u kome su u ovim zemljama očekivani najznačajniji pozitivni efekti liberalizacije. Njihove poljoprivrede, iako opterećene brojnim slabostima, svojom masovnom proizvodnjom zasnovanom na ogromnim prostranstvima dostupnog poljoprivrednog zemljišta, predstavljaju glavni adut ovih zemalja na svetskom tržištu. Budući da su industrija i sektor usluga bili nekonkurentni i pre raspada SSSR, a potom dodatno oslabljeni tranzicionim procesima, poljoprivreda je jedini segment koji postsovjetskim privredama daje izvesne šanse u globalnoj utakmici.

Zadatak istraživanja je da se na osnovu iskustava ovih država izvuku pouke za Srbiju, koja je na pragu prijema u STO, ali još uvek ima šansu da u pregovorima postigne nešto povoljnije uslove i da prihvaćene uslove prilagodi svojim interesima. Kako uvid u ključne pokazatelje pojedinačnih agrarnih sektora upućuje na pretpostavku da su efekti prijema u STO značajno različiti i daleko nepovoljniji od prognoziranih, zadatak istraživanja je da utvrdi najbolje solucije za realizaciju benefita i eskiviranje zamki koje donosi liberalizacija ovog osetljivog sektora po otvaranju privrede.

Istraživanjem su obuhvaćene države postsovjetskog prostora koje su primljene u STO, Kirgizija, Moldavija, Ukrajina, Gruzija, Jermenija i Rusija. Odabrana grupacija država ima sličnu centralno-plansku prošlost kakvu je imala Srbija, ali i značajne poljoprivredne kapacitete, koji bi trebalo da im obezbede međunarodnu ulogu dobavljača hrane. Iz istraživanja je izuzeto nekoliko postsovjetskih država koje nisu članovi, već samo posmatrači u STO, izuzet je Tadžikistan koji je primljen u STO tek 2013. godine, tako da su efekti još uvek

nemerljivi, kao i Baltičke republike, Estonija, Letonija i Litvanija, koje nisu predmet istraživanja, zbog drugačijih komparativnih prednosti i različite političke pozicije u momentu prijema u STO.

Tabela 1: *Postsovjetske države i vreme pristupa u STO*

Država	Početak procesa pristupanja (formiranje radne grupe)	Datum pristupanja STO	Status
Estonija	Mart 1994.	13 novembar 1999.	Član
Letonija	Decembar 1993.	10 februar 1998.	Član
Litvanija	Februar 1994.	31 maj 2001.	Član
Kazahstan	Februar 1996.		Posmatrač
Kirgizija	April 1996.	20 decembar 1998.	Član
Tadžikistan	Maj 2001.	2 mart 2013.	Član
Uzbekistan	Decembar 1994		Posmatrač
Turkmenistan			Pred otpočinjanjem procesa pregovora
Gruzija	Jul 1996.	14 jun 2000.	Član
Jermenija	Decembar 1993.	5 februar 2003.	Član
Azerbejdžan	Jul 1997.		Posmatrač
Ukrajina	Decembar 1993.	16 maj 2008.	Član
Belorusija	Oktobar 1993.		Posmatrač
Moldavija	Decembar 1993.	26 jul 2001.	Član
Rusija	Jun 1993.	22 avgust 2012.	Član Izvor: Autor prema podacima STO

1. Očekivani efekti pristupanja Svetskoj trgovinskoj organizaciji

Pretpostavke o benefitima ulaska u STO većine postsovjetskih privreda su zajedničke skoro svim analitičarima, naučnicima i ekspertima, domaćim i stranim. Pozitivni efekti za postsovjetske privrede su očekivani u nekoliko segmenata. Smatra se da bi prilagođavanje pravilima liberalne trgovine dovelo do poboljšanja poslovne klime, privlačenja stranih investicija, modernizacije privrede i više poslovnih mogućnosti za domaće kompanije. U pogledu poljoprivrede, obavezne mere sanitarnog i fitosanitarnog sistema bi trebalo da omoguće poljoprivredama ovih država da ostvare bolju saradnju sa drugim, razvijenijim državama i da ostvare napredak na polju bezbednosti prehrambenih proizvoda, u čemu su u velikoj meri zaostajale.

Najviše koristi od pristupanja STO trebalo bi da imaju domaći potrošači, zbog mogućeg pada životnih troškova kao posledice ukidanja trgovinskih barijera. Očekivano je pojeftinjenje ne samo uvoznih proizvoda i usluga, već i domaćih artikala, posebno onih u čijoj se proizvodnji koriste uvozne sirovine.

Ono što STO predviđa kao pozitivan efekat, mada se države članice retko slažu s tim, tiče se transformacije državne podrške poljoprivredi. Smanjenje i čak ukidanje državne pomoći bi trebalo da omogući napuštanje uobičajene loše prakse subvencionisanja kamate na kredite i da spreči mogućnost da se uzimaju krediti za fiktivne poslovne planove. Ova transformacija bi takođe trebalo da da novi impuls razvoju proizvodnje.

Negativni efekti prijema u STO su bili tema u naučnoj i stručnoj javnosti samo u slučaju Rusije. Kirgizija i Moldavija su primljene relativno rano, 1998. i 2001. godine, kada se još činilo da je kopiranje modela privreda liberalnog zapada jedini ispravan tranzicioni put, te se pitanje o eventualnim negativnim efektima nije ni postavljalo.

2. Iskustva Rusije

Nakon 18 godina pregovora, Rusija je 22 avgusta 2012. godine postala punopravna članica Svetske trgovinske organizacije. Prijem Rusije u STO, kao najveće i najsnažnije privrede i politički ključnog subjekta sa ovih prostora ispoljio je izvesne specifičnosti u odnosu na druge članice.

Prva specifičnost su povoljniji uslovi pod kojima je primljena u STO nego što su predviđeni standardima ove organizacije i koji su važili za druge članice. Pregovori su trajali bezmalo dve decenije upravo zato što im je Rusija pristupila sa izuzetnom ozbiljnošću, upornošću i strategijskom veštinom, kojima je izdejstvovala bolje startne uslove.

Druga specifičnost je da su efekti prijema Rusije u STO na rusku poljoprivredu, u najvažnijim segmentima potpuno suprotni očekivanjima i prognozama. Zahvaljujući „snalažljivosti", odnosno zaobilaženju obaveza predviđenih članstvom u STO, ruski sektor stočarstva, kome su prognoze bile potpuno pesimističke, nastavio je uspon koji je započet nekoliko godina pre pristupanja u STO. Izostanak mnogih očekivanih negativnih efekata je takođe rezultat toga što je realizaciji sporazuma pristupila promišljeno kao pri pregovorima o uslovima.

Pored očekivanih pozitivnih efekata prijema u STO, koji su zajednički za sve postsovjetske privrede, za Rusiju su neki autori imali konkretnija pozitivna predviđanja. To se pre svega odnosilo na povećanje izvoza žitarica. Po procenama grupe autora sa Univerziteta Sankt Peterburg (ITC 2012, 9) Rusija kao veliki izvoznik ratarskih proizvoda, kao sto su pšenica i ječam trebalo bi da profitira od ovog članstva. Zbog unapređenja sanitarnih mera i samog članstva u STO, po njima, trebalo bi da dođe do blagog povećanja izvoza, pa se predviđa da

izvoz ruskog žita bude oko 25 miliona tona, a da se ukupni izvoz poljoprivrednih proizvoda poveća sa 15% na 17%.

S druge strane, negativna očekivanja su bila brojnija. Tokom čitavog pregovaračkog procesa u RF postojao lobi koji se protivio pristupanju u STO, što je u određenoj meri i uticalo na rekordnu dužinu procesa. Njihov glavni argument je da jedna mlada privreda kao što je u tom trenutku bila ruska, najpre mora dovoljno da ojača i zaštiti se, pre nego što bude spremna da izađe na izuzetno konkurentno globalno tržište. Privredna komora Rusije strahovala je od mogućnosti da ulazak stranih proizvoda sa niskom cenom može da bude poguban po domaću industriju, poljoprivredni sektor je strahovao od smanjenja subvencija, a sektor usluga od opasnosti veće kontrole intelektualne svojine i zabrane piraterije koja je u tom trenutku bila izuzetno ukorenjena u ruskom društvu.

Iskustva drugih postsovjetskih privreda sa članstvom u STO, u godinama koje su usledile, samo su ojačavala ovakve stavove, a negativna očekivanja je podržala i kriza na globalnom tržištu, koja je povećala rizik povezan s obavezama koje je Rusija preuzela.

Opšta saglasnost u svim prognozama (ITC, 2012; Global Counsel; Erokin, Ivolga, 2013; Kiselev, Romaškin, 2012) su bila da će, kao odgovor na tražnju domaćih potrošača, uvoz nadmašiti domaću proizvodnju i da će se značajno povećati uvoz iz Evrope i Amerike, posebno prehrambenih proizvoda. Posebno pesimističke prognoze su imali ruski proizvođači, ali i stručnjaci. Ruski predsednik Vladimir Putin je takođe više puta naglasio da se Rusija, posle ulaska u Svetsku trgovinsku organizaciju, suočava sa povećanim rizicima, prvenstveno u pogledu smanjenja uvoznih carina na određenu robu.

Pored toga, negativni efekti su očekivani zbog redukovanih subvencija i zaštitnih mera države. Kako mnoge farme zavise od pomoći države, najbrži i najdramatičniji negativni efekti od članstva u STO su se očekivali upravo u poljoprivredi.

Za sektor stočarstva, naročito proizvodnju svinjskog mesa, očekivale su se najteže posledice od pristupanja u STO. Naime, sektor proizvodnje mesa je do 2010. godine predstavljao jedan od najslabijih sektora čitave ruske privrede. Sa rastom privrede rastao je i standard građana, time i domaća tražnja, što je dodatno uvećavalo uvoz mesa iz zemalja u razvoju. Zato je Ruska federacija još uvek veoma zavisna od uvoza stočarskih proizvoda. Dve godine pred prijem u STO, zahvaljujući velikim ulaganjima, ovaj sektor je zabeležio značajan rast proizvodnje. Zbog smanjenja carina na uvoz stoke po ulasku u STO, bilo je realno očekivati, a takve su bile i prognoze, da većina proizvođača neće izdržati udar konkurencije, da će ovaj sektor doživeti najozbiljnije udarce liberalizacije uvoza (Global Counsel, 2013). Prognoze predstavnika ruskih sindikata su se kretale do čak trostrukog uvećanja do 2020. godine (Bloomberg, 2012) posebno u sektoru svinjogojstva, u kome su potpuno ukinute kvote.

Po ulasku u STO, već krajem 2012. godine, uvoz svinjskog mesa je, kako je prognozirano, zaista značajno povećan na skoro rekordnih 750 000 tona (Karlova, 2013, p. 39). Međutim, godinu dana nakon pristupa u STO, uvoz mesa, a posebno svinjetine je primetno opao. Uvoz svinjskog mesa je sa 1070 metričkih tona u 2012. godini, već 2013. opao na 900 MT (USDA), što je smanjenje veće od 10%. Uvoz svinja je opao drastično, sa 782 000 grla u 2011. na 334000 u 2012., a zatim na samo 85000 u 2013. godini (USDA). Uvoz goveda je takođe u blagom opadanju. Ukupan uvoz svežeg i smrznutog svinjskog i govođeg mesa je 2013. godine bio manji za 14,2 %, živinskog za 7,5%, ribe za 3,5% (ROSSTAT).

Potpuno neočekivano smanjenje uvoza je posledica otkazivanja preferencijalnog aranžmana Carinske unije sa zemljama u razvoju, posebno Brazilom iz koga je RF imala ogroman uvoz, a s druge strane, velikih restrikcija koje je RF uvela zemljama Severne i Latinske Amerike i Evropske unije pod izgovorom sanitarne zaštite. Naime, Sjedinjenim Državama, Brazilu i drugim zemljama Latinske Amerike, Rusija uvodi zabranu uvoza svinjskog, govođeg i ćurećeg mesa pod izgovorom zaštite od reptopamina[1]. Slično ovome, Rusija je 4. februara 2013. godine uvela zabranu na uvoz smrznutog mesa živine, govedine i svinjetine iz Nemačke, takođe zbog neispunjavanja zdravstvenih i sanitarnih uslova. Od 20. marta 2012. godine na snazi je zabrana uvoza u Rusiju živih svinja iz Evropske unije, uključujući i Nemačku. Kasnije se zakon proširio i na proteinsku hranu za stoku. Zakon je uveden navodno zbog brojnih epidemija u zemljama EU, koje je izazvao virus Šmalenberg i rasprostranjenosti virusne bolesti – Blutong (Stanojević, 2014).

Sve ove zabrane su izuzeci dozvoljeni pravilima STO. Prema tekstu zakona GATT iz 1947, član XX «...ovakve mere se ne primenjuju na način koji bi predstavljao sredstvo proizvoljne i neopravdane diskriminacije među državama, već radi zaštite zdravlja ljudi, životinja ili biljaka...“ (WTO).

Nema sumnje da Rusija brine o bezbednosti hrane, ali je jasno da ova pitanja koristi u svrhu zaštite svojih ekonomskih interesa, boreći se za samodovoljnost u proizvodnji hrane.

S druge strane, Rusija ne bi bila u prilici da zabranjuje uvoz poljoprivrednih proizvoda kad ne bi mogla da zadovolji domaću tražnju iz sopstvene proizvodnje. Za relativnu samodovoljnost ruskoj poljoprivredi je, bez obzira na značajan rast poslednjih godina, još uvek potrebna pomoć države. Pravilima STO je ona znatno smanjena, ali Rusija i dalje izdvaja značajna sredstva u okviru tzv. Zelene kutije. Rusija je u julu 2012. godine usvojila *Program razvoja poljoprivrede za period 2013-2020* (Vassilieva, 2012) prema kome se planira podrška poljoprivredi od oko 76 milijardi $ u ovom periodu, pri čemu se ni jedan sub-program ne sukobljava sa pravilima STO, već se svi osnovi za finansiranje poljoprivrede mogu podvesti pod odredbe *zelene kutije*. Napomenimo da je programom za prethodni period 2008-2012 bio predviđeno 37 milijardi dolara, odnosno dvo-

[1] Supstanca kojom se tretiraju domaće životinje i za koju je naučno dokazano da je neškodljiva, ali je i dalje zabranjena u oko 160 zemalja, uključujući zemlje EU, Kinu i Rusiju.

struko manje nego što je predviđeno za naredni period. Na vrhu prioriteta i dalje se nalazi stočarstvo.

Smanjenje uvoza već ima veoma pozitivne efekte na proizvodnju stoke u Rusiji, koja je u 2012. ostvarila neočekivan rast proizvodnje za 3,4% na 2,4 milijarde tona (Karlova N. 2013, 40). Trend se nastavio i u 2013. godini, posebno su veliki rast proizvodnje ostvarile korporativne farme, na kojima je već u prvoj polovini proizvedeno 257,4 tone više nego 2012. godine (ROSSTAT).

U sektoru proizvodnje mlečnih proizvoda, situacija je daleko lošija. Već početkom 2013. godine je zabeležen pad cena za 3-5% kao posledica povećanja uvoza za prosečno 20%, a u nekim kategorijama proizvoda uvoz je povećan za čitavih 33% (Global Counsel, 2013).

Koliko su prognoze bile neosnovane u pogledu negativnih posledica za stočarstvo, toliko su nerealna i pozitivna očekivanja u pogledu proizvodnje i izvoza žitarica. Proizvodnja kukuruza jedina ostvaruje značajne uspehe, dok su izvoz pšenice i ječma i proizvodnja ječma u opadanju od ulaska u STO.

Proizvodnja žitarica, naročito pšenice je sektor koji je imao najviše šanse da napreduje zahvaljujući pristupanju STO. Pozitivne prognoze o tome date su imajući u vidu da je Rusija i pre toga bila veliki proizvođač i značajan izvoznik, i da bi slobodan pristup drugim, naročito bogatijim tržištima omogućio lakši i veći i izvoz. Međutim, ni proizvodnja, ni izvoz žitarica se nisu povećali, već smanjili.

Tabela 2: *Ruska proizvodnja pšenice i ječma (000 MT)*

	2009/10	**2010/11**	**2011/12**	**2012/13**	**2013/14**
Proizvodnja pšenice	61770	41508	56240	37720	52100
Izvoz pšenice	18556	3983	21627	11289	16500
Proizvodnja ječma	17881	8350	16938	13952	15000
Izvoz ječma	2086	969	3668	2366	2500

Izvor: autor prema podacima USDA 2014

Izvoz pšenice je iznosio oko 21,6 mlrd metričkih tona u godini pre prijema Rusije u STO. Već u prvoj godini 2012/13 je gotovo prepolovljen na 11,3 mlrd, da bi u 2013/14 nešto povećan na 16,5 mlrd, što je još uvek znatno manje nego pre primene novih pravila (Tabela 1). Sličan je odnos sa izvozom ječma, koji je druga po značaju žitarica u Rusiji.

Izvoz drugih žitarica, ovsa i raži je u blagom porastu ili stagnaciji u Rusiji kao u Ukrajini, ali ovaj trend se može pratiti čitavu deceniju unazad (USDA 2014) i nije vezan za pristupanje u STO.

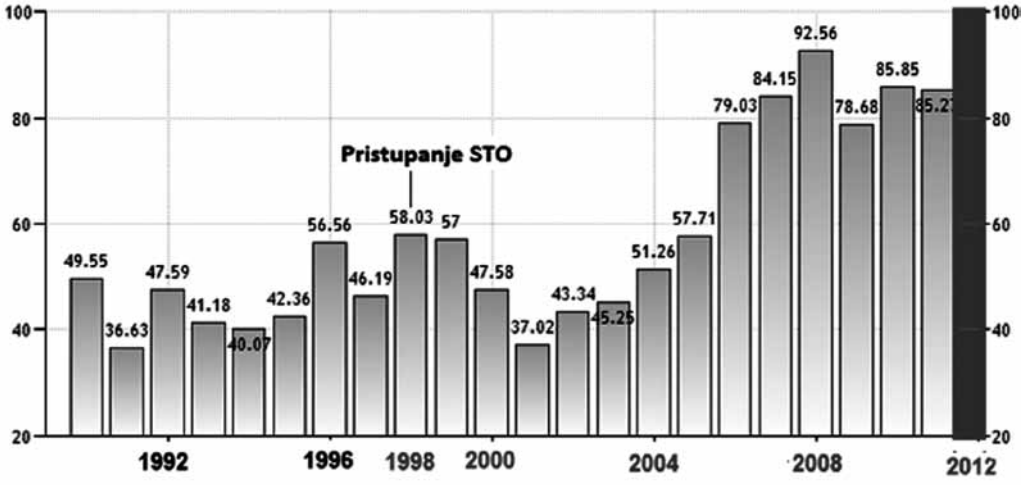
Pesimističke prognoze ruskih analitičara, potpuno su se ostvarile u sektoru mleka i mlečnih proizvoda, u kome je došlo do enormnog povećanja uvoza od 20% do preko 30%. Ovo je sektor u kome su predviđena izdvajanja iz „zelene kutije" daleko manja nego za stočarstvo, a sanitarne službe nisu imale osnov da

zabrane uvoz, tako da je upravo ovo slika šta bi se desilo i sa ostatkom ruske poljoprivrede da su standardi STO u potpunosti primenjeni.

3. Iskustva ostalih postsovjetskih privreda u STO

Kirgizija - Uspostavljanje jednakih uslova za domaće i strane proizvode na domaćem tržištu je jedan od najvažnijih uzroka negativnih posledica članstva u STO na privredu Kirgizije. Pristupanjem u STO 1998. godine domaće tržište je zatvoreno za investicije, a otvoreno za uvoz proizvoda. To je dovelo do sve veće sirovinske orijentacije privrede Kirgizije i produženja ekonomske recesije u svim sektorima, naročito u poljoprivredi koja je dominantna privredna grana. Ulaskom u STO, Kirgizija je morala da odustane od izvoznih subvencije za domaću poljoprivrednu proizvodnju, da ukine kvote za uvoz poljoprivrednih proizvoda i da uvozne carine ograniči na 10%. Već u prvoj godini, uvoz Kirgizije, koji je do tada prosečno iznosio oko 45% BDP, uvećava se na 58%, opada u naredne dve godine, a potom nezaustavljivo raste do 92,5% BDP u 2008. godini. Neznatno opada u naredne dve godine, da bi 2012. godine dostigao 100% BDP (Grafikon 1).

Grafikon 1: *Rast uvoza u Kirgiziji po pristupanju u STO*



Izvor: autor prema podacima Svetske banke[2]

Kirgizija, uprkos veoma dugom članstvu u STO, od 1998. godine, ima najslabije ekonomske indikatore među zemljama ZND.

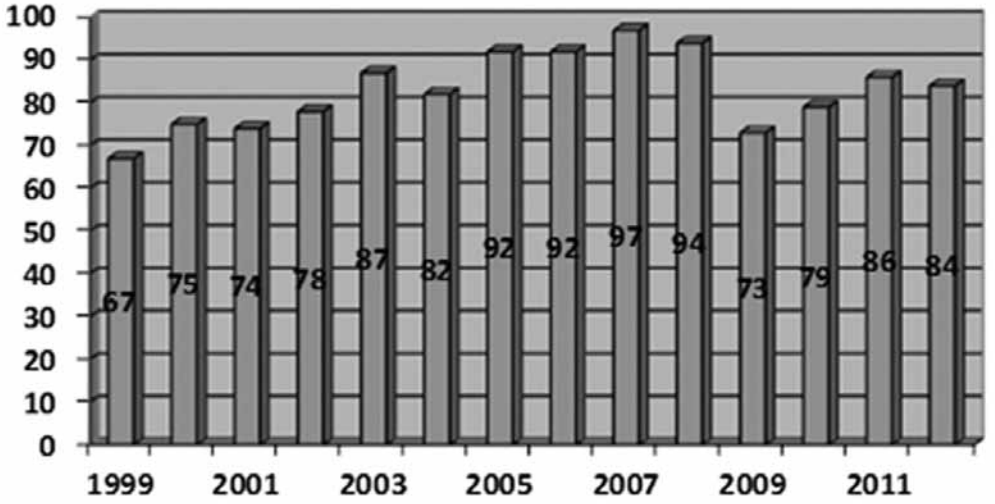
Poljoprivreda u *Moldaviji* takođe predstavlja glavni stub privrede, koji je uvek uživao značajnu podršku države. Ulaskom u STO 2001. godine, Moldavija

[2] World Bank indicators, http://data.worldbank.org

je uspela da sačuva izvestan obim subvencija za poljoprivredu, ali je preuzela obavezu da njihov obim smanji na 16% i to samo tokom četiri godine.

Tokom prvih godina nakon pristupanja STO, situacija u poljoprivredi Moldavije se pogoršavala: stope rasta su usporavale, a obim proizvodnje smanjen za 14% . Od 2008. godine situacija se delimično stabilizovala, tačnije uvoz je prestao da raste od 2007. kada je dostigao 97% BDP, mada je još uvek veoma visok i iznosi 84% BDP (Grafikon 2). Ulaskom STO, Moldavija je planirala da dobije širi pristup svetskom tržištu poljoprivrednih proizvoda, posebno za svoj glavni izvozni proizvod - alkoholna pića. Ta očekivanja su se uglavnom ostvarila, obim izvoza se udvostručio od pristupanja u STO, a posebno izvoz u zemlje izvan ZND. Ali, su zato prehrambeni proizvodi, koji su ranije bili tradicionalni moldavski proizvodi, postali glavni deo uvoza.

Grafikon 2: *Uvoz Moldavije (% BDP)*



Izvor: Autor prema podacima Svetske banke

Tržište *Ukrajine* je, po pristupanju STO 2008. godine, zbog liberalizacije uvoza, u kratkom periodu bilo preplavljeno uvoznim poljoprivrednim i prehrambenim proizvodima. Od pristupanja STO, konstantan je rast ukupnog uvoza i smanjenje izvoza. Prema podacima Svetske banke, u prvoj godini po pristupanju u STO, uvoz je iznosio 48% ukrajinskog BDP, zatim 54% i 61% BDP. Problem se zapravo ne odnosi toliko na privredu u celini, koliko na poljoprivrednu proizvodnju, jer su glavni izvozni proizvodi industrijski, a oni beleže rast izvoza. Dakle, ogroman udeo u rastu uvoza ima uvoz poljoprivrednih proizvoda. Najveće posledice je pretrpela industrija mesa, jer je uvoz mesa učestvovao sa oko 43% u strukturi povećanja, dok je uvoz voća i povrća uvećan 4,2 puta između

2005. i 2011. godine. Ukupan obim uvoza mesa je uvećan 6,5 puta od ulaska u STO, maja 2008. do 2012. godine, uvoz svinjetine je uvećan skoro tri puta . Izvoz žitarica, kao jednog od glavnih izvoznih proizvoda Ukrajine, takođe opada iz godine u godinu.

Tabela 3: *Ukrajinska proizvodnja i izvoz pšenice i ječma (000 MT)*

	2009/10	2010/11	2011/12	2012/13	2013/14
Izvoz pšenice	9337	4302	5436	7190	10000
Proizvodnja pšenice	20866	16844	22324	15761	22000
Proizvodnja ječma	11833	8484	9098	6935	7500
Izvoz ječma	5752	2446	2166	2659	2500

Izvor: Autor prema podacima USDA (2014)

Izvoz drugih žitarica, ovsa i raži je u blagom porastu ili stagnaciji, ali ovaj trend se može pratiti čitavu deceniju unazad (USDA 2014) i nije vezan za pristupanje u STO.

Ukrajina je dodatno 2011. godine ukinula kvote na uvoz alkoholnih pića, što je dovelo do rasta uvoza ovih proizvoda i smanjenja domaće proizvodnje vina za 41,3%. Prema analizi FAO (FAO - Ukraine), u Ukrajini su posle 2009. godine značajno porasla vrednost uvoza stočarskih i mlečnih proizvoda, što je s jedne strane posledica smanjivanja carinskih barijera, a s druge, posledica Svetske finansijske krize. Kako se navodi u izveštaju FAO, pristup u STO, pored potencijalnih benefita, „donosi brojne izazove, koji se mogu prevazići modernizacijom poljoprivredne politike i novim pristupom domaćoj podršci" (FAO – Ukraine, p. 14).

U svakom slučaju, sama vlada Ukrajine, koja ima najbolju procenu prednosti i nedostataka koje joj je donelo članstvo u STO, u septembru 2012. godine je podnela zahtev za reviziju preuzetih obaveza u oblasti pristupu tržištu za 371 carinsku stavku koju je odobrila prilikom pristupanja u STO 2008. godine. Još uvek nisu poznati detalji, ali se zna da je ovde uključen ogroman broj poljoprivrednih proizvoda. Pravila dozvoljavaju ponovne pregovore o pristupnim uslovima, ali se oni obično koriste za manja tehnička prilagođavanja, a ne za sveobuhvatnu reviziju.

Učešće poljoprivrede u BDP *Gruzije*, koja je naglašeno poljoprivredna zemlja, konstantno opada od ulaska u STO 2000. godine. Sa preko 50% BDP, koliko je iznosila u prvoj polovini 1990-tih, opada na oko 20% od ulaska u STO do 2004. godine, a zatim se nastavlja strmoglavi pad učešća u privredi na oko 9% u periodu 2009 – 2014 (World Bank Indicator).

Jermenija je pristupila WTO 2003. godine i od tog perioda se ne primećuje značajnije opadanje učešća agrarnog sektora u privredi. Ono je iznosilo oko 25% pre ulaska u STO, u narednih nekoliko godina se smanjilo na 18-20%, da bi u 2012. i 2013. godine, iznosilo 22% (World bank indicator). Ni u slučaju Jermenije,

izostanak merljivih negativnih efekata ne znači da je članstvo u STO poštedelo nacionalnu poljoprivredu, već je posledica nepridržavanja pravila o liberalizaciji. Na primer, kada je Jermenija postala član STO, prihvatila je i promenila zakon o PDV po kome su domaći poljoprivredni proizvođači oslobođeni poreza na dodatu vrednost. Ipak, taj zakon još uvek nije stupio na snagu (WTO - Armenia), tako da je domaći agrar još uvek relativno zaštićen od inostrane konkurencije. Slično je i sa uvoznim carinama i tehničkim pravilima (WTO - Armenia).

Zaključak

Iako razvijene zemlje imaju obavezu da otvore svoje tržište za proizvode iz Rusije i drugih zemalja ZND, ove države teško mogu da iskoriste ovu šansu, bar u oblasti prehrambenih i poljoprivrednih proizvoda. Dosadašnja iskustva Ukrajine, Kirgistana, Moldavije i drugih država postsovjetskog prostora koje su pristupile STO, ukazuju na izuzetno negativne efekte ovih aranžmana na poljoprivrednu proizvodnju. Neke od njih su ostvarile izvesne benefite u pogledu stranih investicija i tehnološkog napretka, ali u pogledu trgovine poljoprivrednim proizvodima, suočavajući se sa međunarodnom konkurencijom, sve ove države su manje ili više povećale uvoz, što je uslovilo pad poljoprivredne proizvodnje.

Kasniji ulazak Rusije u STO omogućio je ovoj zemlji priliku da analizira i izvuče pouke iz iskustva drugih postsovjetskih država - Ukrajine, Kirgizije, Moldavije, koje su znatno ranije pristupile Svetskoj trgovinskoj organizaciji. Verovatno su izazovi sa kojima su se ove privrede, posebno poljoprivrede, suočile zbog nagle liberalizacije trgovine, doveli do toga da Rusija bude znatno opreznija u pregovorima.

Kako su ruskim planerima iskustva ovih privreda bila na raspolaganju, verovatno je da su ona doprinela tome da Rusija duže i upornije pregovara o uslovima ulaska u STO, te se one u nekim segmentima razlikuju od uobičajenih pravila i obaveza koje zemlje preuzimaju pristupajući ovoj organizaciji. Dok su vlade ovih država pristupile STO uglavnom iz političkih razloga i ispoljile izvesnu naivnost kako u pregovorima, tako i u realizaciji sporazuma, ruska vlada je, zahvaljujući delom i iskustvima svojih suseda, pristupila pregovorima i realizaciji sporazuma u okviru STO sa izuzetnom ozbiljnošću i strategijskom veštinom.

Umesto smanjivanja državne podrške, Rusija je udvostručila državno finansiranje poljoprivrede, izbegavajući direktne zabrane STO, uvećavajući fond za programe iz „zelene kutije", koje STO ne zabranjuje. Dalje, smanjila je ili čak ukinula uvozne carine, po zahtevu STO, ali je na terenu zabranila uvoz mnogih poljoprivrednih, uglavnom stočarskih proizvoda iz pojedinih zemalja, pod izgovorom zdravstvene bezbednosti. Ovome redovno pribegavaju i zemlje osnivači STO, ali se ostale „mlađe" članice uglavnom nisu najbolje snašle u ovim nepravičnim odnosima.

Zahvaljujući dobro osmišljenoj i realizovanoj strategiji ruska poljoprivreda posmatrana u celini nije iskusila posebno negativne efekte prijema u STO, od čega su strahovali ruski eksperti i političari, ali se ne može govoriti ni o bilo kakvim benefitima. Ne možemo se složiti sa tezom Svetske banke i same STO da je za pozitivne efekte potrebno nekoliko godina. Ovo se možda odnosi na određene segmente privrede jedne zemlje, neke industrijske grane, strane investicije, modernizaciju, poboljšanje uslova poslovanja, ali poljoprivredna proizvodnja koja nekoliko godina tone pod uticajem daleko jače konkurencije, ima slabe šanse da se ikada oporavi.

Članstvo u Svetskoj trgovinskoj organizaciji ostaje nezaobilazan put ka intenzivnom uključivanju u globalnu privredu, ali primeri država na postsovjetskom prostoru pokazuju da prosperiraju samo one članice i samo oni sektori privrede u kojima se uspešnije zaobilaze njena pravila.

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THE INCLUSION OF POST-SOVIET COUNTRIES IN THE WTO
Opportunities and Challenges of the Agricultural Sector

S u m m a r y

The paper explores the benefits and challenges facing agriculture as the most sensitive sector of the post-soviet economies after joining WTO. The key parts of the paper investigate current effects that the new trade rules have brought to agriculture of Russia, Ukraine, Kirgizia, Armenia, Moldova and Georgia. It has been found that both groups of effects are very different, and in some segments totally opposite to forecasts and expectations. The sectors that have had the best chance to benefit from trade liberalization show a significant drop in exports, while the weakest ones record a growth in production. The research seeks to explain how the expected negative effects have been avoided, which would provide useful lessons for the future WTO members. The unexpected results, as research shows, come from the measures taken prior to admission to the WTO, then the advantages it agreed on during the negotiations and finally practical moves during the implementation of the new rules.

Key words: Postsoviet economy agricultural production, WTO, farm products trade

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PROBLEMATIČNI KREDITI - KAMEN SPOTICANJA REALNOG I FINANSIJSKOG SEKTORA

Rast i razvoj preduzeća zavise od pravilne selekcije i optimizacije finansijske strukture. Drugim rečima, uspeh kompanije određen je izborom kvalitetnih finansijskih sredstava i njihove ročne usklađenosti. U razvijenim privrednim i finansijskim sistemima kompanijama na raspolaganju stoji širok dijapazon izvora finansiranja: emisija sopstvenih akcija, obveznica, emisija drugih dugoročnih i kratkoročnih hartija od vrednosti, zaduživanje kod banka i alternativni izvori finansiranja. Međutim, tržišta zemalja u razvoju i nerazvijenih zemalja izvori finansiranja su svedeni na sopstvena sredstva ulagača i zajmove od bankarskih institucija. U tom kontekstu, neophodna je izgradnja stabilnog bankarskog sistema koji će pružiti podršku strateškom razvoju kompanije, sa jedne strane, i omogućavanju dnevne likvidnosti, sa druge strane.

Ključne reči: investicije, banke, likvidnost, problematični krediti, bankrotstvo, stečaj

1. Uvod

Načelno govoreći povoljan privredni ambijent omogućava kompanijama lakše ostvarivanje strateških i kratkoročnih poslovnih ciljeva, dok u situaciji nepovoljnog privrednog ambijenta, poslovanje kompanija suočeno je sa brojnim preprekama. Pre svega se misli na nedostatak novčanih sredstava za finansiranje budućih poslovnih poduhvata i nedostatak obrtnog kapitala za finansirane svakodnevnih poslovnih aktivnosti. Na makro-ekonomskom planu kompanije se suočavaju sa recesionim kretanjima, visokim realnim kamatnim stopama, skupim kreditima, padom kupovne moći, neadekvatnom makro-ekonomskom politikom i drugim nepovoljnim okolnostima. Navedene činjenice umnogome ugrožavaju opstanak kompanija i predstavljaju kamen spoticanja razvoja istih.

Sa druge strane u ovakvom makro - ekonomskom ambijentu i same banke imaju uzak manevarski prostor za odobravanje povoljniji kredita i zajmova stanovništvu i privredi. Banke kao finansijske institucije dolaze do kapitala prikupljanjem novčanih sredstava od stanovništva i ostalih deponenata.

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Konverzijom depozita u bankarski proizvod, kredit, plasiraju svoja sredstva stanovništvu, privredi i državi. Međutim, u uslovima recesije i pada privredne aktivnosti, nerazvijenosti finansijskog tržišta, zabeležen je izostanak mogućnost obavljanja atraktivnih poslova na tržištu kapitala. Trajni proces recesije dovodi u pitanje opstanaka realnog i finansijskog sektora. Loše performanse finansijskog sektora i nedostatak likvidnih sredstava povratnom spregom dovode realni sektor i stanvništvo u zonu smanjenje likvidnosti i situaciju izostanka dodatnih novčanih sredstava. Zatim, izostanak povoljnih finansijskih sredstava onemogućava kompanije da ostvare strateške ciljeve.

Stoga, privredni ambijent kao portfolio delovanja različitih makroekonomskih varijabli, opredeljuje smer kretanja i strateški pravac poslovanja kompanija. Nestabilni makoreknomski uslovi nose sa sobom izostanak priliva investicija, mogućnosti pribavljanja različite vrste kapiala, visok nivo rizika izostanak novih profitabilnih ideja kao i ograničen tok kretanja gotovog novca u privredi i njegovo izmeštanje van legalnih tokova. Za privredni rast i razvoj realnog i finansijskog sektora neophodno je kreirati poslovni ambijent koji je stabilan i doboljno stimulativan za sve učesnike. S tim u vezi, razvoj savremene tržišne ekonomije povezan je sa razvojem bankarstva i razvojem finansijskih institucija, jer finansijski sektor ima značajnu ulogu u tradicionalnim privrednim tokovima.

Kako bi se privredno okruženje odlikovalo zadovoljavajućim stepenom stabilnosti, neophodno je organizovati aktere i njihove međusobne odnose u jedan konzistentan sistem, koji će, vice versa, podsticajno delovati na usklađivanje odnosa pojedinaca i institucija unutar istog. U tom smislu, neophodno je da država ima aktivnu ulogu u uređivanju i usklađivanju tih odnosa, putem mera koje ima na raspolaganju, u funkciji konsolidacije budžetskog deficita i inflacije, uspostavljanja fiskalne stabilnosti, uravnoteženja kamatnih stopa i postizanja stabilnog rasta društvenog proizvoda. [1]

Stoga, propast banaka ima veći uticaj na privredu nego propast bilo koje kompanije, tako da inoslventnost i nelikvidnost banaka ne pogađa samo banke, nego i akcionare, dužnike, deponente i druge institucije koje pozajmljuju sredstva od banke.[2] Brojne analize su pokazale da su bankarska bankrotstva štetnija za privredu od bankrotstava drugih vrsta finansijskih institucija, jer se likvidacija jedne ili više banaka brzo širi na realni sektor zemlje, podstiče krizu platnog bilansa i povećava troškove bruto domaćeg proizvoda.[3] Međutim, odavno postoje nalazi koji upozoravaju da upravo osnovna svojstva bankarskog sistema vode istovremeno i ka periodičnoj nestabilnosti na tržištu. Regulisanje bankarskog sektora

[1] Mitrović V, R: *Uticaj privrednog ambijenta na poslovne performanse banaka*, doktorska disertacija, 2014, Megatrend univerzitet, 10.

[2] Rankov, S., Kotlica, S: *Bankcruptcy prediction model used in credit risk management*, 2013, Megatrend revija, Vol. 10, No 4, 37-58.

[3] Leckow B. R: The IMF/World Bank Global Insolvency Initiative-Its Purpose and Principial Features. In S. D. Hoelscher (Ed.), *Bank Restructuring and Resolution,* 2006, IMF, New York: Palgrave Macmillan, 184-195.

uz međunarodnu standardizaciju smanjuje verovatnoću da će pojedinačne finansijske institucije postati nelikvidne i nesolventne.

Fisher (1997) и Freedman (1960) upozoravaju na opasnosti vezane za klasični model bankarskih rezervi. Globalna finansijska kriza koja je izazvala kolaps nekih od najvećih finansijskih institucija i ogolila rizike sa kojima se globalizovani svetski finansijski sistem suočava, pokrenuo je ponovo razmišljanje o korenitoj reformi bankarskog sektora.[4] Istraživanje koje je sprovedeno u dve različite studije (Kotlikoff, 2010[5] Kay, 2009[6]) pokazalo je da u datoj situaciji neizbežna inicijativa od strane države da preko regulatornih tela utiče na nivo zaduženosti u privredi, sa jedne strane i da održava nivo regulatornog kapitala (pokazatelj adekvatnosti kapitala) i zahteva likvidnosti na fiksnom nivou ili u iznosu koji je okviru propisanog opsega, sa druge strane.

Obavljanje osnovne funkcije posredovanja između suficitnih i deficitnih jedinica kao i ročna transformacija sredstava, banka ostvaruje prinos u visini zarade koja je u skladu sa preuzetim rizikom. Rizik koji se u tom smislu pojavljuje odnosi se pre svega na rizik promene u deviznom kursu, promenama kamatnim stopama, rizik od nemogućnosti izmirenja obaveza po osnovu odobrenih kredita u vidu rasta neperformansnih kredita (non performing loans - NPL). Rast NPL dovode banke u zonu nelikvidnosti i nemogućnosti kreiranja novih bankarskih proizvoda koje će plasirati privredi i stanovništvu. Izostanak povoljnih izvora finansiranja za kompanije dovode, sa druge strane, kompanije u zonu nelikvidnosti. Na ovaj način uočava se jaka povratna veza između realnog i finansijskog sektora jedne privrede, čiji je smer uslovljen sadejstvu delovanja makroekonomskih agregata.

2. Makroekonomski ambijent i stepen upotrebe različitih izvora finansiranja privrede

Stepen razvoja privrede jedne države značajno determiniše izvore finansiranja kompanija koje posluju unutar njega. Sa rastom razvoja finansijskih tržišta, diversifikacijom finansijske aktive, povećanjem prometa trgovanja širokim dijapazonom kvalitetnih hartija od vrednosti kao i postojanje pravilno implemetranog zakondovanog okvira kompanije imaju veće mogućnosti za finasiranje sopstvenog rasta i razvoja. Kao posledica rasta i razvoja pojedinačnih kompanija javlja se prosperitet privrede u celosti. U uslovima nedovoljne

[4] Urošević, B., i dr. (2011) *Uticaj finansijskog sektora na realni sektor privrede*, 2011, Ekonomika preduzeća, 34-44.

[5] Kotlikoff, L. (2010) *Jimmy Stewart is Dead: Ending the World's Ongoing Financial Plague with Limited Purpose Banking*, Wiley.

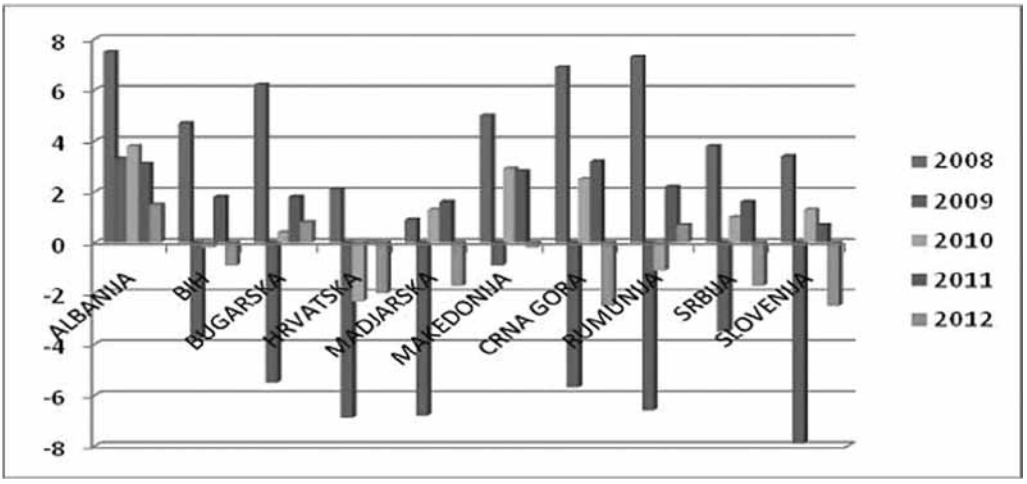
[6] Kay, J. (2009) Narrow Banking: The Reform of Banking Regulation, Centre for the Study of Financial Innovation, 1-95.

razvijenosti finansijskog sektora, kompanije su mahom oslonjene na bankarske kredite, koji su pored sopstvenih izvora, jedini izvor finansiranja.

Tržište zemalja u razvoja, kao što je Srbija, odlikuje bankocentrično finansijsko tržište, nedovoljan promet trgovine hartijama od vrednosti na berzi i nepostojanje adekvatne strategije privlačenja inostranog kapitala. Kao posledica toga javlja se nedovoljna iskorišćenost ostalih izvora finansiranja. Makroekonomsko okruženje ili ambijent unutar kojeg posluju banke predstavlja skup faktora koji svojim delovanjem utiču na smer odvijanja poslovnih aktivnosti banaka kao i na njihovu uspešnost poslovanja. Istraživanje koje je sprovedeno od strane Gonzales - Hermosillo, Pazarbasioglu, Billings[7] pokazuje da makroekonomski faktori imaju značajan uticaj na finansijske performanse.

Sa druge strane, ulazak privrede u recesiju onemogućava banke da odobravaju povoljne kredite komitentima. Drugim rečima, najočiglednija manifestacija razvoja jedne industrije meren je rastom domaćeg proizvoda koji predstavlja ekvivalent ekspanzije i snage jedne privrede. U tom slučaju u okviru povoljnih makroekonomskih delovanja bankarski sektor odlikuje rast kreditne aktivnosti i obrnuto. Sa rastom privredne aktivnosti, merene bruto domaćim proizvodom (BDP), ostvaren je rast odobrenih bankarskih kredita koji su plasirani sektoru stanovništva i sektoru privrede. Međutim, nakon izbijanja finansijske krize BDP osetno beleži trend pada, ne samo u zemljama u tranziciji nego i na svetskom nivou. Dijagram 1 prikazuje kredtanje BDP u periodu od 2008. do 2012. godine, pri čemu se uočava pad vrednosti ovog pokazatelja, kao naoveštaj da se privreda Srbije nalazi u fazi resecije i negativnih konkukturnih kretanja.

Dijagram 1: *Kretanje realnog BDP, promena u %, u periodu od 2008 - 2012. godine*

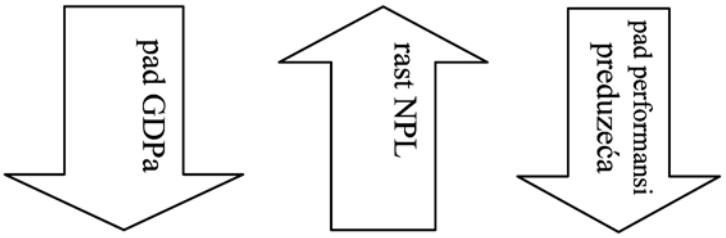


Izvor: Regional Economic Outlook (2013) Economic Research Unit, Banca Intesa.

[7] Gonzales-Hermosillo, et.al.: *Determinants of Banking System Fragility: A Case Study of Mexico*, 1997, IMF Staff Papers, Vol. 44, No.3; 295-315

Sa druge strane, pad privredne aktivnosti uslovio je rast loših zajmova (NPL) usled nemogućnosti zajmotražioca da redovno servisiraju svoje obaveze. Na ovaj način uočavamo vezu između makroekonomskih kretanja, realnog i finansijkog sektora. (Dijagram 2)

Dijagram 2: *Međusobna povezanosti finansijskog i realnog sektora*



Sa recesivnim kretanjem u privredi (čime se karakteriše globalna ekonomija na početku 2008. godine), bankarski kapital doživljava eroziju zbog gubitaka u kreditnim portfolijima (neperformansni krediti). Istovremeno, od banaka se zahteva da drže veći iznos obaveznog kapitala u odnosu na ukupan nivo kredita, što će najverovatnije smanjiti nivo kreditne aktivnosti banaka i još više produbiti krizu privredne aktivnosti. Međutim, prociklični efekti na makroekonomske fluktuacije će varirati od zemlje do zemlje. Najjače efekte će osetiti ekonomije bazirane na bankama, dok će uticaj na ekonomije bazirane na finansijskim tržištima biti manji.[8]

Pad privredne aktivnosti dovodi do iskazivanja loših rezultata privrede i pada kupovne moći stanovištva. Oba sektora ulaze u zonu problematične otplate svojih obaveza. U prvoj etapi oba sektora kasne se servisiranje svojh obaveza da bi u narednim fazama došle u situaciju kada nisu u mogućnosti da otplate preostali dug. Ovakva situacija dovodi do rasta problematičnih zajmova kod banke, pri čemu se struktura finansijske aktive menja u korist problematičnih kredita. Na ovaj način usled pada konjukture kreditni portfolio prelazi iz visoko kvalitetne (bezrizične) akive u kategorije loše aktive. Kao rezultat ovako izražene spirale zaključuje se da problematični krediti dovede privredu u fazu gubitaka i neispunjavanja osnovnih funkcija. Sa druge strane banke prestaju da odobravaju finanijska sredstva kompanijama koje nisu u stanju da vrate svoje obaveze, pri čemu bivaju uskraćene za realizaciju rasta i razvja i finansiranja svojih kratkoročnih obaveza prema dobavljačima i ostalim komitentima. Zatim, loše poslovanje jedne kompanije, efektom domina širi se na glavne konkurente koji zapadaju u fazu nelikvidnosti usled nemogućnosti naplate svojih

[8] Vuksanović, E., Todorović, V: *Regulatorni okvir bankarstva Srbije kao pretpostavka privlačenja inostranog kapitala*, Naučni skup sa međunarodnim učešćem *Inostrani kapital kao faktor razvoja zemalja u tranziciji*, Univerzitet u Kragujevcu, Ekonomski fakultet, 120-135.

potraživanja, a to dovodi do: dodatnog pada privredne aktivnosti i dodatnog rasta problematičnih kredita.

3. Problematični krediti i mere smanjenja problematičnih kredita

Kao što se iz predthodnog izlaganja može uočiti, rezultat nepovoljnih makroekonmski kretanja oslikava se na rast problematičnih kredita. Prema međunarodno prihvaćenoj definiciji i nomenklaturi Narodne banke Srbije (NBS) problematični krediti definišu se kao stanje ukupnog preostalog duga svakog pojedinačnog kredita (uključujući i iznos docnje)[9]:

- po osnovu koga dužnik kasni sa otplatom glavnice ili kamate 90 i više dana od inicijalnog roka dospeća,
- po kome je kamata u visini tromesečnog iznosa (i viša) pripisana dugu, kapitalizovana, refinansirana ili je odloženo njeno plaćanje ili
- po osnovu kog dužnik kasni manje od 90 dana ali je banka procenila da je sposobnost dužnika da otplati dug pogoršana i da je otplata duga u punom iznosu dovedena u pitanje.

Polazeći od činjenice da sa protokom vremena raste i rizik, odobravanje kredita sa dužim rokom otplate kao takav nosi sa sobom veću stopu rizika u odnosu na kratkoročne kredite. S tim u vezi banka u svrhu minimiziranja ne samo kreditnog rizika već i ostalih rizika (devizni, valutni, tržišni, operativni) treba da kreira strategiju adekvatnog upravljanja rizicima. Između ostalog, banka je dužna da adekvatno predviđa moguće privredne promene, adekvatno analizira poslovanje komitenata kako bi izvršila aekvatnu selekciju kreditnih zahteva i smanjila udeo kompanija koje neće biti u mogućnosti da servisiraju svoje obaveze. Na ovaj način banka se bori sa održavanje finanijskih performansi na željenom nivou.

Primenom višefaktorske regresione analize u cilju ocenjivanja uticaja rasta problematičnih kredita na likvidnost banka uočava se prema rezultatima da problematični krediti statistički značajno utiču na likvidnost banaka. (Tabela1)

Tabela 1: *Uticaj neperformansnih kredita na likivdnost banaka*

Pokazatelji		Problematicni krediti
L1	*R*	**-,919**
	P	**,027**
L2	*R*	,571
	P	,315
L3	*R*	,673
	P	,213

Izvor: Mitrović V, R: Uticaj privrednog ambijenta na poslovne performanse banaka, doktorska disertacija, 2014, Megatrend univerzitet, 198.

[9] NBS *Izveštaj za IV tromesečje 2012. godine* - Bankarski sektor u Srbiji, 12.

Iz tabele 1 se uočava da je stepen korelacije (r) 0,919, što je približno jednako sa koificijentom u slučaju kada jedna promenljiva korelira sama sa sobom. Stepen korelacije je negativan i iskazuje da sa rastom problematičnih kredita opada likvidnost banaka.

Rast problematičnih kredita ekvivalentan je padu stope profitabilnosti i adekvatnosti kapitala banke, što se manifestuje sledećim odnosom: da bi banka pokrila svoju izloženost kreditnim rizikom povećava troškove rezervisanja i smanjuju rezerve pri čemu se smanjuje i sloventnost poslovanja banaka. Sa druge strane, treba još jednom napomenuti, da upravo viši iznos pokazatelja kapitalne adekvatnosti i rast tržišne kapitalizacije za banke čije se akcije kotiraju na berzi, utiču povoljno na poslovne performanse banaka. Kako bi banka minimizirala negativne efekte rasta nerperformansnih kredita, angažuje dodatni iznos kapitala koji ostaje "zarobljen" što dalje smanjuje stopu prinosa na kapital. Na ovaj način, rast problematičnih kredita, dvojako deluje na profitabilnost banka, u prvoj iteraciji utiče na promene u strukturi finansijskog rezultata tako što smanjuje dobit ili povećava gubitak, dok u drugoj iteraciji utiče na smanjenje prinosa na kapital, jer je kapital angažovan kao regulatorni kapital za pokriće gubitaka.

Primer Srbije govori da su banke koji su poslovale u Srbiji u periodu posle privatizacije profitirale od loše makroekonomske politike, usled ekspanzivne javne potrošnje korigovane rastom kamatnih stopa putem repo operacija centralne banke. Paralelno sa repo operacijama veliki priliv strane valute koji je bio motivisan visokim kamatnim stopama doveo je do jačanja dinara pri čemu je sačinjen mehanizam permanentne distribucije dohotka od privrede i stanovništva ka bankama što je pogodovalo stvaranju profita banaka. [10]

Nakon eskalacije finansijske krize, kao posledice kreditnog buma, povećalo se interesovanje za analizu i smanjivanje učešća problematičnih kredita podjednako od strane regulatornih organa, samih banaka i stručnjaka.

3.1. Osnovni uzroci za nastank problematičnih kredita i kretanje vrednosti problematičnih kredita

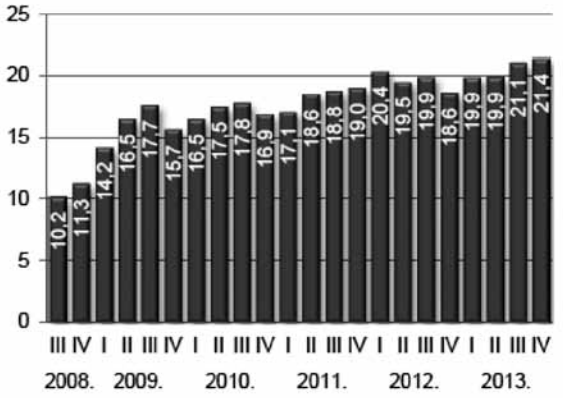
Tendencija rasta vrednosti problematičnih kredita direktno se vezuje za period prekomernog odobravanja kredita (kreditni bum), odobravanje kredita zajmotražiocima niskokvalitetnog kreditnog boniteta kao i neadekvatna procena kreditnog rejtinga usled snižavanja kriterijuma za ocenu istog.

Pored toga, identifikovano je da na rast problematičnih kredita utiče i finanijska nedisciplina koja je u direktnoj vezi sa padom likvidnosti privrede. Osnovni uzrok finansijske nediscipline je trajan opstanak na tržištu nesolventnih preduzeća. Problemi s naplatom potraživanja koje imaju javna preduzeća deo su opšteg problema finansijske nediscipline. Veliki broj učesnika na tržištu

[10] Mitrović V, R: *Uticaj privrednog ambijenta na poslovne performanse banaka*, doktorska disertacija, 2014, Megatrend univerzitet, 37.

ne izmiruju svoje obaveze u ugovorenim i zakonskim rokovima. Osim toga, preduzeća koja imaju dominantnu poziciju na tržištu nameću neodrživo duge ugovorene rokove za izmirenje svojih obaveza. Sa stanovišta fiskalne konsolidacije, neplaćanje poreza predstavlja jedan od važnih oblika finansijske nedisciplineː[11]

Dijagram 3: *Problematični krediti (učešće u ukupnim bruto kreditima, %)*



Izvor: NBS (2014) Tromesečni pregled kretanja indikatorafinansijske stabilnosti Republike Srbije, za IV tromesečje 2013. godine, 15.

Iz tabele 2 uočava se permanentan rast problematičnih kredita u strukuturu ukupno odorenih kredita u posmatranom periodu. Ukoliko se pogleda struktura problmeatičnih kredita uočava se da najveći doprinost rasta problematičnih kredita ostvaruje sektor privrede, zatim sektor stanovništva. U poslednje tri godine iočava se značajniji rast javnog sektora u strukturu problematičnih kredita.

Tabela 2: *Struktura problematičnih kredita po sektorima*

	2008	2009	2010	2011	2012
Učešće problematičnih kredita u ukupnim kreditima	11.3	15.7	16.9	19	18.6
Bankarski sektor	1.1	0.6	0.1	0.1	0.3
NBS	6.6	10.9	2.8	6.6	2.1
Javni sektor	0.9	1.7	3.5	3.4	3
Druge finansijske organizacije	0.7	0.5	1.2	1.6	1.6
Privreda	52.4	53.3	57	54.8	58.2
Stanovništvo	35.3	32.2	33.3	31.8	33

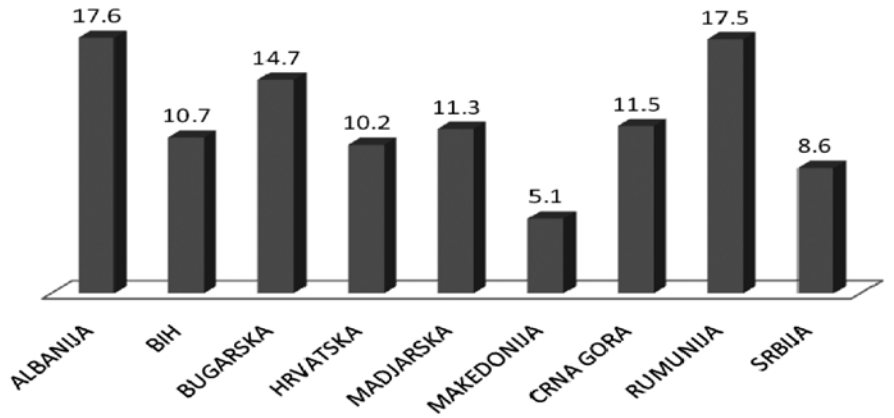
Izvor: NBS (2014) Tromesečni pregled kretanja indikatorafinansijske stabilnosti Republike Srbije, za IV tromesečje 2013. godine.

[11] Arsić, M: *Reforme državnih i društvenih preduzeća*, 2012, Pod lupom 2, Ekonomski fakultet. 81.

S tim u vezi, broj preduzeća koja nisu u mogućnosti da servisiraju svoje obaveze ne samo prema banci već i prema državi i dobavljačima permanentno raste. Prema podacima NBS iz februara 2014. godine govore da je broj takvih preduzeća za oko 3000 povećao u odnosu na kraj 2013. godine kada je bilo oko 44.000 preduzeća u blokadi. Ukoliko se pogledaju podaci iz 2009. postoji tendencija pada sa 66.000 preduzeća u blokadi (2009. godina), 62.000 u 2011. godini do 46.000 u 2012. godinu. Podaci nam ukazuju da postoji izvesno ozdravljenje privrede u tom smislu.

Sledi da se uočava veza između nelikvidnosti privrede, finansijske nedicipline i finansijskih performansi banaka. Nelikvidnost privrede dovodi do nemogućnosti servisiranja obaveza od strane preduzeća prema banaka, čime se uvećava procenat problematičnih kredita u bankarskom portoliju. Samim tim, rast kredita u docnji ili nemogućnost u potpunoti otplate kredita dovodi do smanjenja likvidnosti i solventnosti banaka. Na taj način, rast problematičnih kredita prouzrokovao je promenu strkture aktive u okviru koje značajnije mesto poprima rizični kreditni plasmani, koji negativno utiču na solventnosti i profitabilnost banke i bankarskog sektora, što dalje dovodi do rasta izloženosti rizicima. Drugim rečima, neadekvatno upravljanje rizicima, pre svega se misli na kreditni rizik, prouzrokovalo je problem rasta ove vrste zajmova. Kako bi ocenili stanje problematičnih kredita u Srbiji neophodno je uporediti sa bankarskim sektorima zemalja u tranziciji i zemalja sa razvijenom tržišnom privredom. Dijagram pokazuje da u posmatranom petogodišnjem periodu problematični krediti beleže trend rasta u analiziranim privrednim sistemima. Najveći rast problematičnih kredita izražen u % evidentiran je u Albaniji, Rumuniji i Bugarskoj, dok je manji rast problematičnih kredita zabeležen u Makedoniji i Srbiji.

Dijagram 4: *Procentualno povećanje problematičnih kredita*



Izvor: Regional Economic Outlook (2013) Economic Research Unit, Banca Intesa.

Na osnovu dijagrama 4 zaključuju se da se bankarski sektor prema pokazatelji problmeatičnih kredita nalazi u grupi zemalja sa nižom stopom rasta kredita. Pre svega, procenat od približno 20% problematičnih kredita kompenzovan je dodatnim izdvajanjima u vidu dugoročnih rezervisanja i smanjivanju kapitala. Ukoliko se uporedi stopa rasta problematičnih kredita i stope adekvatnosti kapitala uočava se veza koja potvrđuje da je amrotizacija rasta problematičnih kredita pripisana smanjenju stope adekvatnosti kapitala. Sa druge strane, bankarski sektori koji su prethodno imale stope adekvatnosti kapitala na višem nivou suočile su se sa manjim problemima koji proizilaze iz rasta ovih kredita.

Zadržavanje većih iznosa NPL-a kod banaka, utiče na nemsetano polsovanje ovih finansijskih institucija jer se likvidni finansijski resursi blokiraju u vidu nevraćenih kredita i u izdvojenim rezervisanjima. Drugi korak negativnih reprekusija NPL ogleda se u neispunjavanju osnovne funkcije, posredovanja između deficitnih i suficitnih jedinica, jer se politika usmerava na naplatu problmeatičnih kredita. Shodno tome, neophodno je prvo na nivou banke kreirati strategiju smanjivanja problematičnih kredita koja treba da bude uskladjena sa merama države u pogledau samnjivanja problematičnih kredita.

3.2. Mere smanjenja problematičnih kredita u kreditnom portfoliu banke

Da problematični krediti nisu problem samo zemalja u razvoju govore studije razvijenih zemalja. Primer japanskog finansijskog sistema govori da usled odloženog dejstva u funkciji mera protiv permanentnog stepena rasta problematičnih kredita, bankarski sektor se suočio sa ozbiljnom krizom.

Naime, tokom 1990-ih godina, banke su nastavljale da kreditiraju sektor nekretnina, uprkos problemima u njihovim trgovačkim knjigama, kao i deflacionim pritiscima u privredi. U uslovima niskih kamatnih stopa, japanska vlada se usmerila na povećanje javne potrošnje i tražnje u privredi. Istovremeno, nisu preduzimane akcije da se reše problemi u bankarskom sistemu. Sa pojavom sistemske bankarske krize, inicijalni vladin pristup odnosio se na stimulisanje tražnje u privredi pomoću fiskalne politike. Međutim, fiskalni stimulans je imao marginalni uticaj na privredu. U isto vreme, nije postojao međunarodni pritisak na vlasti u Japanu da reše svoj bankarski problem, koji je uglavnom posmatran kao domaće pitanje.[12]

Slično tome zemlje Skandinacije suočile su se sa sličnim problemima usled primene loiberalizacija i rasta kreditne aktivnosti. U ovakvim okolnostim banke Skandinavskih zemalja odobravale su kredite bez prethodne detaljne analize komitenata. Sve ovo rezultiralo je rastu problmeatičnih kredita.

Permanentno narastajući stpen problematičnih kredita nameće potrebu za uspostavljanjem i primenom mera u funkciji smanjivanja istih. Pošto rast problmeatičnih kredita utiče na stanje eonomije države neophodna su delovanja od strane regulatornih tela: države i Narodne banke.

[12] Todorović, V: *Alternativni regulatorni pristupi upravljanju bankarskim krizama,* 2013, Ekonomski horizonti, 213-227

Rast problematičnih kredita imaj negativne reprekusije i na ekonomiju država, jer dovode do pada produktivnosti privrede. S tim u vezi, narastajuću broj problematičnih kredita, može se smatrati sistemskim rizikom koji se vezuje za stabilnost bankarskog sektora. Kako bi se smanjila mogućnost daljeg rasta ovih kredita neophodno je smanjenje odobrenih kredita, kao i uspostavljanje mera na nivou banaka i države koje su povezane sa očuvanjem i poboljšanjem likvidnosti i solventnosti banaka čije je učešće u ukupnoj aktivi bankarskog sektora značajnije.

Problematični krediti ili krediti u docnji imaju negativan uticaj na performanse banaka, pri čemu rast problematičnih kredita, utiče na smanjenje profitabilnosti bankarskog sektora. Rast kredita koji se delimično ili u celosti ne mogu biti servisirati ili se nalaze u docnji reflektuje se na kvalitet prortfolia aktive banke. U tom slučaju, banka se odriče dela profita koji je trebala ostvariti u planiranom vremenskom roku i na taj način povećava izloženost gubitku poslovanja. Da bi banke "čistile" svoj kreditni portfolio, izmenom Odluke o upravljanju bankarskim rizicima Narodne banke Srbije,[13] dozvoljava se bankama da svoja potraživanja iz problematičnih kredita prenesu na druga pravna lica, pod uslovom da su potraživanja po tom osnovu dospela. Na taj način, merama državne regulative utiče se na povećanje prihoda banaka, jer bi u suprotnom smanjenje prihoda i dobitka dovelo do smanjenje profitabilnosti bankarskog sektora.

Druga mera, odnosi se na finansijsko restrukturianje nesloventnih i nelikvidnih preduzeća, kako bi banke bile u mogućnosti da odobravaju kredite „zdravim" preduzećima i na taj način smanjile nemogućnost servisiranja obaveza.

Treća mera odnosila bi se na uvođenje kompanija koje su specijalizovane za upravljanje neperformamnsnom aktivom. Na ovaj način loša aktiva se izmešta iz bilansa banke na datu specijalizovanu instituciju kako bi se ukupna loša aktiva smanjila primenom novih uslova za otplatu kreidta, zamenom loše aktive za gotovinu ili likvidne hartije od vrednosti. Mere od strane banaka koje se tradicionalno koriste odnose se na produženje roka otplate uz plaćanje manjeg anutiteta, zatim smanjivanje kamatne stope i na kraju najnepovoljnija solucija namirivanje potraživanja iz imovine koja je uzeta u zalog. Na ovaj način banka se oslobađa loše aktive, smanjuje gubitak, ne aktiviraju se više rezervisanja u date svrhe.

Navedene i ostale mere ostvaruju prednosti kako na nivou banke tako i na nivou države. Pre svega na nivou banke uočava se smanjenje gubitaka, rast prihoda usled smanjenja potraživanja, rast stope prinosa usled anažovanja kapitala u progitabilne svrhe a ne u cilju pokrića gubitaka, rast likvidnosti. Na ovaj način banke postaju stabilne finansijske institucije koje mogu da dalje odobravaju kredite privredi i stanovništvu. Sa druge strane, ozdravljanje bankarskog sektora, ozdavljenja preduzeća koja su loše poslovala ili restrukturianje istih donosi na nivou države pokretanje zdravog privrednog zamajca.

[13] Odluka o upravljanju rizicima banke, Službeni glasnik, Republika Srbija, broj 45/2011, 94/2011, 119/2012 i 123/2012.

Zaključak

Na osnovu iznetih teorijskih i empirijskih podataka uočava se da postoji jaka uzroča i posledična veza između realnog i finansijskog sektora. S tim u vezi problematični krediti povezuju ova dva sektora i direktno utiču na oba sektora. Makroekonomska konkukturna kretanja u smeru pada aktivnosti privrede, odlikuje se lošim poslovnim performansama realnog sketora, pada prihoda preduzeća, rasta potraživanja, rasta nemogućnosti naplate potraživanja usled kojih se ista otpisuju, nemogućnost servisiranja kratkoročnih obaveza prema dobavljačima. Na ovaj način stvara se začarani krug nelikvidnosti i lošeg poslovanja u privredi.

Sa druge strane usled loših poslovnih performansi preduzeća i usled smanjivanja dohotka građanja, banke se suočavaju sa promenom strukture finanisjske aktive. U ovom slučaju u strukturi finansijske aktive uočava se rast problematične aktive i smanjivanje "zdrave" aktive usled nemogućnosti sektora privrede i sektora stanovništva da finansiraju svoje obaveze. Zatim, usled toga banke imaju problem sa likvidnošću i novim odobravanjem kredita, problem sa padom profitabilnost usled angažovanja kapitala u vidu rezervi kako bi se amortizovali nastali gubici i na kraju mogućnost bankrotsva banaka usled loše selekcije odobrenih kredita.

Uočava se potreba za delovanjima od strane države i regulatornih tela u funkciji smanjivanja problematičnih kredita propisivanjem mera povećanja kvaliteta aktive. U tom smislu neke od mera odnose se na restruktuiranje kompanija koje iskazuju visoke stope gubitka, otkup problematične aktive i njeno premeštanje u specijaliovane insitucije za otkup potraživanja, prodaja takve aktive i pomoć od strane matičnih banaka iz inostranstva.

Preuzete mere imaju ulogu ozdravljanja bankarskog sektora koji bi kasnije vise versa uticao na ozdravljanje realnog sektora i prosperiteta celokupne privrede.

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NON PERFORMING LOANS – OBSTACLES WITHIN FINANCIAL AND ECONOMY SECTOR

S u m m a r y

Growth and development of company depend on the adequate selection of financial resources and optimization of financial structure. In other words, the success of a company is determined by the choice of high-quality financial sources and their maturity adjustment. In developed economic and developed financial systems, companies have a wide range of financial sources: emissions of shares, bonds, emissions of other long-term and short-term securities, borrowing from the bank and alternative sources of financing. However, the developing countries and undeveloped countries addressed to financial resoorces of investors and loans from banking institutions. In this context, it is necessary to build a stable banking system, which will support the strategic development of the company and provide daily liquidity of companies.

Key words: investment banks, liquidity, problematic loans, bankruptcy

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OPTIMALNA VALUTNA PODRUČJA NA SLUČAJU EVROPSKE UNIJE

Interesovanje za teoriju optimalnih valutnih područja (OVP), proizilazi iz iskustava Evropske monetarne unije (EMU), razvoja akademskog razmišljanja i napredaka ekonometrije u smislu reevaluacije nacionalnih monetarnih i fiskalnih politika i endogenosti kriterijuma OVP. Kriza državnih dugova u okviru Evropske unije (EU) i uočljive razlike među *članicama*, postavljaju pitanje ekonomske opravdanosti EU, u smislu generisanja gubitaka koji prevazilaze dobiti za svoje *članice*. Teorija OVP, može donekle dati radni okvir, na osnovu koga se može pružiti odgovor na takvo pitanje. Za analizu se koriste kriterijumi OVP. Dat je istorijsko-teorijski opis nastanka ove teorije, od začetnika te ideje Mandela (*Mundell* 1961), kao i evolucija ove teorije kroz razvoj kriterijuma i njihovu analizu na primeru EMU. Ovi kriterijumi se upotrebljavaju za ocenu podobnosti jedne zemlje za OVP, kao i funkcionisanje jednog OVP, poput EMU ili neke buduće monetarne unije.

Ključne reči: EU, optimalna valutna područja, EMU, Mandel, kriterijumi

1. Uvod

Značaj opisa i prezentovanja teorije optimalnih valutnih područja (OVP) nameće se kao potreba u analizi Evropske monetarne unije (EMU), koja se dugo smatrala kao OVP. Ekonomska dešavanja u proteklim godinama, od državnih dugova do sve veće razlike u konkurentnosti i drugim pokazateljima među članicama su ponovo pokrenule to pitanje. Do ponovnog interesovanja za teoriju OVP, dolazi pre svega iz iskustava EMU, razvoja akademskog razmišljanja i napretka ekonometrije u smislu reevaluacije nacionalnih monetarnih i fiskalnih politika i endogenosti kriterijuma OVP.

Pojam OVP je prvi uveo Robert Mandel (*Robert Mundell*) i taj koncept se odnosi na geografsku oblast u kojoj *će* se koristiti jedna, zajednička monetarna politika sa zajedničkom valutom ili međusobno fiksnim deviznim kursevima.

Teorija OVP pruža okvir na osnovu koga se kroz analizu kriterijuma OVP može dati odgovor na mnoga pitanja monetarne i fiskalne politike ili u slučaju

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nepostojanja jasno definisanog odgovora napraviti osnova za dalji razvoj ove teorije i dati analiza institucionalnih politika delovanja.

1.1 Istorijsko-teorijski okvir optimalnih valutnih područja

Teorija OVP je nastala i razvijala se na osnovu radova Mandela 1961., Mekkinona (*McKinnon*) 1963. i Kenena (*Kenen*) 1969. Ovi autori su materijalizovali ovu teoriju u vidu kriterijuma koje jedna zemlja treba da poseduje da bi bila potencijalni kandidat za monetarnu uniju. Od svog nastanka 1960-ih godina, pa sve do druge polovine 1980-ih ova teorija se smatrala intelektualnim lavirintom.[1]

Argument u prilog postojanja jedne monetarne unije je generisanje manjih troškova za jednu državu, u odnosu na slučaj nepripadanja jedne države takvoj uniji. Endogenost OVP je učvrstila taj stav i naglasila dobiti i pozitivna dešavanja od momenta kreacije jednog OVP. Na osnovu postulata koji su analizirani u Mandelovoj teoriji OVP, Evropa je kao nadogradnja programa zajedničkog tržišta, ubrzano prešla na sledeći korak regionalnih ekonomskih integracija (REI), a to je EMU po okvirima i kriterijumima postavljenim sporazumom iz Mastrihta. Glavni razlog je bio uklanjanje rizika destabilizacije usled naglih i iznenadnih promena i neusklađenosti deviznih kurseva koji su u nekoliko navrata poremetili funkcionisanje evropskog monetarnog sistema (EMS). Pre ovoga, upozoreno je da su razlike između pojedinih ekonomija prevelike, da zemlje ne ispunjavaju mastriške kriterijume i da treba obazrivije ući u EMU.[2]

Usled velikih fluktuacija deviznih kurseva u prethodne tri decenije, danas prevagu imaju fiksni ili rukovođeni kursevi. Niko ne bi mogao da ospori prednosti sistema u kome postoji samo jedna valuta. Primer jedne zemlje gde važi permanentno fiksni devizni kurs je SAD, gde je dolar u Njujorku isti kao i u San Francisku. Postoji i primer regije, odnosno Evropske unije (EU), gde je evro u Atini isti kao i evro u Berlinu ili Parizu. Na osnovu ove konstatacije, rasprava na temu fleksibilnog protiv fiksnog deviznog kursa postaje zapravo debata na temu OVP i uslova koje treba jedna REI da ispuni da bi bila OVP.[3]

Mandelova teorija OVP se zalaže za sistem slobodno fluktuirajućih valuta oko optimalne valutne oblasti – oblasti koju je on definisao kao područje-region. Njegov izvorni rad je imao cilj da objasni teoriju da li je za jednu zemlju bolje da prihvati fluktuirajući devizni kurs ili da funkcioniše pod fiksnim deviznim kur-

1 Tavlas, G. S. i Dellas, H., (2009): An optimum-currency-area odyssey, *Journal of international money and finance*, Elsevier, 28(7), 1117-1137.

2 Mongelli, F. P., (2008): *European economy: European economic and monetary integration, and the optimum currency area theory.*Economic papers 302. Brussels: European Commission.

3 Salvatore, D., (2009): *Međunarodna ekonomija.*Beograd: Ekonomski fakultet Univerziteta u Beogradu.

som u okviru nekog optimalnog valutnog područja.[4] Ovaj rad je značajan, jer je dao teorijsku osnovu formiranja Evropske monetarne unije EMU.

Tradicionalna teorija trgovine je kao valutne regione isključivo posmatrala države. Mandel je izrazio skepsu u odnosu na osnovni argument u korist fleksibilnih deviznih kurseva kao mehanizma prilagođavanja privrede. Dao je prednost mehanizmu prilagođavanja u okviru režima fiksnih deviznih kurseva.[5]

Mandel je 1965. godine analizirao tri valutne oblasti: oblast dolara, oblast sterlinga i treću - evropski blok sa budućom zajedničkom valutom. Sledi objava rada 1969. godine pod nazivom „*The case for a European currency*", na osnovu koga je dobio poziv od evropskih zemalja da pripremi planove za uvođenje evropske valute. Svoj predlog za evropsku valutu, koju je nazvao „Evropa" je predstavio 1973. godine u radu pod naslovom „*A plan for a European currency*". Mandel je veliki pobornik ideje evropske monetarne unifikacije od 1970. godine, a potvrđen je uvođenjem evra i na osnovu svega mu se može dati epitet „duhovni otac" evra.[6]

2. Razvoj teorije optimalnih valutnih područja kroz razvoj kriterijuma

Zemlja koja ulazi u jednu valutnu uniju mora da napravi balans između gubitka nastalih usled ukidanja samostalne monetarne politike i dobiti od monetarne efikasnosti zajedničke valute. Upravo gubitak mogućnosti vođenja samostalne monetarne politike predstavlja najbitnije pitanje u slučaju asimetričnih ekonomskih *šokova* kod zemalja koje su slabo integrisane. Centralna banka sa svojom monetarnom politikom treba da prevaziđe ove *šokove*, sa verovatnoćom da *će* to rešenje možda biti i na *štetu* nekih *članica*. Prilagođavanje na asimetrične *šokove* se može postići i preko pokretljivosti radne snage, promena u opštim cenama i ceni rada i fiskalnim transfernim plaćanjima među *članicama* unije.[7]

Pobornici i protivnici Mandelove teorije OVP, koriste istu u svrhu potvrde opravdanosti evropske monetarne unifikacije i u svrhu osporavanja iste, usled neispunjenosti uslova. Ova rasprava se ne odnosi samo na EMU, već i na put ka usvajanju zajedničkih monetarnih standarda i u ostalim delovima sveta.[8]

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4 Kenny, P., (2003): The theory of optimum currency areas. U: Gray, R., ur., *Student Economic Review. 17.* Dublin: University of Dublin, Trinity College, 137-149.

5 Mundell, R., (1997): Updating the Agenda for Monetary Union, U: Frankel, J.A. et al., ur., *Optimum currency areas: New analytical and policy developments*. Washington: IMF, 29-48.

6 McKinnon R., (2000): *Mundell, the Euro and Optimum Currency Areas*. Working paper. Stanford: Stanford University, Department of Economics.

7 Baldwin, E. i Wyplosz, C., (2006): *The economics of European integration*. 2.London: McGraw-Hill Education.

8 McKinnon, R., op.cit.

Mekkinon iz navedenih razloga ističe da bi OVP trebalo posmatrati kroz prizmu dva modela, starijeg i novijeg.

U prvom je sve posmatrano u statičkom smislu i na bazičnim primerima dve zemlje, kao prirodnim valutnim zonama. Tako da se raniji Mandel oslanja na nezavisnu nacionalnu monetarnu politiku gde valutna fleksibilnost predstavlja najefikasniji način borbe sa asimetričnim *šokovima*. Ovo je predstavljao stav koji su delili i kejnzijanci i monetaristi.

U samom radu Mandel se osvrće na zapadnu Evropu i stvaranje Zajedničkog tržišta kao važnog koraka ka eventualnoj političkoj uniji. On ističe dva različita stava po pitanju ove oblasti kao valutnog područja. Na osnovu stava Džejmsa Mida (*James Meade*) za fleksibilnim kursevima i stava Tibora Stivockog (*Stivocky Tibor*) zajedničkoj valuti za evro zonu, zaključak je da se ne postavlja pitanje optimalnog valutnog područja više sa teoretskog stanovišta, već je to sada samo empirijsko pitanje sa još nedefinisanim sistemom tačnih vrednosti.[9] Mandel je kao zaključak izneo da je sistem fiksnih deviznih kurseva bolji za oblasti sa visokom pokretljivošću faktora radne snage i kapitala, a režim fleksibilnih kurseva za suprotan slučaj. Takođe, on je izneo i argumente protiv povećanja broja svetskih valuta.

Kasniji Mandel se zalaže za zajedničku, stabilnu valutu koja bi apsorbovala asimetrične *šokove*, dovela do ujednačavanja kamatnih stopa i njihovog smanjenja u odnosu na prethodni period čime bi došlo do zajedničkog preuzimanja rizika.

Jedan od pristupa u analizi je bilo napuštanje makroekonomskih varijabli, gde su posmatrani samo politički faktori koji imaju veći uticaj od ekonomskih za postojanje zajedničke valute, kao i za samu uspešnost OVP.

Uspostavljanje paradigme endogenosti je jedan od alternativnih pristupa. Kriterijumi *ex ante* nisu bitni za izvodljivost OVP, već da *će* se većina tih kriterijuma razviti iz pozitivnih efekata koji *će* nastupiti kada država uđe u jednu monetarnu integraciju. Kroz intraindustrijsku trgovinu dolazi do jačanja trgovine i veće korelacije privrednih ciklusa tih zemalja, koji tada postaju sinhronizovaniji. Te zemlje su se na taj način obavezale da budu dugoročni trgovinski i politički partneri.[10]

3. Kriterijumi optimalnih valutnih područja

Kriterijumi OVP su postavljeni u okvir na osnovu koga se mogu analizirati alternativni međunarodni monetarni sporazumi koji utiču na proces harmonizacije odnosa u okviru jedne valutne unije. Mandel je kao kriterijume teorije OVP uveo stepen pokretljivosti radne snage, cenovnu elastičnost i učestalost asi-

[9] Mundell, R.A., (1961): A theory of optimum currency areas. *The American economic review. 51(4).* 657-665.

[10] Frankel A., Rose A. K., (1998): The Endogeneity of the Optimum Currency Area Criteria, *The Economic Journal,* 108(449), 1009-1025.

metričnih *šokova*. Mekkinon je uveo stepen otvorenosti/integrisanosti trgovine, veličinu ekonomije i sličnost ekonomskih struktura, dok od Kenena je preuzet stepen diverzifikacije proizvodnje i nivo fiskalne integracije.[11]

Početkom 1990-ih, usled kritika kriterijuma OVP, došlo je do usvajanja meta-vrednosti. Ove meta-vrednosti i njihov sinergijski efekat su pomogle u prevazilaženju unutarnjih kontradiktornosti u inicijalnim doprinosima OVP i mogle su se lakše kvantifikovati.[12]

3.1 Sličnost ekonomskih struktura

Ovaj faktor u makroekonomskim analizama je kao kriterijum teorije OVP uveo Mekkinon. Na osnovu njega možemo videti razlike u državnim ekonomijama koje postoje u okviru EU. Te razlike se mogu videti na osnovu pokazatelja BDP *per capita* i BDP indeksa rasta. Na osnovu prvog pokazatelja, može se videti da postoji značajna razlika u primanjima u odnosu na prosek EU28, i to od 47% u Bugarskoj do 266% u Irskoj, za 2012. godinu.[13] Takođe, postoje i značajne razlike u rastu BDP u odnosu na EU28 prosek, i to od Rumunije sa 3,5% do Grčke sa -3,9% (u 2012. *čak* -7%) i Kipra sa -5,4%, zaključno sa 2013. godinom.[14] *Što* je viši stepen sličnosti zemalja, može se lakše izvršiti komparativna analiza veličine i karakteristika ekonomskog *šoka*, a monetarne mere *će* koristiti svim *članicama* slično.

3.2 Fleksibilnost tržišta radne snage

Fleksibilnost radne snage je u ovom prikazu zastupljena kroz tri kategorije: nezaposlenost, tj. stopa nezaposlenosti, zatim produktivnost radne snage i na kraju cena rada.

3.2.1 *Nezaposlenost*

Prvi pomenuti kriterijum OVP od strane Mandela je fleksibilnost tržišta radne snage. U integrisanom tržištu, radnici bi odlazili iz oblasti sa visokom stopom nezaposlenosti, i na taj način bi dolazilo do njene disperzije. Na osnovu podataka sa kraja 2013. godine možemo videti da po pokazateljima postoje velike razlike u stopi nezaposlenosti, od Grčke (27,4% u decembru 2013.)

11 Tavlas, G. S. i Dellas, H., op. cit.

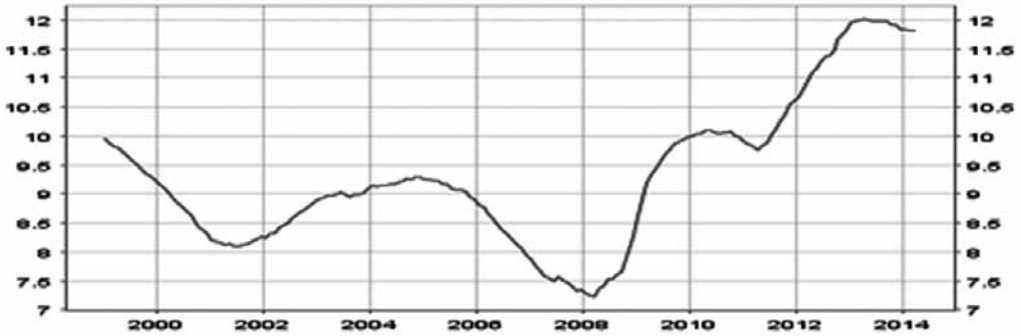
12 Matthes, J., (2009): *Ten years EMU: Reality test for the OCA endogeneity hypothesis, economic divergences and future challenges*. Heidelberg: Springer, Intereconomics (44). Dostupno na: http://www.econstor.eu/bitstream/10419/66167/1/727024086.pdf, 114-128.

13 Eurostat, (2014a): *GDP per capita in PPS.* Dostupno na: http://epp.eurostat.ec.europa.eu/tgm/table.do ?tab=table&plugin=1&language=en&pcode=tec00114 14.04.2014.

14 Eurostat, (2014b): *Real GDP growth rate - volume.* Dostupno na: http://epp.eurostat.ec.europa.eu/tgm /table.do?tab=table&plugin=1&language=en&pcode=tec00115 14.04.2014.

i *Španije* (26,7%) do Austrije (4,8%) i Nemačke (5,1%) u februaru mesecu 2014. godine.[15] Najveći rast je zabeležen na Kipru (4%), u Italiji (1,4%), Grčkoj (1,4%) i Holandiji (1,3%), dok je najveći procenat smanjenja nezaposlenosti zabeležen u Irskoj i Letoniji za 2%, Litvaniji (1,7%), i u Portugalu i Mađarskoj za 1,5%.[16] Po podacima od strane Evropske centralne banke ECB, stopa nezaposlenosti (u % radne snage) na nivou EU je 11,8%, zaključno sa martom 2014. godine.

Slika 1: *Stopa nezaposlenosti u EU (u % ukupne radne snage)*



Izvor: ECB, (2014a): Statistical data warehouse, Selected Indicators for the Euro Area. Dostupno na: http://sdw.ecb.europa.eu/home.do?chart=t1.1, 12.05.2014.

Na osnovu pokazatelja se mogu videti recesiona dešavanja u zemljama sa visokom nezaposlenošću. Još jedan razlog za nepostojanje veće disperzije nezaposlenosti je niska geografska pokretljivost u okviru EU.

3.2.2 *Produktivnost radne snage*

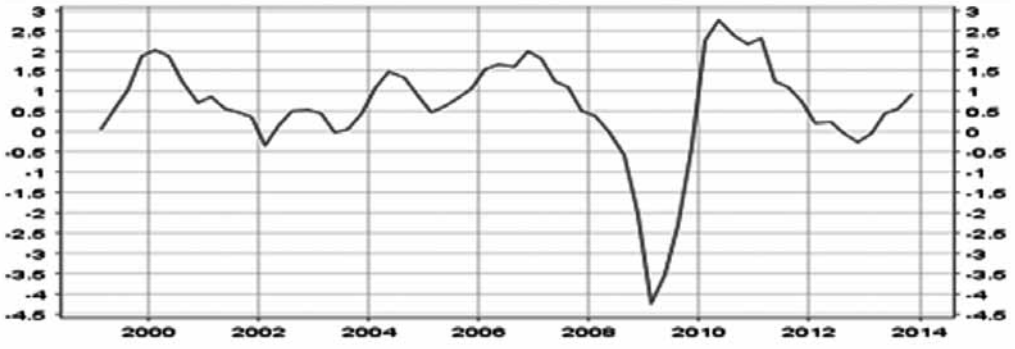
Postoje velike razlike po pitanju produktivnosti radne snage. Produktivnost se iskazuje u vrednosti proizvoda stvorenih u toku sata i iskazanih u evrima, i kreće se od 58,2 u Luksemburgu, 52,6 u Danskoj do 5,4 u Rumuniji, 8,2 u Letoniji i dr.[17] Ove vrednosti, odnosno odnos u proteklom periodu od 15 godina se nije značajnije promenio, posmatrajući centar EMU i njenu periferiju. U Nemačkoj je, zaključno sa 2013. godinom, produktivnost bila 42,7. U odnosu na Rumuniju proizilazi da je radna snaga u Nemačkoj *čak* osam puta produktivnija.

[15] Eurostat, (2014c): *Harmonised unemployment rate by sex.* Dostupno na: http://epp.eurostat.ec.europa.eu /tgm/table.do?tab=table&language=en&pcode=teilm020, 14.04.2014.

[16] Eurostat, (2014d): *News release, euroindicators, November 2013: Euro area unemployment rate at 12.1%.* Dostupno na: http://epp.eurostat.ec.europa.eu/cache/ITY_PUBLIC/3-08012014-BP/EN/3-08012014-BP-EN.PDF, 14.04.2014.

[17] Eurostat, (2014e): *Labour productivity per hour worked.* Dostupno na: http://epp.eurostat.ec.europa.eu/ tgm/table.do?tab=table&init=1&language=en&pcode=tsdec310&plugin=0, (14.04.2014.).

Slika 2: *Produktivnost radne snage u EU*



Izvor: ECB, (2014a): op.cit.,.

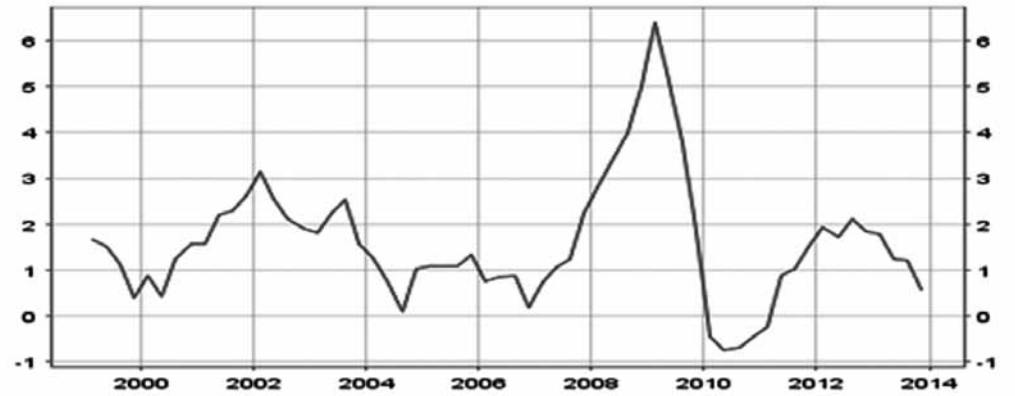
Ovaj indeks je bitan za ECB, jer je ključni pokazatelj za neinflatorni rast. Za sam pokazatelj je iskazano i od strane ECB da nije potpuno precizan, ali usled nedostatka podataka, ovaj se pokazatelj smatra dovoljnim za sada, po mišljenju ECB.

3.2.3 *Cena rada*

Cena rada je od suštinske važnosti za kompenzovanje asimetričnih ***šokova***, jer ne postoji nominalni devizni kurs koji bi povratio prethodnu ravnotežu.

Po podacima od strane ECB, indeks cene radne snage na nivou EU je 0,6, zaključno sa zadnjim kvartalom 2013. godine.

Slika 3: *Cena radne snage (% promena u odnosu na prethodnu godinu) u EU*

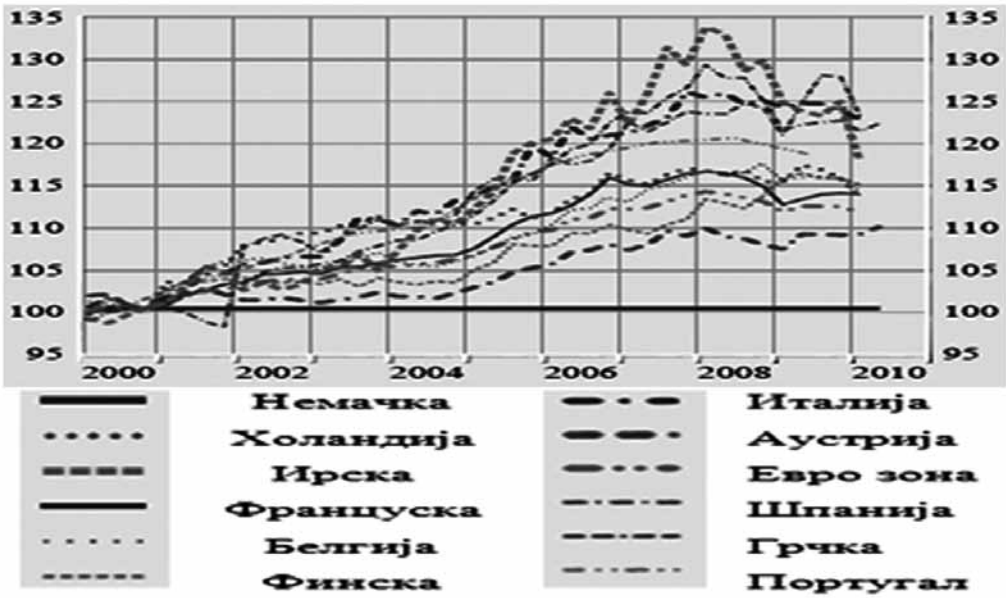


Izvor: ECB, (2014a): op.cit.

Iz podataka se vidi da cena rada u perifernim zemljama konstantno raste, ***što*** nije ***čudno*** sa obzirom de se u integrisanom tržištu očekuje konvergencija cena rada. Na primeru Nemačke cena rada je relativno stabilna u posmatranom

periodu, dok kod Italije i Francuske postoji konstantan rast cene radne snage, posmatrano još od 1992. godine, ali ne koliko i u perifernim zemljama koje su ih prevazišle. Ukoliko povećanje cene rada nije ispraćeno sa rastom produktivnosti, doći ***će*** do gubitka konkurentnosti, kao i do inflacije.[18] Ovo se može videti i uporednim poređenjem za isti period sa ostalim pokazateljima poput platnog bilansa ili REER (*Real effective exchange rate*) indeksa. Može se videti iz serije periodičnih publikacija ECB razvoj te cene rada, zaključno sa 2010. godinom.

Slika 4: *Razvoj cene radne snage u zoni evra*



Izvor: Salines, M. et al., (2011): Beyond the economics of the euro analysing the institutional evolution of EMU 1999.-2010. Occasional paper series No 127. Frankfurt: ECB.

Uočljivo je da Nemačka relativno prati rast nominalnog dohotka sa rastom proizvodnje, a sa druge strane su zemlje poput ***Španije***, Portugala i Grčke ***čiji*** porast nominalnih plata ne prati rast proizvodnje. Kao rezultat se javlja pad konkurentnosti.[19]

[18] Mongelli, F. P., (2008): *European economy: European economic and monetary integration, and the optimum currency area theory.*Economic. papers 302. Brussels: European Commission.

[19] Eurostat, (2014f): *Nominal unit labour cost index (2005 = 100) - quarterly data*. Dostupno na: http://epp.eurostat.ec.europa.eu/tgm/table.do?tab=table&init=1&language=en&pcode=tipslm40&plugin=0, 14.04.2014.

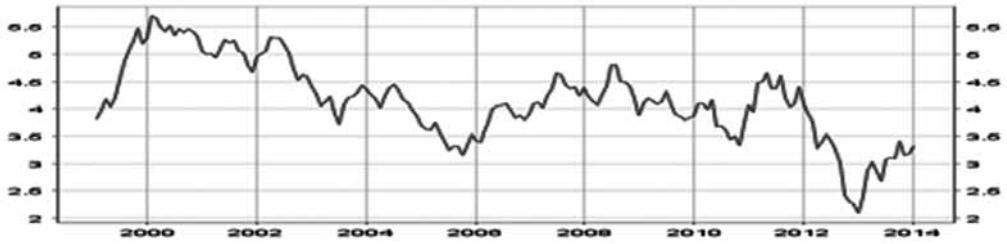
3.3 Integrisanost finansijskih tržišta

Integrisanost finansijskih tržišta, poput fleksibilnosti radne snage, je predstavljena sa tri parametra, odnosno kriterijuma: tržišta deviznih obveznica, indeksa REER i platnog bilansa.

3.3.1 *Tržište državnih obveznica*

Jasan pokazatelj povećane integracije finansijskih tržišta predstavlja konvergencija kamatnih stopa na tržištu državnih obveznica. Možemo videti na primeru državnih obveznica sa ročnošću na 10 godina.

Slika 5: *Prinos na reperne državne 10-godišnje obveznice Evro zone*



Izvor: ECB, (2014e): Statistical data warehouse, Quick view. Dostupno na: http://sdw.ecb.europa.eu/quickview.do?SERIES_KEY=143.FM.M.U2.EUR. 4F.BB.U2_10Y.YLD, 09.05.2014.

Odstupanje od konvergencije se može videti na primeru dramatičanog skoka u 2011. i 2012. godini kamatnih stopa na državne obveznice Grčke, Irske i Portugala.[20] Ovo se desilo usled nove procene rizika i „nepoželjnosti" državnih obveznica pomenutih zemalja. No, povratak dela poverenja se može videti u 2012. godini gde je evidentan pad kamate na tim obveznicama. Dug privatnog sektora je takođe rastao tokom ovog perioda, *što* isto ukazuje na povećanu integraciju.[21] Reperna vrednost prinosa na državne obveznice evro zone na datum 09.05.2014. godine je iznosila 1,689%.[22]

3.3.2 *Indeks REER*

Indeks REER pokazuje razlike u rastu obima proizvodnje koristeći indeks REER, kojim se može prikazati odnos relativne cene i indikatora troškova.

[20] Eurostat, (2014g): *EMU convergence criterion series - annual data%*. Dostupno na: http://epp.eurostat.ec. europa.eu/tgm/table.do?tab=table&init=1&language=en&pcode=tec00097&plugin=0, 20.04.2014.

[21] Mongelli, F. P., op.cit.

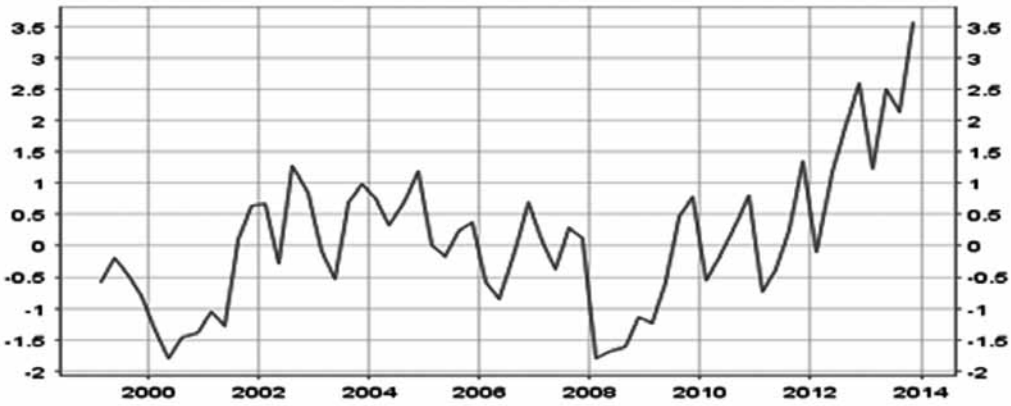
[22] ECB, (2014b): *Monetary and financial statistics:Euro area yield curve*. Dostupno na: http://www.ecb. europa.eu/stats/money/yc/html/index.en.html, 12.05.2014.

Računa se, koristeći nominalni efektivni devizni kurs i indeks domaćih i stranih troškova, odnosno smanjenje nominalnog deviznog kursa za BDP deflator. Manji REER implicira devalvaciju i povećanu konkuretnost i obratno. Sa ovim indeksom se može doći do procene cena ili cenovne konkurentnosti jedne zemlje ili valutnog područja u odnosu na njihove takmace i trgovinske partnere na međunarodnom tržištu i međusobno.[23] Može se videti da je Nemačka (93) povećala svoju konkurentntnost kao i Mađarska (90,9), Irska (89,01) i ***Španija*** (96,38), dok se zemlje periferije bore i imaju znatno slabije rezultate, poput Bugarske (135,53), Letonije (132) i Slovačke (128,15). Mora se napomenuti da zemlje poput Francuske i Italije stagniraju, odnosno malo su popravili svoju poziciju, a veliko poboljšanje konkurentnosti, posle pada, su napravili ***Španci***, Irci i ***čak*** i Grci (90,38).[24]

3.3.3 *Platni bilans*

Po podacima od strane ECB, platni bilans na nivou EU je +3,55% BDP-a, zaključno sa zadnjim kvartalom 2013. godine. Iskazan je u procentima BDP EU za 2012. godinu.

Slika 6: *Platni bilans Evro zone (kao % BDP Evro zone)*



Izvor: ECB, (2014a): op.cit.

Gubitak konkurentnosti je takođe i delom uslovljen konstantnim deficitom platnog bilansa. Države koje su konstantno u velikom deficitu platnog bilansa su Grčka -3.1, ***Španija*** -1.1, Portugal -1.1 ***što*** predstavlja veliki napredak sa obzirom na nivoe deficita koje su ove zemlje imale u ranijim godinama. Sa druge strane imamo

[23] Blanchard, O., (2007): Adjustment within the Euro. The difficult case of Portugal, *Portuguese Economic Journal*, 6(1), 1-21.

[24] Eurostat, (2014h): *Real effective exchange rate - 37 trading partners.* Dostupno na: http://epp.eurostat. ec.europa.eu/tgm/table.do?tab=table&plugin=0&language=en&pcode=tsdec330, 14.04.2014.

zemlje sa konstantnim suficitom platnog bilansa poput Nemačke +7, Holandije +9,9 i Austrije +1,8.[25] Ovi deficiti, koji su u početku posmatrani kao nezabrinjavajuća pojava, kasnije su postali zabrinjavajući u kombinaciji sa slabim ekonomskim rastom. Ovakva situacija je uveliko doprinela trenutnoj krizi državnih dugova i na taj način se uveliko umanjuje efekat zajedničke monetarne politike.[26]

3.4 Otvorenost trgovine

Mekkinon stav da *što* je neka zemlja više integrisana u međunarodnu trgovinu više *će* imati prednosti od *članstva* u valutnoj uniji. Kod ovakvih ekonomija promene u kursu vrlo brzo slede promene u cenama, gde realni kurs ostaje nepromenjen. Ovaj kriterijum teorije OVP je kriterijum otvorenosti trgovine, odnosno Mekkinonov kriterijum. Ekonomska otvorenost se mora sagledati iz više dimenzija: sveukupna otvorenost ka svetu, ka zemljama u okviru valutnog područja, udeo materijalnih i nematerijalnih dobara i usluga u proizvodnji i potrošnji i sklonost zemlje ka uvozu.[27]

U poređenju sa ostalim velikim ekonomijama (SAD, Kina, Japan), Evro zona je relativno otvorenija. Metodologija koje se koriste za statistički prikaz odnosa otvorenosti se dobija deljenjem ukupnog izvoza i uvoza sa BDP-om te zemlje.[28] Otvorenost trgovine se povećala u odnosu na 1998. godinu usled povećanja trgovine sa novim *članicama* EU i Kinom. Uvoz i izvoz gotovih proizvoda sa trećim zemljama je porastao od 25% u 1999. godini do skoro 39% BDP-a EU u 2012. godini.[29] Na osnovu tih podataka se može videti da su EU *članice* vrlo otvorene, poput Luksemburga sa 177% , Irske 108%, Nemačke sa 52% u 2012. godini, a za tu godinu imamo SAD sa 14% otvorenošću trgovine. Tržište EU je u proseku tri puta otvorenije u odnosu na tržište SAD.[30] Može se primetiti, dok druge zemlje povećavaju otvorenost svoje trgovine, zemlje poput Nemačke su imale neznatan rast. Ovo ukazuje na moguće nejednake dobiti od zajedničke valute evra.

Intraindustrijska trgovina raste u EU28, gde je iznosila 17% 1999. godine, zahvaljujući zajedničkom tržištu, a u 2011. godini ona iznosi 22% u odnosu na BDP EU. Doprinos uvođenja zajedničke valute na povećanje intratrgovine je evi-

25 Eurostat, (2014i): *Balance of the current account.* Dostupno na: http://epp.eurostat.ec.europa.eu/tgm/ table.do?tab=table&language=en&pcode=tec00043, 19.04.2014.

26 Zemanek et al., (2010): Current account balances and structural adjustment in the Euro area. *International Economics and Economic Policy*, 7(1), 83-127.

27 Mongelli, F. P., op.cit.

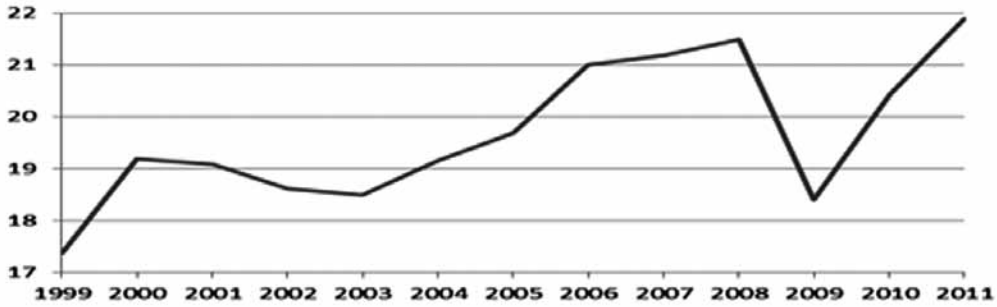
28 Bayoumi, T. i Eichengreen, B., (1997): Ever closer to heaven? An optimum-currency area index for european Countries, *European economic review*, (41), 761-770.

29 ECB, (2014c): *Monetary Policy, Structure of the euro area economy: External trade.* Dostupno na: https://www.ecb.europa.eu/mopo/eaec/trade/html/index.en.html, 15.04.2014.

30 WB, (2014): *Data: Exports of goods and services (% of GDP).* Dostupno na: http://data.worldbank.org /indicator/NE.EXP.GNFS.ZS, 15.04.2014.

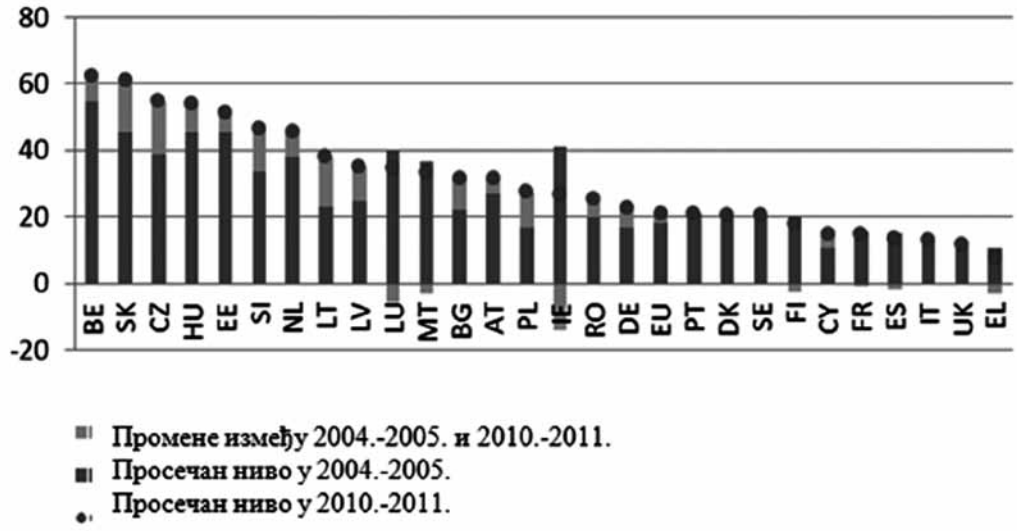
dentan, ali manji od očekivanog.[31] Izvoz EU u odnosu na BDP EU iznosi 12% , *što* implicira da interno tržište zauzima značajnu poziciju za EU kompanije i da ima potencijala za razvoj intratrgovine, pogotovu kod novih *članica*, kod kojih dolazi do produbljivanja integracije i procesa „pristizanja" razvijenih *članica* i popravljanja platnog bilansa sa partnerima iz EU.[32]

Slika 7: *EU intratrgovina (u % od BDP) – kumulativno*



Izvor: EC, (2012): *ibid*.

Slika 8: *EU intratrgovina (u % od BDP) – po zemljama*



napomena: vrednosti u tabelama su proseci uvoza i izvoza dati od Eurostat-a

Izvor: EC, (2012): *ibid*.

[31] Micco et al., (2003): The Currency Union Effect on Trade: Early Evidence from EMU, *Economic policy*, 18(37), 315-336.

[32] EC (2012): *State of the single market integration 2013*. Brussels: European Commission

Reprezentativne zemlje evro zone sa suficitom (u mlrd. evra) trgovinskog bilansa u intratrgovini su Holandija 176,7, *Češka* 15,6, Nemačka 43,4 i Irska 14,2 a zemlje sa deficitom (u mlrd. evra) trgovinskog bilansa su Francuska 88,9, Austrija 13,4 i Grčka 9,3.[33]

3.5 Specijalizacija

Specijalizacija, odnosno stepen diverzifikacije proizvodnje, predstavlja Kenenov kriterijum OVP. Teoretska analiza je dala rezultat da nakon prihvatanja zajedničke valute dolazi do aglomeracije ili specijalizacije privrede.[34] Glavna misao iza specijalizacije, je da nakon uvođenja valutne unije, dolazi do izmeštanja proizvodnje u zemlje sa relativnim prednostima u proizvodnji i specijalizaciji. Važnost faktora diverzifikacije proizvodnje i potrošnje među zemljama se ogleda u tome, *što će* te razlike dati komplementarnost i uz korišćenje zajedničke valute dovesti do redukcije troškova.[35] Dolazi i do pojave koncepta „pametne" specijalizacije, umesto formiranja regionalnih klastera i dupliranja istraživanja i razvoja, potencirati jedinstvenost lokalne baze znanja.

Krugmanov indeks specijalizacije, ukazuje na to, koliko se proizvodna aktivnost jedne zemlje razlikuje u odnosu na drugu zemlju ili region, u ovom slučaju EU. Vrednosti mu se kreću od nule do dva, gde nula predstavlja potpunu podudarnost a vrednost dva potpunu razliku u proizvodima.

Sektorska specijalizacija uopšteno predstavlja povećanje stepena privlačnosti ekonomskih sektora za radnom snagom i relativno povećanje stepena proizvodnje posmatrane zemlje u odnosu na druge zemlje. Sektorska specijalizacija može da ima uticaj i na transmisioni mehanizam kroz koji monetarna politika menja dinamičke efekte inflacije. Studije ističu da sektorske karakteristike poput koncentracije kapitala, u manjoj meri veličina firmi i otvorenost privrede, igraju važnu ulogu u utvrđivanju uticaja monetarne politike na sektorski rast i inflaciju.[36]

Na osnovu date Slike br. 2.9, može se videti sličnost ekonomskih struktura i ne toliki stepen specijalizacije generalno, dok je specijalizacija izraženija u proizvodnom sektoru u Evropi.[37]

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[33] Eurostat, (2014j): *Intra-EU27 trade, by Member State, total product.* Dostupno na:http://epp.eurostat.ec. europa.eu/tgm/refreshTableAction.do?tab=table&plugin=1&pcode=tet00039&language=en, 12.05.2014.

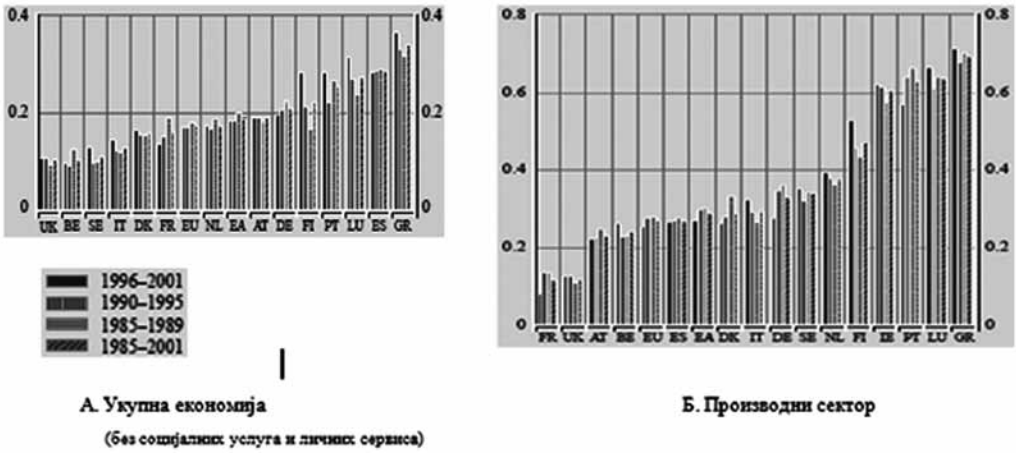
[34] Krugman, P. i Venables A. J., (1996): Integration, specialization, and adjustment, *European Economic Review,* 40, 959-967.

[35] Kenen, P.B., (1969): The theory of optimum currency areas: an eclectic view. U: Mundell, R.A., Swoboda, A.K., ur., *Monetary Problems of the International Economy*. Chicago: University of Chicago Press, 41–60.

[36] Foray et al., (2011): *Smart specialization*, MTEI-working paper 2011-001. Lausanne : MTEI.

[37] ECB, (2004): *Occasional paper series (19): Sectoral specialisation in the EU- A macroeconomic perspective*. Frankfurt: European Central Bank.

Slika 9: *Krugmanov indeks specijalizacije*



А. Укупна економија

(без социјалних услуга и личних сервиса)

Б. Производни сектор

Izvor: ECB, (2004): *Ibid.*

Na osnovu dostupnih podataka, može se zaključiti da je u posmatranom periodu specijalizacija imala skroman napredak. U pozadini svih procesa možemo reći da je faktor endogenosti prisutan u slučaju EU, tako da *će* i po pitanju specijalizacije verovatno doći do njenog daljeg razvoja, kao i manjih odstupanja od OVP do završetka procesa specijalizacije.

3.6 Stopa inflacije i nivo cena

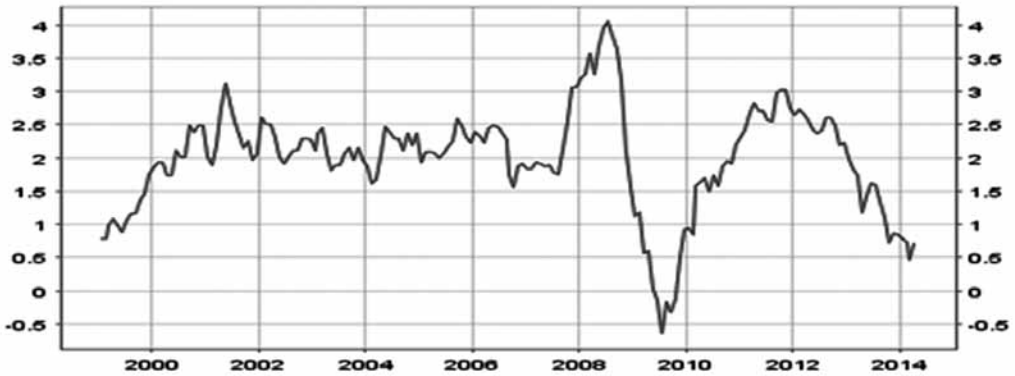
Smatra se i da OVP mora imati sličnost u stopi inflacije, da bi održala ravnotežu platnog bilansa. U suprotnom bi razlika u konkurentnosti rasla i zemlje sa većom inflacijom bi tada imale stalan deficit. Konstantne razlike u stopi inflacije među državama OVP dovode do spoljnotrgovinskog disbalansa. Ukoliko stope inflacije budu niže i ujednačenije, i trgovinska razmena će biti stabilnija, *što će* pospešiti dalju integraciju. Ovo *će* takođe, poput ispunjenja ostalih kriterijuma, redukovati potrebu za korekcijom nominalnog kursa.[38]

Harmonizovani indeks potrošačkih cena HICP (*Harmonised index of consumer prices*) predstavlja uporediv indikator inflacije i stabilnosti cena dat od strane Evropske centralne banke ECB. Oblast koja je obuhvaćena ovim indikatorom je Evropska ekonomska oblast i zemlje kandidati za *članstvo* u EU. Koristi se u svrhu monetarne politike i procenu konvergencije stopa inflacije. Jedan od zadataka ECB je da održava stopu inflacije za EMU ispod, a blizu 2%, *što* je postignuto samo 1999. i 2009. godine. Može se primetiti da za Grčku, Irsku i

[38] Salines, et al., (2011): *Beyond the economics of the euro analysing the institutional evolution of EMU 1999.-2010.* Occasional paper series No 127. Frankfurt: ECB.

Španiju su te vrednosti van predviđenih okvira.[39] Po podacima od strane ECB, stopa inflacije, odnosno HICP indeks na nivou EU je 0,7%, zaključno sa aprilom 2014. godine.

Slika 10: *Stopa inflacija –HICP indeks Evro zone*



Izvor: ECB, (2014a): op.cit.,.

Sa prethodnim imamo komplementarno objašnjenje za različite stope inflacije kroz teoriju Pariteta kupovnih moći PPP (*Purchasing power parity*) gde nivoi cena rastu kako dolazi do većeg stepena konvergencije. Manifestuje se efekat „pristizanja" u nivoima PPP manje razvijenih sa razvijenijim zemljama evro zone. Na osnovu podataka se jasno može zaključiti da dolazi do konvergencije PPP na nivou evro zone.[40] U periodu od 2003. do 2013. godine iskazan je rast PPP od približno 28 %. Početni, nizak nivo cena u Grčkoj, *Španiji* i Portugalu je u skladu sa višim stopama inflacije u tim zemljama.[41]

3.7 Fiskalna integracija

Jedini pristup u fiskalnoj politici EMU ima kroz budžetsku disciplinu, odnosno nastojanju da je održi, sa granicom deficita koja je postavljena na 3 % od BDP.[42] Na osnovu podataka se vidi da su tu disciplinu konstantno kršile tri zemlje: *Španija*, Portugal i posebno Grčka. Zatim, Irska koja je usled ekonomske krize bila van okvira od 2007. do 2009. godine. Italija je imala krizne 2010 i 2011.

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39 Eurostat, (2014k): *HICP - inflation rate.* Dostupno na: http://epp.eurostat.ec.europa.eu/tgm/table.do?tab =table&init=1&plugin=1&language=en&pcode=tec00118, 15.04.2014.

40 EC (2012) op.cit.

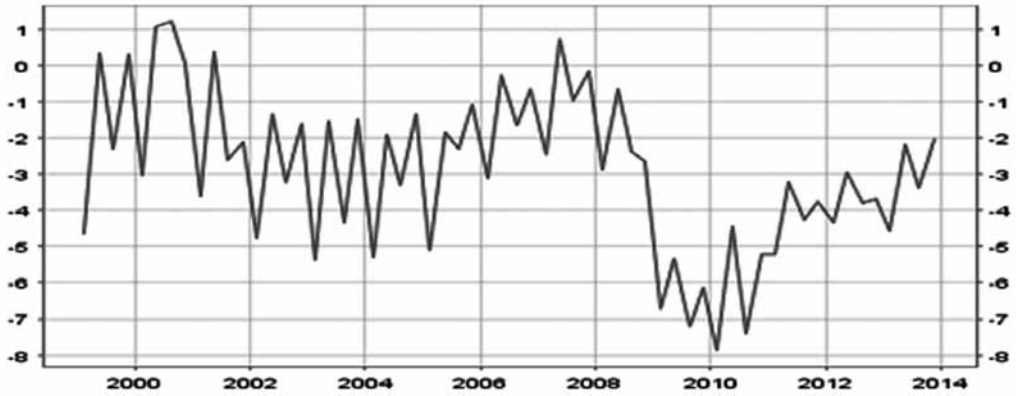
41 Eurostat (2014a) *op.cit.*

42 Eichengreen, B. i Wyplosh, C., (1998): The Stability pact: More than a minor nuisance?, *Economic Policy*, 13(26), 65-113.

godinu, a Francuska od 2006. godine ima konstantni blagi rast deficita platnog bilansa.[43]

Po podacima od strane ECB, državni deficit na nivou EU je 2,1 % BDP-a, zaključno sa poslednjim kvartalom 2013. godine.

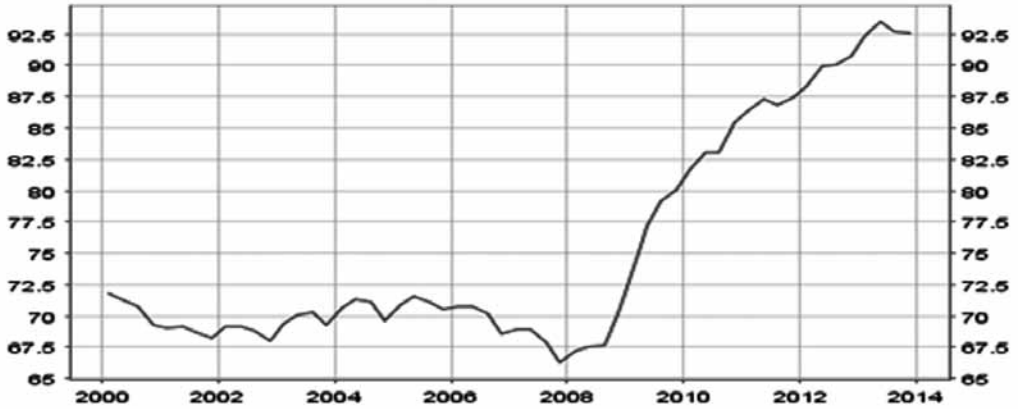
Slika 11: *Državni deficit/suficit Evro zone (u % BDP)*



Izvor: ECB, (2014a): op.cit.

Po podacima od strane ECB, državni dug na nivou EU je 92,6 % od BDP, zaključno sa poslednjim kvartalom 2013. godine.

Slika 12: *Državni dug Evro zone u % od BDP*



Izvor: ECB, (2014a): op.cit.

[43] Eurostat, (2014k): (*General government deficit/surplus.* Dostupno na: http://epp.eurostat.ec.europa.eu /tgm /table.do?tab=table&init=1&language=en&pcode=tec00127&plugin=1, 12.05.2014.

Budžetska disciplina nije bila sistematski prisutna u okviru EMU. Dolazi do akumulacije javnog duga, *što* se može jasno videti kao i limit od 60 % koji su probile mnoge zemlje, koji je stavljen kao mastriški kriterijum broj 3.[44] Ovo je izazvalo krizu državnih dugova, koja je prouzrokovala velike pakete finansijske pomoći Irskoj i Portugalu,[45] kao i za najvećeg dužnika u okviru EU zone – Grčku.[46] ECB se ovde pojavljuje u funkciji krajnjeg poverioca-zajmodavca u krajnjoj instanci (*Lender of last resort*).

Ove zemlje su dobile pomoć kroz program Evropskog finansijskog stabilizacionog mehanizma EFMS (*European financial stabilisation mechanism*), koji je oformljen 2010. godine. Kao nastavak i poboljšanje plana, promovisan je evropski stabilizacioni mehanizam ESM (*European stability mechanism*), 2012. godine.

3.8 Mobilnost faktora

Geografska mobilnost radne snage u okviru evrozone je vrlo niska, a takođe i u okviru samih zemalja. Građani EU su manje voljni za selidbu zbog novog posla u odnosu na građane SAD. Asimetrični *šokovi* dovode do rasta nezaposlenosti, a pokretljivost radne snage može da ublaži ovaj efekat. Usled niske pokretljivosti radne snage u EU, mogućnost ublažavanja *šoka* sa ovim efektom je prilično limitirajuća.[47]

3.9 Transferan/fiskalna plaćanja

U slučaju asimetričnog *šoka* mogu se vršiti transferna plaćanja u cilju uspostavljanja ekvilibrijuma, *što* predstavlja bitnu karakteristiku jedne valutne unije. Priliv kapitala ide od zemalja OVP sa suficitom ka zemljama tog područja sa deficitom platnog bilansa u slučaju ekonomskog *šoka*. Ovo rezultira ujednačavanjem kamatnih stopa u okviru valutnog područja. Postoji mogućnost da platni transferi mogu kasnije da destabilizuju kretanje kapitala i da treba imati dugoročni plan sa ovim transferima, a ne koristiti iste kao *ad-hoc* rešenje.[48] EMU još uvek nije postao poput sistema Federalnih rezervi SAD koji je daleko efikasniji i ima dužu tradiciju. Ma koliko se smatralo da je integracija tržišta kapitala u pot-

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44 *Zemanek et al*., (2010): Current account balances and structural adjustment in the Euro area. *International Economics and Economic Policy*, 7(1), 83-127.

45 EC, (2014a): *Economic and financial affairs: European Financial Stabilisation Mechanism (EFSM).* Brussels: European Commission. Dostupno na: http://ec.europa.eu/economy_finance/eu_borrower/efsm/index _en.htm, 22.04.2014.

46 EC, (2014b): *Economic and financial affairs:* Financial assistance to Greece. Brussels: European Commission. Dostupno na: http://ec.europa.eu/economy_finance/assistance_eu_ms/greek_loan _facility/index_en.htm, 22.04.2014.

47 Krugman, P.R. i Obstfeld, M., (2009): *International economics. Theory and policy.* 8. Boston: Pearson Addison-Wesley

48 Mongelli op.cit.

punosti razvijena i kod EU i SAD, transferi kapitala u SAD mogu da ublaže veći deo asimetričnog *šoka* u odnosu na EMU.[49]

Takođe, sistem fiskalnog federalizma u SAD daje pomoć državi koja ima ekonomske pokazatelje ispod dozvoljenog nivoa u odnosu na ostale države i automatski dobija pomoć od Vašingtona. Na taj način, kod fiksnog deviznog kursa dolazi do neutralizacije *šoka*. Ovaj slučaj nije isti i u EMU, jer EU nema razvijen centralizovani fiskalni sistem, odnosno njene mogućnosti su ograničene.[50]

Put u dobrom smeru bi upravo bilo jačanje institucija fiskalne politike EU, poput ESM, kao i pripreme od strane ECB za uvođenje Jedinstvenog mehanizma za superviziju SSM (*Single supervisory mechanism*).[51]

4. Zaključak

Teorija OVP, ili bar njene smernice, se aktuelizuju sa svetskom finansijskom krizom iz 2008. godine, koja je istakla par nedostataka EMU, poput osetljivosti na asimetrične *šokove* i nemogućnosti jasnog delovanja. Analizu jedne valutne oblasti je najbolje vršiti putem kriterijuma teorije OVP. Ideja je bila da *će* zajednička valuta stimulisati kretanje kapitala i radne snage i tako povećati stepen ekonomskog integrisanja. Trebalo je sačekati sa uvođenjem evra dok se ne ispune kriterijumi OVP, iz razloga produbljivanja ekonomskog jaza među *članicama*. Jezgro EMU ima mnogo bolje performanse od periferije, i sa nastavkom procesa doći *će* i do produbljivanja razlike tj. tog jaza.[52] Ali je politička volja stavljena ispred ispunjenosti uslova.

Postoje dokazi da su nacionalna finansijska tržišta više integrisana kao rezultat uvođenja evra. To je isto rezultiralo i većom specijalizacijom, koja je povećala osetljivost na asimetrične *šokove*. Mogućnost reagovanja EMU je ograničena, jer ne postoji institucija koja *će* sprovoditi fiskalnu politiku EU, koja bi vršila transferna plaćanja sa potrebnom brzinom delovanja u nivou koji je neophodan. Kompenzacioni kriterijumi koji bi pomogli da se ublaže asimetrični *šokovi* poput pokretljivosti radne snage ne postoje, ili ih nema u dovoljnom obimu. Neki koraci su pokrenuti u cilju poboljšanja fiskalne i ekonomske integracije, ali su razlike među *članicama* i dalje velike. Da bi EU bila poput SAD, moraće da se

[49] Marinheiro, C. F., (2003): *Output smoothing in EMU and OECD: Can we forego government contribution? A Risk Sharing Approach*. Working Paper 1051. Munich: CESifo.

[50] Krugman, P.R. i Obstfeld, M., ibid.

[51] ECB, (2014d): *Banking supervision: The Single Supervisory Mechanism*. Frankfurt: European Central Bank. Dostupno na: https://www.ecb.europa.eu/ssm/html/index.en.html, 12.05.2014.

[52] Matthes, J., (2009): *Ten years EMU: Reality test for the OCA endogeneity hypothesis, economic divergences and future challenges*. Heidelberg: Springer, Intereconomics (44). Dostupno na: http://www.econstor.eu/bitstream/10419/66167/1/727024086.pdf, 114-128.

napravi fleksibilno tržište rada, da se izvrši reforma fiskalnog sistema i nastavi produbljivanje političke unije.[53]

Postaviti kriterijume u istu ravan i utvrditi stepen njihovog uticaja na OVP je teško izvršiti, jer i samoj teoriji nedostaje jedinstven okvir. Može se reći da postoji problem nedoslednosti, iz razloga nepostojanja preciznih parametara, odnosno davanja različitih rezultata, analizom istih kriterijuma. Na osnovu značajnog napretka u ekonometriji, bilo je moguće da se ponovo uđe u analizu ograničenja ove teorije i pojedinih kriterijuma, kao i da se izvrši analiza transmisije ekonomskih *šokova*. Upotreba savremenih analitičkih alata daje nadu u ispunjenje nezavršenog cilja postavljenog od začetnika ove teorije, a to je da se kreira konzistentan okvir koji bi olakšao utvrđivanje optimalnog deviznog kursa.[54]

Teorija OVP ima velike zasluge kao metodologija i katalizator za analizu. Bez ove teorije, verovatno ne bi bilo i tolikog nadzora i analize ekonomskih karakteristika koje *čine* kamene temeljce monetarne unifikacije. Ona predstavlja moderan doprinos politici monetarne ekonomije i služi kao polazna osnova za kreiranje novih valuta i monetarnih unija.

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[53] Krugman, P.R. i Obstfeld, M., op.cit.

[54] Tavlas, G. S. i Dellas, H., op.cit.

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OPTIMUM CURRENCY AREAS – EU CASE

S u m m a r y

The interest for Optimum currency area theory (OCA), comes from the experience of European monetary union (EMU), development of academic thought, progress in economic theory and econometrics in sense of revaluation of national monatary and fiscal policies and endogenousity of OCA criteria. Sovereign debts in European Union (EU) and evident disparities between member states, raising the question of economic validity of EU in course of generating more costs then gains for member states. OCA theory can, to some extent, provide a framework, which can be used for giving the answer to previous question. OCA criteria are used for that analysis. In this paper, there is historical and theoretical description of origin of this theory, from Mundell – the author of this idea in 1961., as well as the evolution of this theory through the development of criteria and their analysis on EMU. These criteria are used for assessment is a country fit to join a OCA, as well the functioning of one OCA, like EMU or some new in the future.

Key words: EU, optimum currency areas, EMU, Mundell, criteria

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Original scientific paper

HOLISTIC IMPLEMENTATION OF KNOWLEDGE OF THE MARKETING AMBASSADORS

Purpose - The paper emphasizes the role of marketing knowledge in development of countries, organizations, schools and universities. The purpose is a research on the power of knowledge of the marketing ambassadors and proposal of a model for holistic implementation of knowledge of the marketing ambassadors.

Methodology - Using a face-to-face questionnaire interview, the study was conducted on a sample of 30 marketing managers, 10 employees in government, 10 professors and 10 students in doctoral studies in Serbia.

Findings – The marketing ambassadors – professors, students, practitioners, government, ministers and all employees in the field of marketing, with their marketing knowledge and skills, can contribute to the development of schools, universities, organizations and countries.

Practical implications – There is a need to create, exchange and implement marketing knowledge on all levels – starting from schools and universities, through organisations, all the way to the ministries of the government. The marketing ambassadors, on the basis of common activities (e.g. projects) can contribute to the creation, implementation and exchange of marketing knowledge, to the positive results on certain levels and to country development.

Originality/value – The paper promotes holistic approach to creation and exchange of knowledge.

Key words: marketing, marketing knowledge, marketing ambassadors, holistic marketing

1. Introduction

"Knowledge is power" – Sir Francis Bacon realized some 400 years ago. "The knowledge-based view of the firm suggests that knowledge creation and management are key in today's knowledge intensive society".[1] Given the necessity, importance and influence of knowledge and changes, the paper emphasizes

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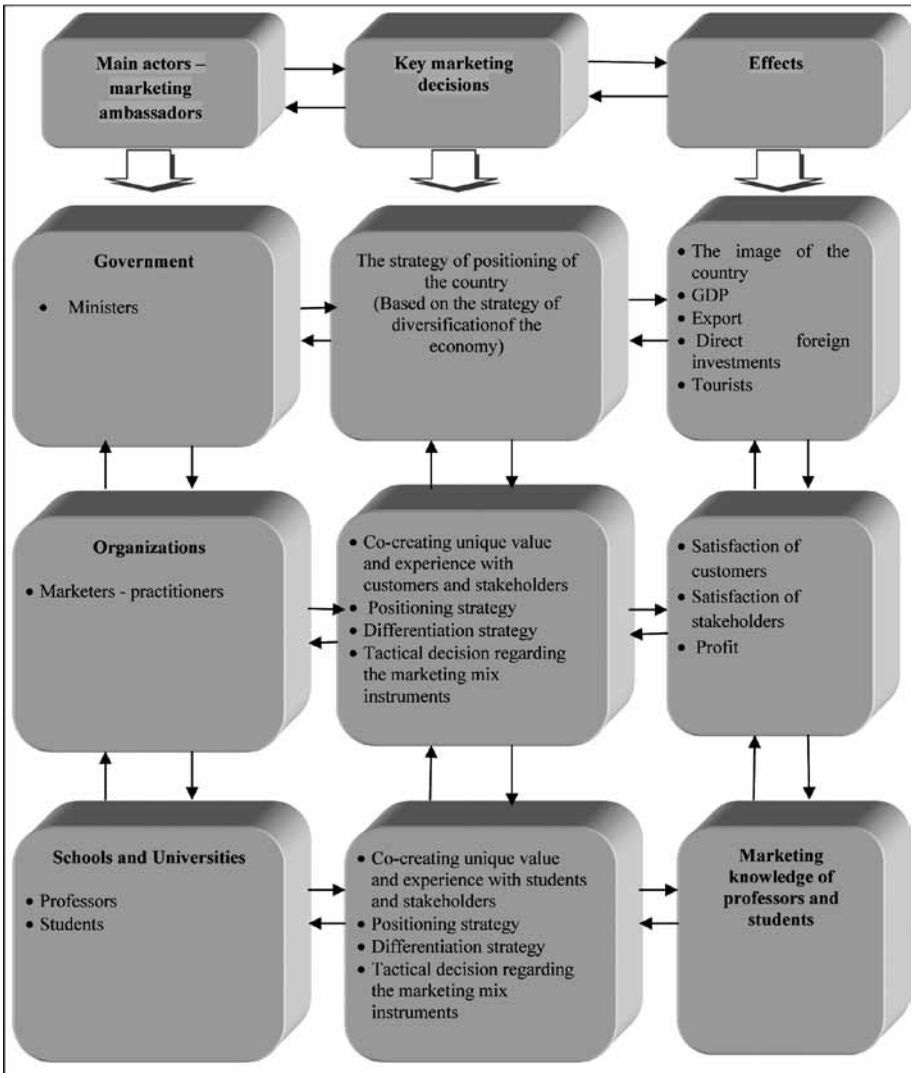
[1] Hanvanich Sangphet, Dröge Cornelia, Calantone Roger (2003): "Reconceptualizing the meaning and domain of marketing knowledge", *Journal of Knowledge Management,* 7(4): 124.

the role of economic and especially marketing knowledge. Implementation of marketing knowledge is necessary at the level of countries, organizations and schools/universities**.**

The paper focuses on the effects of implementation of marketing decisions by the main actors, which Figure 1 summarizes. Main actors - ambassadors in the creation, implementation and transfer of marketing knowledge are the professors, students, practitioners, government ministers and all employees in the field of marketing.

Figure 1: *Model: Effects of implementation of knowledge of the marketing ambassadors – "the snowball effect"*



Gross Domestic Product (total and per capita), positioning of the country and the organization depends on the integrated action of all stakeholders, acceptance and implementation of marketing at all levels. Who should participate in the marketing evolution of a country? The answer is: government ministers, professors and students in schools and universities; practitioners – leaders, managers and skilled employees in the organizations and citizens of countries. How? Government ministries – with definition and implementation of positioning strategy; professors in schools and universities – with theoretical and practical contribution to the development of marketing; practitioners – leaders, managers and skilled employees in the organization – with implementation of marketing in everyday business.[2]

2. Theoretical foundations and development hypotheses

2.1. Holistic implementation of knowledge of the marketing ambassadors

In marketing literature and business, a difference is made between professors and practitioners, as well as between the knowledge of professors and practitioners. Wierenga[3] makes a difference between academic and practitioner marketing knowledge. Schools and universities should be a basis for the creation of knowledge. And is it so? Is the knowledge of professors needed for students who are becoming marketing practitioners? The literature suggests that the knowledge of academics and business schools is insufficient.[4]/[5]/[6]/[7]/[8] Academics are in the knowledge creation and dissemination business. But have marketing academics fallen into the trap that Levitt[9] so cogently describes in his famous *Mar-*

[2] Rakić Mira, Rakić Beba (2014): "Integrated marketing r (e)volution in Serbia", Conference proceedings: SMEs development and innovation: building competitive future of South-Eastern Europe, International conference - SMEs development and innovation: building competitive future of South-Eastern Europe, Faculty of economy – Prilep, Ohrid.

[3] Wierenga Berend (2002): "On academic marketing knowledge and marketing knowledge that marketing managers use for decision-making", *Marketing Theory,* 2(4): 355-362.

[4] Ankers Paul, Brennan Ross (2002): „Managerial relevance in academic reserach: an exploratory study", *Marketing Intelligence & Planning* 20(1), 15-21.

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[8] November Peter (2008): "Marketing knowledge myopia", *European Business Review,* 20(5): 434-456.

[9] Levitt Theodore (1960): "Marketing myopia", *Harvard Business Review,* 38(4): 45-56.

keting Myopia, of focusing on the product and how it is produced rather than on the needs of the customer?[10] November[11] in the article: "Marketing Knowledge Myopia", gave an affirmative answer to the posted question – „marketing academics have become myopic as to what marketing knowledge is, and they have become product-oriented, with the objective of producing as much of it as." According to Ottesen and Gronhaug, "academic marketing knowledge is only to a limited degree utilized in practical life" and "that the use of scientific marketing knowledge can be highly valuable to practitioners – but also that intended users typically do not exploit such knowledge".[12] "However, even if a marketing manager could be aware of all the achievements of academic research in marketing, this would definitely not be sufficient for the manager's decision-making".[13] Gronhaug[14] emphasized that "academian marketing knowledge can be useful, requiring, however, both knowledge, time-consuming and motivated efforts." With regard to holistic approach to the creation of marketing knowledge, in this paper, within the marketing ambassadors beside professors and practitioners, students and representatives of the government ministries stand out. In time, students become professors or practitioners. Representatives of the government ministries by their activities and laws can influence both professors and practitioners. The importance lies primarily on the government ministries, which have been oriented (i.e. which should be oriented) towards defining and implementation of the strategy of the country positioning.

Marketing skills are one of the key bases for the development of countries and organisations. Creation, development and implementation of marketing knowledge are needed at all levels. Figure 1 shows the effects of implementation of marketing decisions by main actors. The main actors - ambassadors make appropriate marketing decisions that have certain non-financial and financial effects, and the effects in return influence main actors and further decisions. All main actors are interrelated and they affect the final results together. The basis is the marketing knowledge which is acquired (or at least which should be acquired) in schools and universities. Marketing knowledge of the professors is transmitted and increased (or at least it should be like that) like the "snowball" to students, employees in different organizations, including government. Therefore, marketing knowledge is transferred like 'a rolling snowball' among the marketing ambassadors on the government level, among organisations, schools and universities. Thus the first hypothesis was proposed:

[10] November Peter (2008): "Marketing knowledge myopia", *European Business Review,* 20(5): 434.

[11] Ibid, 434.

[12] Ottesen Geir, Gronhaug Kjell (2004): "Barriers to practical use of academic marketing knowledge", *Marketing Intelligence & Planning,* 22(5): 526.

[13] Wierenga Berend (2002): "On academic marketing knowledge and marketing knowledge that marketing managers use for decision-making", *Marketing Theory,* 2(4): 357.

[14] Gronhaug Kjell (2002): "Is marketing knowledge useful", *European Journal of Marketing,* 36 (3): 364-372.

Hypothesis 1. There is positive relationship between the marketing knowledge of the marketing ambassadors and marketing decisions and results.

In digital landscape, changes are constant. Marketing knowledge and decisions of actors should also be harmonised. The changes of marketing decisions among actors mutually and all together integrally – influence the changes on the level of country, organisations, schools and universities. Therefore, the implementation of marketing knowledge at the level of country, organisations, schools and universities can influence the country development. The following hypothesis was thus proposed:

Hypothesis 2. There is a positive relationship between the marketing knowledge of the marketing ambassadors and country development.

2.2. Marketing activities at the level of government

The key strategies of the government of a country are related to the diversification of the economy (according to the sources of competitive advantage) and positioning the country.[15]/[16]/[17]/[18]/[19]/[20]/[21] The results are: the image of the country, GDP, exports, direct foreign investment and tourists. The implementation of integrated economic knowledge at the level of government should provide:

- defining and implementation of development strategies of diversified economy,
- defining and implementation of an integrated strategy of positioning the country,
- creating and maintaining a favorable image of the country,
- creating conditions for increasing direct foreign investments,
- increase of exports,
- encouraging the implementation of marketing in organizations,
- as a result of previous activities - increasing employment, production, GDP, investment; income, purchasing power and savings of population and reduction of poverty.

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15 Anholt Somon (2005a): "Editor's foreword", *Place Branding* 1(4), 333–346.

16 Anholt Somon (2005b): "Plug into your national brand", International Trade Forum, 20-23.

17 Anholt Somon (2007): "The Anholt Nation Brand Index – Special Report Q2", GMI.

18 Brodie Roderick, Sharma, Rahul (2011): "National branding for New Zealand Exports", *Marketing Theory,* 14(1): 7-17.

19 Gilmore F. (2002): "A country – can it be repositioned? Spain – the success story of country branding", *Journal of Brand management,* 9(4-5): 281-293.

20 Kotler Philip, Gertner David (2002): "Country as brand, product, and beyond: a place marketing and brand management perspective", *Brand Management,* 9(4-5): 249-261.

21 Reinert Erik (2006): *Globalna ekonomija – Kako su bogati postali bogati i zašto siromašni postaju siromašniji*, Beograd: Čigoja štampa.

Increase in GDP and the income of population enable new investments in education and the economy, which leads to further reduction of poverty (of the country, families and individuals).

Reinert in his book: The global economy - How the rich became rich and why the poor become poorer - presents a problem of undiversification of economy of the underdeveloped - poor countries and the reliance on single or small number of branches (activities) in its development (most commonly in agriculture). "Globalization, as it has been happening in the world in the last 20 years, caused the disappearance of the industry in many poor countries, and they returned to the stage dominated by the law of decreasing income. Global sustainable development will depend on the poor countries to develop industries and thus create alternative employment outside the economic activities based on natural resources".[22] It is believed that poverty in developing countries, regardless of region, is a consequence of low levels of economic development and/or inadequate economic and social policies for poverty reduction.[23]

The concept of positioning does not apply only to products, but also to the country. Positioning strategies are crucial for the survival of countries. Numerous authors talk about the significance and influence of country positioning on competitive advantage over other countries. The positioning of the country is creating a specific country's position in the minds of potential consumers, tourists, investors and other relevant groups. Countries apply the means of marketing management and positioning because they need to attract tourists, companies (direct investments) and talented people and to export. Countries compete with each other and try to provide sources of competitive advantage on the global marketplace.[24] Countries compete among themselves for the buyers of their products, tourists, investments and image.

The basics of positioning and the factors that influence the image of the country are: exports, government, culture and heritage, people, tourism and investments and immigration.[25] These bases have complementary effect to the integrated positioning of the country. Creating and exporting the famous brand name products is an important basis for positioning the country. The countries with the best brands are also the richest countries - which have the highest GDP.[26] Therefore, for successful export and GDP growth, it is necessary to build brands on the international - global market. Good image and positioning of the

22 Ibid, 64.

23 Hirono Ryokichi (2003): "Reorienting international development to accelerate poverty reduction and ensure sustainability as this century's top development goals", *International Review for Environmental Strategies,* 4(1): 21–44.

24 Kotler Philip, Gertner David (2002): "Country as brand, product, and beyond: a place marketing and brand management perspective", *Brand Management,* 9(4-5): 249-261.

25 Anholt Somon (2007): "The Anholt Nation Brand Index – Special Report Q2", GMI.

26 Anholt Somon (2005a): "Editor's foreword", *Place Branding* 1(4), 333–346.

country affect the acceptance of foreign brands on the market. A country can be positioned on the basis of a competent government that makes responsible decisions which support international peace and security, and by emphasis on government's behaviour which is consistent with the global environment and reduction of poverty. The country can further position itself on the basis of cultural heritage and contemporary culture - movies, music, art and literature. People - kindness of residents and expertise (human capital) are important basics of positioning the country. Tourism is often the most visible aspect of the promotion of the country. Natural beauty, heritage and other segments of the tourist potential are the basics of positioning the country. Investments are needed in order to achieve the benefits of tourism. Despite the importance of tourism, the country can not expect the revenue from tourism to solve all problems. On the contrary, the country must first solve its own problems so that it could have a desired income from tourism. Country can be positioned on the basis of investment opportunities (for business people) and immigration - living and working in the country (for students and professionals). In general, people are mostly attracted to countries that are based on clear, consistent messages about the qualities which people value, such as a competent government, friendly people and economic opportunities.[27]

The image of the country is the result of economic, geographic features, history, art and music, the image of the famous people and other characteristics.[28] The image of the country of origin and the perception of residents of other countries about the strength of the observed country in terms of science and technology, affect the export (from the observed country). The image of the country of origin affects consumers' willingness to actively explore or avoid products of certain countries.[29] The research results confirm that 70% of companies believe that the image of the country of origin significantly influences consumers` decisions to buy products. There are many stereotypes about countries that aim to consumers` perceptions, for example, German engineering, French style, Italian food, etc.[30] Thus, consumers have some idea and perception about the countries that affect their buying decisions, regardless of whether the country has and implements a strategy of positioning. It is necessary to study the current image and the change in the direction of creating and maintaining a desired image.

Positioning of the country, creating and maintaining the desired image is a continuous process which should be engaged by various actors at all levels from government, through organizations to individuals - leaders, managers, employees and citizens. Such considerations suggest the following hypothesis:

27 Anholt Somon (2007): "The Anholt Nation Brand Index – Special Report Q2", GMI.

28 Anholt Somon (2005b): "Plug into your national brand", International Trade Forum, 20-23.

29 Anholt Somon (2007): "The Anholt Nation Brand Index – Special Report Q2", GMI.

30 Sorrell Martin (2002): "Branding the nation", *Brand Strategy,* 25(159): 13.

Hypothesis 3. There is a positive relationship between the marketing knowledge of the government and marketing decisions and results (of the government).

2.3. Marketing orientation of organizations

A marketing orientation is needed at all levels – ranging from any profit-oriented, non-profit organization, via municipalities and cities/towns to the gov ernment.[31]/[32]/[33]/[34]/[35]/[36]/[37]/[38]/[39]/[40]/[41]/[42]/[43]/[44] Organizations' marketing orientation leads to profitable business operations. Profitable marketing is defined as profitable satisfaction of the consumer's needs, i.e. the creation and maintenance of the consumer and the profit. Of course, a question is raised as to how we shall create and maintain the consumer and the profit as well. A simple answer to that question would be: it is "only" needed to do business with market mindset. The basis is a market-oriented organisation in which all employees "think with

[31] Blocker Christopher *et. Al.* (2011): "Proactive customer orientation and its role for creating customer value in global markets", *Journal of the Academy of Marketing Science,* 39(2): 216-233.

[32] Foley Anthony, Fahy John (2009): "Seeing market orientation through a capabilities lens", *European Journal of Marketing,* 43(1-2): 13-20.

[33] Kohli Ajay, Jaworski Bernard (1990): "Market orientation: the construct, research propositions and managerial implications", *Journal of Marketing,* 54(2): 1-18.

[34] Lafferty Barbara, Hult Tomas (2001): "A synthesis of contemporary market orientation", *European Journal of Marketing,* 35(1-2): 92-109.

[35] Levitt Theodore (1960): "Marketing myopia"*, Harvard Business Review,* 38(4): 45-56.

[36] Narver John, Stanley Slater (1990): "The effect of a market orientation on business profitability", *Journal of Marketing,* 54(4): 20-35.

[37] Osborne Phil, Ballantyne David (2012): "The paradigmatic pitfalls of customer-centric marketing", *Journal of Marketing Theory & Practice,* 12(2): 155-172.

[38] Raaij Erik, Stoelhorst J.W. (2008): "The implementation of a market orientation: A review and integration of the contributions to date", *European Journal of Marketing,* 42(11-12): 1265-1293.

[39] Vasiljev Stevan, Salai Suzana (2000): "Marketing kao ključna komponenta poslovnog potencijala", *Strategijski menadžment*, 4(1): 38-43.

[40] Filipović Vinka (1994): "Marketing i upravljanje sistemom kvaliteta", *Marketing*, 25(4):57-62.

[41] Žnideršić-Kovač Ružica, Marić Dražen, Salai Suzana, Grubor Aleksandar (2013): "Etičko ponašanje potrošača u marketingu", *Anali Ekonomskog fakulteta u Subotici*, 29: 65-79.

[42] Barac Nada (1994): "Marketing logistika i informacioni i komunikacioni sistemi", *Ekonomika*, 40(5): 54-60.

[43] Milisavljević Momčilo (2005): "Tržišna orijentacija i poslovni uspeh preduzeća", *Megatrend revija*, 2(2): 151-165.

[44] Buha Vesna, Janičić Radmila, Filipović Vinka, Gligorijević Mirjana (2011): "Virtuelna realnost u obrazovanju na daljinu i marketinškim komunikacijama", *Management - časopis za teoriju i praksu menadžmenta*, 16(60): 51-59.

market mindset" (i.e. they understand the necessity and importance of researching into and profitably satisfying the consumer's needs and continual integrated communications with them). Levitt in his article on marketing myopia, concludes that organizations must realize that they are not engaged in manufacturing of products but "buying of customers" (and we could add relationships with other key business partners) and activities affecting the partners to want to do business with the organization. In other words, Levitt stressed the importance of effectiveness in relation to efficiency, as well as the necessity and importance of managing relations with customers and business partners.[45]

Traditional transactional marketing (also known by "4P" - four instruments of marketing mix) is considered insufficient in the current business environment. The value is not in the marketing mix. The value is in creating, developing and maintaining relations with customers and other partners.[46]/[47]/[48]/[49]/[50] Due to environmental changes, the relational marketing is of the particular importance, i.e. creating, developing and maintaining relations with customers and business partners. Managers emphasize relationship management both internally with employees and externally with customers, suppliers, distributors and other relevant partners. Relational marketing is based on good communication.[51] In the network world, more money can be made on the basis of managing interactions, rather than execution of activities.[52]

The influence of consumers on marketing management of organizations is changing - from the traditional system of value creation for consumers to co-creation of unique values with consumers.[53]/[54] Two paradoxes describe the

45 Levitt Theodore (1960): "Marketing myopia", *Harvard Business Review,* 38(4): 45-56.

46 Brodie Roderick, Coviello Nicole, Bliemel Friedhelm (2003): "Introduction to the Special Issue on Conceptual Developments in Relationship Marketing", *Marketing Theory,* 3(1): 5-7.

47 Durme Joel, Brodie Roderick, Redmore David (2003): "Brand Equity in Cooperative Business Relationships: Exploring the Development of a Conceptual Model", *Marketing Theory,* 3(1): 37-57.

48 Grönroos Christian (1997): "From marketing mix to relationship marketing – towards a paradigm shift in marketing", Management Decision, 35(3-4): 322–339.

49 Pels Jaqueline, Coviello Nicole, Brodie Roderick (2000): "Integrating transactional and relational marketing exchange: a pluralistic perspective", Marketing Theory, 8(3): 11-19.

50 Plewa Carolin, Quester Pascale, Baaken Thomas (2005): "Relationship marketing and university-industry linkages: A conceptual framework", *Marketing Theory,* 5(4): 443-456.

51 Feiertag Howard (1997): "Relationship selling works only when practiced", *Hotel & Motel Management,* 212(6): 18.

52 Sawhney Mohanbir, Parikh Deval (2001): "Where value lives in a networked world", *Harvard Business Review,* 79(1): 79-86.

53 Pongsakornrungsilp Siwarit, Schroeder Jonathan (2011): "Understanding value co-creation in a co-consuming brand community", *Marketing Theory,* 11(3): 303-324.

54 Prahalad C.K., Ramaswamy Venkatram (2004): *The future of competition - co-creating unique value with customers*, Boston: Harvard Business School Publishing.

economy at the beginning of the 21st century. Consumers have more choices that contribute to lower satisfaction. Top management has more strategic options that contribute to a lower value. What is stated encourages reconsideration of the traditional value system. Leaders need new frames of reference for value creation. The solution is a concept of co-creating an unique value with customers. Thanks to the Internet, consumers can connect and engage in active dialogue with manufacturers of products/services. Instead of producers, consumers initiate and control the dialogue with producers. The market becomes a forum where consumers play an active role in creating the value. An important feature of the new market is that consumers are becoming a new source of competence for the organization. Competence of consumers depends on their knowledge and skills, willingness to learn and experiment and the ability to participate in an active dialogue. Given the new role of consumers, competence is a function of the collective knowledge available in the entire system, i.e. expanded network made up of consumers, the traditional suppliers, manufacturers, investors and other business partners. The role of consumers is changing. Organizations can no longer act autonomously, design products, develop manufacturing processes, determine pricing, create marketing messages and control the distribution channels without the affect of the consumers. Consumers tend to affect every part of the business system. Trained with new tools and dissatisfied with the existing choices, consumers want to influence and participate in the co-creation of value with the organization. Interaction is the basis of a new system of co-creation of the unique value .[55]/[56]/[57]

Implementation of marketing at level of organization means faster and more profitable production of products/services in relation to national and/or foreign competitors. Organizations must produce competitive products (lowest cost and/ or differentiated products) in accordance with the requirements of consumers. Given the growing global competition, we could say that, for the competitive advantage, it is not enough to produce and sell products at lowest prices, it is necessary to offer differentiated products, often at lower prices, faster than the national and/or global competitors. Nowadays, in digital landscape, the engagement and co-creating unique value with customers are required. In other words, the main sources of competitive advantage of organizations are: speed, engagement with customers, low cost of products/services and innovation.

The implementation of integrated knowledge at the level of organization should provide:

[55] Prahalad C.K., Krishnan M.S. (2008): *The new age of innovation – driving co-created value through global networks.* USA: McGraw Hill.

[56] Prahalad C.K., Ramaswamy Venkatram (1999): Co-opting customer competence", *Harvard Business Review,* 78(1): 79-87.

[57] Prahalad C.K., Ramaswamy Venkatram (2004): *The future of competition - co-creating unique value with customers*, Boston: Harvard Business School Publishing.

- determination of the current position of the organization in competitive environment,
- marketing orientation of organizations,
- (re)positioning of organizations,
- as a result of previous activities - profit of organizations, customers' satisfaction and sustainable development.

Increase of profit of organizations affects on the increase of individuals' incomes, GDP and opportunities in terms of new investments (in education and the economy).

To explore this issue, the following hypothesis is tested:

Hypothesis 4. There is a positive relationship between the marketing knowledge of the organisations and marketing decisions and results (of the organisations).

2.4. The role of schools and universities

In addition to governments and organizations, the key stakeholders in the process of creating, transfer and implementation of knowledge are the schools and universities. Key marketing decisions of the schools and universities are: co-creation of unique value with students, their parents and stakeholders; positioning and differentiation of services and universities; the tactical decisions on marketing mix instruments. The result is the marketing knowledge of marketing ambassadors - professors, practitioners, students and all employees in the field of marketing.

Integrated - theoretical and practical knowledge is the result of the complementary effects of multiple disciplines, subjects and methods; knowledge and interactions between professors, practitioners, students and all employees in the field of marketing. A method of teaching is required, effective for learning theoretical concepts and principles, but it is not enough. In order for students to apply the acquired theoretical concepts, case studies should be used in teaching. The involvement of students in organizations ('practice') during their studies is of particular importance. Schools and universities are able to:

- prepare and implement modern programs and methods, which enable the creation of theoretical and practical knowledge necessary for the development of individuals, organizations and countries;
- have their own business, institute, or to conduct researches for other organizations (profit, nonprofit, government, etc..), be engaged in consulting and etc.;
- engage students (in the implementation of additional activities);
- and/or establish and maintain contact with other organizations in which students acquire additional - practical knowledge;

- educate employees in organizations (e.g. through seminars, webinars, creative workshops, etc).;
- and in the previously mentioned ways, provide their students with the acquisition of integrated knowledge;
- establish and maintain contact between professors, students and practitioners - schools, universities and organizations – in order to develop individuals, organizations and economy of the contry.

With acquisition of theoretical and practical knowledge, graduate students are prepared to solve multidisciplinary issues of organization and/or economy. The above mentioned contributes to the positioning and differentiation of schools, universities, organizations, economy and country. To define and implement innovative curricula and methods, it is necessary to have: leaders (rectors, vice rectors, deans, professors, etc..) with a vision, who have the knowledge, power and desire to direct faculties and students, professional and motivated professors, money and time.[58] This implies:

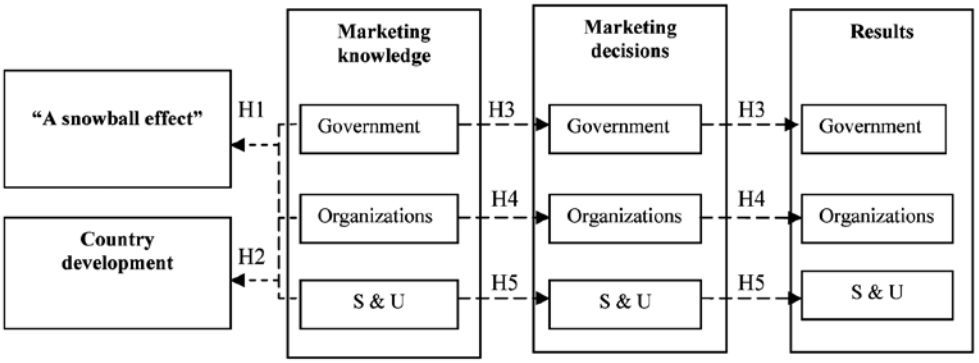
Hypothesis 5. There is a positive relationship between the marketing knowledge of the schools and universities and marketing decisions and results (of the schools and universities).

2.5. Hypothesized model

Previously stated hypotheses are shown in Figure 2. The model shows that knowledge is transferred in accordance with "snowball effect" among the marketing ambassadors; it also shows that marketing knowledge on the level of government, organisations and S&U, influence the country development. In addition, the model shows that marketing knowledge of government, organisations and schools and universities makes influence on marketing decisions and results.

[58] Rakić Mira, Rakić Beba (2014): "Integrated marketing r (e)volution in Serbia", Conference proceedings: SMEs development and innovation: building competitive future of South-Eastern Europe, International conference - SMEs development and innovation: building competitive future of South-Eastern Europe, Faculty of economy – Prilep, Ohrid.

Figure 2: *Hypothesized model*



3. Method

The sample for this survey consisted of 30 marketing managers, 10 employees in the government (Ministry of Finance and Economy, Ministry of Education, Science and Technological Development, Ministry of Foreign Affairs), 10 professors of marketing and 10 students in doctoral studies (on the course: marketing management) in Serbia. Thirty-eight participants (63.3%) were females and 22 (36.7%) were males. Of those who provided their age, participants were 35.87 of age on average. A greater number of participants (71.7%) have more than 10 years of experience.

In the first part of the survey, participants were asked: Is marketing knowledge transferred like "a rolling snowball" among the marketing ambassadors on the level of country, organisations, schools and universities? In the second part of questionnaire, the focus was on question: Whether the implementation of marketing knowledge changes at the level of country, organisations, schools and universities can influence the country development? In the third part of the questionnaire, the focus was on influence of marketing knowledge of the government to marketing decisions and results (of government). The fourth part of the questionnaire should answer the question - Whether marketing knowledge of organisations makes influence on marketing decisions and results (of organisations)? And the fifth - Whether marketing knowledge of schools and universities makes influence on marketing decisions and results (S&U)? The last - sixth part included general demographic questions.

All variables were assessed on a 5-point Likert scale (ranging from 1 = strongly disagree, 2 = disagree, 3 = neither agree nor disagree, 4 = agree, to 5 = strongly agree).

4. Results

Hypothesis 1. Mean scores ranging from 1 to 5 show that most participants (4.3) agree that the level of marketing knowledge is transferred like "a rolling snowball" among certain levels. As expected, the mean score for the transfer of marketing knowledge reported by professors (4.7) was greater than by managers (4.2) and by government representatives (4.1). However, some marketing managers experienced scepticism about the value and power of marketing knowledge of professors and students. Some marketing managers consider that the problem lies in the fact that marketing knowledge, which is required for practice, is not created in schools and universities. Several participants in organisations and government pointed out that graduated students „come with theoretic knowledge, insufficiently prepared for practice", and that they have to „invest time and educate them additionally". Several of them emphasized that „ignorance is transferred and enhanced". Some of them asked us: What is marketing knowledge?

Hypothesis 2. The majority of respondents consider that the implementation of marketing knowledge on the level of government, organisations, schools and universities can influence the country development (M = 4.4). However, similarly to the previous hypothesis, the majority of practitioners (in organisations and government) added that the required practical marketing knowledge was missing.

Hypothesis 3. The majority of respondents (M = 4.5) agree that marketing knowledge of government can influence marketing decisions and results of government. Compared to managers (M = 4.0) and professors and students (M = 4.7), the representatives of the government value more the influence of marketing knowledge of government on decisions and results (M = 4.8). Managers, students and professors added that the government did not implement the strategy of positioning, but that it should do that

Hypothesis 4. Respondents consider that marketing knowledge of organisations makes influence on marketing decisions and results (of organisations) (M = 4.6).

Hypothesis 5. Also, the majority (M = 4.5) agree that marketing knowledge of schools and universities makes influence on marketing decisions and results (of schools and universities).

5. Discussion and conclusions

The results of the present survey support hypothesis about power of marketing knowledge. Clearly, the findings show the relationship among: marketing knowledge of government, organisations and S&U; and the

relationship among marketing knowledge, decisions and results. Respondents agree that marketing knowledge represents an opportunity and that it can influence the development of countries, organisations, schools and universities. However, the majority of practitioners pointed out the threat - incompliance of academic and practitioner marketing knowledge. The conclusion follows, in order not to transfer "ignorance" or insufficiently useful knowledge, in order not to waste time and energy of professors and students in the creation of useless knowledge for practice, it is necessary to mutually specify useful knowledge. Relevant ministries, associations and institutes could gather and direct activities of the marketing ambassadors.

Holistic implementation of knowledge of the marketing ambassadors has the key role in the development of countries and organisations. Development is a result of the complementary effects of the integrated knowledge in different fields. The main role of knowledge is directing the economy, organizations and individuals. Integrated knowledge allows understanding of the necessity and significance of changes; development and implementation of strategies. Marketing knowledge is of particular importance.

Integrated knowledge should enable the definition and implementation of strategies:

- education;
- diversified economy;
- positioning of the country;
- marketing of all organizations.

Key recommendations - basics of the positioning and the factors that influence the image of the country are:

- Exports - The government should determine the key development sectors of the diversified economy, assist organizations in creating well-known brands on the global market, which would enable the increase of exports and improvement of the image of the country;
- Government – it is necessary to build the image of professional, accountable, democratic government; establish and maintain relationships with key stakeholders in the international economic and political environment;
- Culture and heritage, tourism – with good promotion of culture and heritage, it is possible to attract tourists. However, before the promotion, investments are necessary in infrastructure, defining and implementation of a strategy for development of tourism.
- People - the government and educational organizations should make it possible to improve the expertise of people, and organizations can contribute to staff motivation. The government should explain the necessity and importance of applying the strategy of positioning the country

and affect all stakeholders to contribute to positioning. These measures would additionally affect the expertise of the employees and kindness of the population.

- Investment and immigration - with facts stated above and other measures and actions, the government can encourage direct foreign investments and the arrival of students and business people.[59]/[60]

Organization's acceptance and implementation of marketing mindset in business can "win" the consumers, create profits and ensure market survival. To respond to changes in business environment, and/or participate in their creation, or to survive in the process of globalization and digitalisation, marketing managers must define and implement marketing strategies, and the government should define and implement a strategy of positioning the country.

So, we can put the next question: does marketing knowledge enable slow or fast changes? Evolution or revolution in marketing? The answer to the question: evolution or revolution is evolution. Given that "the future is embedded in the present"[61], i.e. starting with the existing situation, "immediate and prompt" marketing revolution is not possible. The understanding of the necessity, the determination and implementation of changes takes a long time. The changes need:

- human resources - multidisciplinary knowledge - skilled and motivated people - leaders with a vision, who have the knowledge, power and desire to direct government ministries, organizations, institutions and residents towards the implementation of defined strategies and development programs; managers, employees and residents;
- leaders at all levels, who understand the necessity and significance of the changes, have the knowledge, power and motivation to join together skilled people and create multidisciplinary teams;
- definition and implementation of strategies for co-creating, positioning and differentiation at all levels; implementation of marketing, both in organizations and at the country level and, on the basis of that, definition and implementation of the strategy of positioning of the organizations and country (emphasis on the development strategy of diversified economy);
- money - to invest in the development of diversified economy, development projects and programs, development of brands of goods/services/organizations and creation and maintaining a good image of country, and

[59] Anholt Somon (2007): "The Anholt Nation Brand Index – Special Report Q2", GMI.

[60] Rakić Mira, Rakić Beba (2014): "Integrated marketing r (e)volution in Serbia", Conference proceedings: SMEs development and innovation: building competitive future of South-Eastern Europe, International conference - SMEs development and innovation: building competitive future of South-Eastern Europe, Faculty of economy – Prilep, Ohrid.

[61] Nesbit Džon (2009): *Mentalni sklop – Promeni okvir i sagledaj budućnost*. Beograd: Megatrend univerzitet.

- time (for initiating and implementing the changes).[62]

Why most managers do not manage change effectively? Often because they forget that the organization does not change, but the (behavior of) people who are in the organization. In order to achieve the changes, it is necessary for people in the organization to understand the necessity and significance of the.[63]

For successful implementation strategies, we need leaders, professional staff, investment and time. The last and the most important, the marketing ambassadors, together – on a basis of common activities (e.g. projects) can contribute to the creation, implementation and exchange of marketing knowledge, with positive results on certain levels and to the country development.

6. Limitations and future research

Although the results of survey show the significance of holistic implementation of knowledge of the marketing ambassadors, there are several limitations. Firstly, future studies should provide an opportunity for marketing actors to define marketing knowledge and specify key marketing decisions. In this survey, certain key marketing decisions were the starting point. We had to explain to some participants what some decisions meant (e.g. co-creating of unique value) and why these were stated, and not some others. Secondly, gaps have been noticed between theorists and practitioners, between giving the significance to theory and practice. These mentioned gaps and some others as well could also be the subject of a survey. Considering that knowledge is transferred, common defining of required and useful knowledge (by marketing ambassadors, at all levels) is necessary. Thirdly, a comparative analysis of significance of holistic implementation of marketing knowledge in several countries would be of special importance.

Future surveys can be oriented to methods of gathering and mutual work of the marketing ambassadors with the aim of creating useful marketing knowledge (for all marketing ambassadors).

[62] Rakić Mira, Rakić Beba (2014): "Integrated marketing r (e)volution in Serbia", Conference proceedings: SMEs development and innovation: building competitive future of South-Eastern Europe, International conference - SMEs development and innovation: building competitive future of South-Eastern Europe, Faculty of economy – Prilep, Ohrid.

[63] Grey John (2004): **"**Ch-ch-ch-changes**",** *Canadian Business,* 77(14-15): 93.

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HOLISTIČKA PRIMENA ZNANJA "AMBASADORA MARKETINGA"

S a ž e t a k

Svrha istraživanja – Članak akcentira ulogu znanja u oblasti marketinga u razvoju zemalja, organizacija, škola i univerziteta. Svrha je istraživanje moći znanja ambasadora marketinga i predlog modela za holističku primenu znanja.

Metodologija – Istraživanje putem ličnog intervjuisanja sprovedeno je na uzorku od 30 marketing menadžera, 10 zaposlenih u vladi, 10 profesora i 10 studenata na doktorskim studijama u Srbiji.

Rezultati istraživanja – ambasadori marketinga – profesori, studenti, praktičari, ministri i svi zaposleni u oblasti marketinga, svojim marketinškim znanjima i veštinama, mogu da doprinesu razvoju škola, univerziteta, organizacija i zemalja.

Praktični doprinos – Postoji potreba da se stvara, razmenjuje i primenjuje znanje u oblasti marketinga na svim nivoima – od škola i univerziteta, putem organizacija, do ministarstava vlade. Ambasadori marketinga, na osnovu zajedničkih aktivnosti (npr. projekata) mogu da doprinesu stvaranju, primeni i razmeni znanja u oblasti marketinga, pozitivnim rezultatima na svim nivoima i razvoju zemlje.

Vrednost – Članak predstavlja holistički pristup stvaranju i razmeni znanja.

Ključne reči: marketing, znanja u oblasti marketinga, ambasadori marketinga, holistički marketing

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HUNGARY AND THE BALKANS

As regards the Balkans, Hungary is one of the intermediary regions in Europe. At the same time, the Balkans is the tie-up territory between Turkey, one of the emerging regions today, and Hungary, which aims to cooperate with it. Being a NATO and EU member state it takes part in the geopolitical games that are played between the EU, Russia, the USA and some of the countries of the Islamic world. These dealings fundamentally determine tasks in Hungarian foreign policy, cultural policy, economic policy, security- and defence policy for the forthcoming decades.

Hungary acts as a gate between Western Europe and the Balkans. This role used to be more dominant in previous centuries of Hungarian history than it is today, not least because the country's size and strength significantly decreased after the Trianon Treaty. Many of the historical, imperial reflexes have remained, but without any imperial gravity. Today we are just one of the intermediary regions that have relations with the Balkans and form a bridge to Europe. The accelerated alteration in the world order, the BRICS countries and the emergence of some important middle-sized states, such as Turkey, make adaptation inevitable for our country. This is what the policy of "Eastern opening" is about.

Key words: Hungary, Balkans, geopolitics, migration, Danube, Eastern opening

Introduction

Throughout Hungarian history the Balkans has always been an ineludible reference point and seemingly this will remain so. Here is what László Makkai wrote about this from a historical perspective:

"For a millennium Hungary played the role of a lock and the gate between the Balkans and Western Europe. There were times when the small states of the Balkans found their political chances of existence under the wing of the strong Hungarian power, but there were no times when Hungary was a negligible factor

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in their lives. During the first five centuries of Hungarian history it often seemed that the Balkans would become Hungary, whereas in the second half of the millennium we saw the Balkans penetrating deeply into the territory of Hungary (Makkai, L. 1942).[1]"

The quote requires a short explanation. A major direction of political and territorial intentions during the first centuries after the foundation of the Kingdom of Hungary pointed toward south, in the direction of the Balkan Peninsula. As a result of conquest, from 1102 Croatia was a part of the Kingdom of Hungary, and from the early 12th century to the 15th century Dalmatia also recognised the rule of the Hungarian kings. The role of the weakening Byzantine Empire in the Balkan Peninsula was gradually taken over by Hungary from the 13th century. With the expansive Hungarian foreign policy, in the 12-13th centuries numerous *banates* (administrative units lead by the "ban", also called viceroy) were formed at the southern border territories of Hungary with a protective purpose, at the expense of the peoples of the Balkans. Although this puffer zone protected our kingdom, it is very clear that the economic and military capacity of the Kingdom of Hungary - considered a mid-size power at the time - was only enough to control the northern parts of Bosnia and Serbia and the northwestern part of the region, later called Wallachia. The Hungarian state could not extend its action radius to the inner parts of the Balkan Peninsula, and sometimes maintaining its rule over this southern protective area and Croatia also caused major hardships (Kitanics, M. 2008).

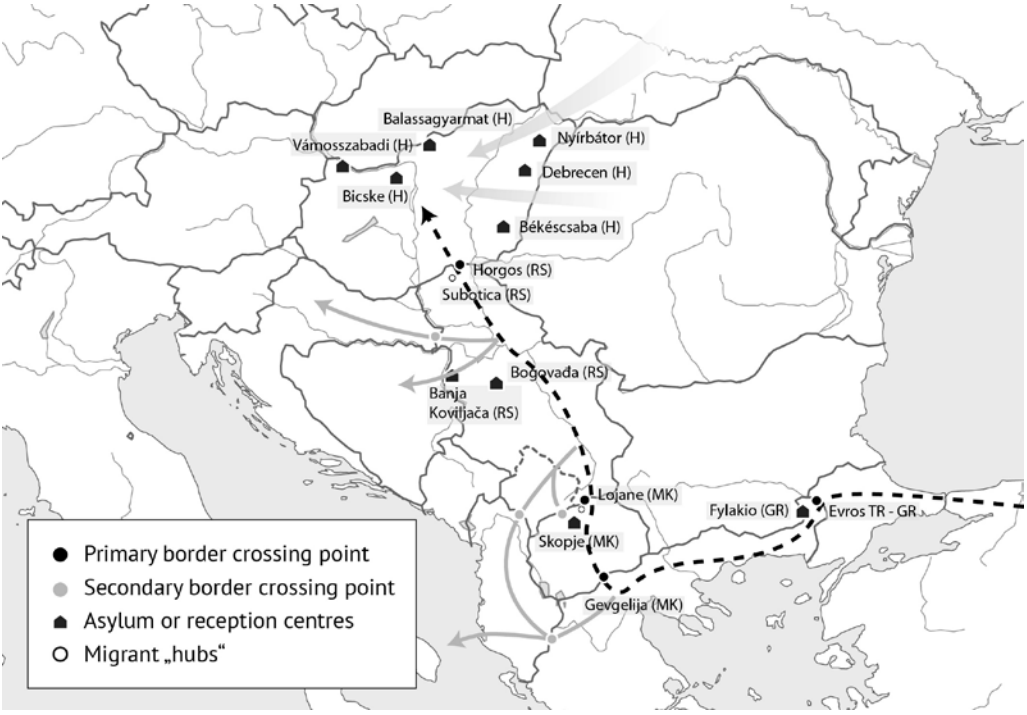
During the mid-14th century a new power appeared on the Balkan Peninsula, rapidly expanding, disrupting existing political relations and restructuring them according to its own interests. From 1354 to the first decade of the 16th century the Ottoman Empire did not only conquer the states of the Balkans, but also destroyed the puffer zone of the Kingdom of Hungary. It then entered the central territory of Hungary via the old military road (Via militaris, Istanbul Road), the Morava gate, and only pulled back at the end of the 17th century, due to changes in the balance of power. All these caused major waves of migration in the 15-18th centuries, causing major transformations in the ethnic layout of the Carpathian-Balkan region. The migration movements through the migration channels in the Balkans (Figure 1) were two-way. During the Turkish conquest in the Balkan Peninsula, large numbers of refugees arrived, who sought refuge within the territory of the Kingdom of Hungary. A major part of them, joined by members of the indigenous population, migrated to the shrunken territory

[1] „*Egy* évezred óta *a Balkán* és *Nyugat-Európa között Magyarország a zsilip* és *a kapu szerepét játszotta. Volt idő, mikor a magyar nagyhatalom szárnyai alatt találták megpolitikai* életlehetőségeiket *aBalkán kis* államai*, de nem volt idő, mikor Magyarország ne lett volna tényező* életükben. *Történelmünk első félezer* éve *alatt többször látszott* úgy*, hogy a Balkánból Magyarország lesz, a második félezer* év *során viszont az események* úgy *hozták, hogy a Balkán nyomult bele mélyen Magyarország testébe (*Makkai, L. 1942*).*"

of the Kingdom of Hungary after the Ottomans entered the Carpathian Basin. Then the Ottoman Empire brought its subjects from the Balkans to the low population density areas for military and economic purposes, while many people also moved there due to spontaneous migration. The situation that existed till 1683-84 changed fundamentally when the Turks pulled back. With the ethnic Turkish administrative personnel, soldiers and traders, many Islamized people, mostly from the Balkans and/or primarily Orthodox people in the service of the Ottoman Empire left the Carpathian Basin.

The land stretching from the current borders of Hungary to the former border of the Hungarian Kingdom (Orsova) features an intricate spatial texture which bears the marks of our former political, economic and social aspirations creating the most important reference space for us in the Balkan region. This has been and probably will continue to be the most important zone providing us some elbow-room. This is the filter that sifted and still does the Balkan influences, as well as those transmitted from Hungary and the Central European region in the opposite direction. In the future Hungarians will be able to gain the experience related here to the wider region. This is the reason why this region deserves to have special attention paid to it in Hungarian foreign policy. At the same time we are faced with having insufficient social knowledge of it.

Figure 1: *Migration channels in the Balkans from the Romans to the 18th century.*



Today Hungary must reckon with simultaneous disintegration and integration in this region. Our country, as a member of a greater political community, is striving for the evolution from "the Balkans" into "Europe". The disintegration of the Yugoslav region may not have ended yet; the national integration aspirations are determinant, but at the same time the supranational integration processes (NATO, EU) are also present and intensifying. Hungary occupies a key strategic position even today. Efforts made during Hungary's EU presidency played a major part in the EU-accession of Croatia. Maintaining good relationships with Hungarians is of vital importance to Serbia, as has been shown in the issue of the Restitution Law. As an economic partner, we play a major role for the smaller Balkan states as well. Today Hungary might not be the only "lock and gate" of the region, nevertheless we are still one of the numerous.

Hungary's Balkan policy today

Since the regime change, public opinion in Hungary has regarded the Balkans as a region that from time to time poses a threat to the country and its citizens. However, it comprehends little of the intricate territorial processes and shows practically no interest in them. Public opinion in Hungary generally demonstrates little if any interest in foreign affairs, some extraordinary events might draw some publicity at best, and even compared to this the Balkans is of peripheral significance in the priority system. Thus, Hungarian foreign policy carries a dissolved antagonism in terms of the representation of Hungarian interests and their political and social perception.

Interest shown by the Hungarian business sector has increased, some corporations having established a strong position in the region. However, this has little social and national economic impact. Small- and medium-sized enterprises are mainly active in the borderland populated partly by Hungarians, and do not exploit market opportunities as they arise.

The activity of the civil society is even weaker. The degree of cooperation motivated by the tendering system is low and generally characterized by low efficiency. In Hungarian higher education and in academic circles researches on the Balkans suffer from shortage of workshops and resources. Furthermore, their structure is inappropriate, resulting in prevalence of primarily historical studies.

It is generally true that we have come to realize that major problems are brought about from the Balkans, but that there are also opportunities that should be responded to. Nevertheless, in the last twenty years only faint attempts have followed this realization. The Balkans comprise an issue for some small elites from the spheres of politics, economics, and state administration, but even these elite groups give little priority to this issue. For the most part it is of high priority only for the organizations specialized in national security and defence.

Following the regime change Hungarian governments were compelled to deal with the Balkan issues as well. This mainly meant addressing security

challenges, which was motivated by constraint. No forward-looking, coherent strategy has been drawn up until recently. The approaches of the right- and left-wing governments to the issue seem to differ. Left-wing cabinets have typically attached lesser importance to it and they have generally focused merely on following the events. This has partly been due to the fact that the Bosnian and Croatian war and the conflict in Kosovo started during the right-wing governance (1990-94; 1998-2002) and required instant response.[2] However, irrespective of the conflict-stricken periods, it is a fact that it was the right-wing that took interest in the Hungarian communities living in the area and stood up firmly for them. In the last two decades this has been condensed in supporting the issue of dual citizenship and autonomy aspirations.

The Balkan policy of the centre-right government in power since 2010 is worded in two strategic documents. One of these is entitled "Hungarian Foreign Policy after the EU Presidency"[3] and the other is "Hungary's National Security Strategy" 1035/2012. Both documents specify and devote special attention to this region.

The strategy on foreign policy mentions the Western Balkans specifically, listing all of its states one by one and the Hungarian policy related to them, including security policy considerations. It describes separately the cooperation related to the Danube Strategy and Hungary's role played in it; on the following pages Bulgaria and Romania are both present, but mentioned respectively**.** The Black Sea region is referred to in connection with the latter two, and the Caucasus as well as the transmission land beyond it bearing great energetic significance. This region is bordered to the north by the countries of the "Visegrad Group".

In the strategy on national security, the chapter entitled "Regional Conflicts" deals with the region, which is also alluded to with reference to the "Eastern and Southern" territories, where national security might be threatened by the risk of conventional armed conflicts, organized crime and terrorism. In the Southern territories there are Hungarian ethnic populations, furthermore, states that have not integrated into NATO or the EU, the Euro-Atlantic policy of which we should promote. Euro-Atlantic values are rated rather differently in each state, modernization and other processes aiming at a regime change are slow, corruption is interwoven into the society and the economy, and there are a great number of unresolved ethnic, religious and minority problems. This environment serves as a breeding-ground for terrorism and organized crime, and facilitates the operation of various smuggling groups. The strategy concludes

[2] The operation known as 'The Storm' /"Oluja" in the summer of 1995 was launched during the governance of the Socialist – Free Democrat "Horn" cabinet. Neither the declaration of Montenegro's independence in 2006 and that of Kosovo in 2008, nor even the constitutional crisis in Bosnia provoked a war-like trauma, so that Hungarian reactions were not particularly emphatic: they typically reflected the commitment to the Atlantic.

[3] Hungarian Foreign Policy after the EU Presidency, Budapest, Ministry of Foreign Affairs, 2011.

that in the territories not yet integrated, an international presence, especially, that of the EU might be justified, even in the long run.

Both documents presume an improving situation, intensifying stability, still vindicating that there are unresolved interstate and other political problems, which however can be treated with international presence; the relevant major security threat is not prevalent at the state level. It is the terrorist organizations gaining ground in the neighbourhood and organized crime that might generate the greatest problem in the future.

The documents reflect a strong commitment to the West; the shared values of the European Union community and Atlanticism are highlighted in them. The two materials are presented as governmental and professional statements of opinion, but neither do the Hungarian political parties have harsh debates, nor is there the policy to be followed regarding the region. There have been slight disagreements at the very most concerning the assessment of the status of the Hungarians in Vojvodina.

The Danube region policy

The Danube as a transportation, innovation and symbolic corridor connects us not only with the central – German – part of Europe; its relevance has for centuries been determinant southwards as well. The Danube, flowing into the Black Sea on the Northern edge of the Balkans, made its way into Hungarian foreign political thinking through the work of István Széchenyi[4].

We made great sacrifices for the sake of its navigability once, and for long it remained a high priority in our thinking. Navigation does not have the significance it used to have, but in the EU there are efforts made to improve the conditions of cargo shipping. For the EU the significance of the Danube increased in the wake of the EU enlargements in 2004 and 2007. The impacts of climate change, the environmental risks and the growing demand for fresh water also direct our attention to the river and its water system. The European Commission endorsed the macro-strategy for the Danube Region during the Hungarian EU presidency. Hungary must also reconsider its interests in the Balkans and its policy for the forthcoming years in the framework of the Danube strategy.

It is not over the last quarter of a century following the regime change that disagreements concerning Hungary's role-taking have developed, but over a much longer period, until they have finally taken shape as a result of continued internal and external influences. With respect to the Balkans, we find it expedient to consider the wider environment with special emphasis on the processes in Southern Europe and the Mediterranean region and their ever-changing

[4] Count István Széchenyi (1791-1860), a Hungarian aristocrat, who had a prominent role in the modernization process in the nineteenth century Hungary. He attached great importance to the navigability of the Danube to promote Hungary's joining the world market as an international waterway. His name is associated with the regulation of the River Danube and the launch of steam boating.

roles. What are the enduring factors in our external environment and in the Hungarian mentality related to the outside world that shape and define our foreign political goals and margins?

1. Political geographical issues of Hungary's foreign relations and their impact on the Balkans

Hungarian particularity

In the circles of Hungarian intellectuals from time to time there are blazing rows in connection with "Europeanness" and Hungary's position in Europe. Geographically, Budapest is situated 2400 km from the northernmost point of Norway – "Nordkap", 2500 km from the westernmost point of Europe – Cabo da Roca, 2700 km from the Urals, while only 1300 km from the southernmost tail of Greece – Cape Matapan. Based on this data, it becomes obvious that Hungary is situated in the southern part of Central Europe.

The debate does not revolve around physical distances, but rather around Hungarian particularity on the one hand, and our "relative place" on the other (Kiss, J. L. 2003). The debate over particularity is related to ethno-genesis and states that the land taking "Magyars" of Asian origin – who had already assimilated a great variety of ethnic groups during their migration – harboured numerous migrants (Eastern peoples and Western "guest" communities – "hospes") after having settled in the homeland, thus evolving into the now existing anthropological and cultural body politic. The "Magyars" preserved their Finno-Ugric language from the times prior to the land taking, together with their folk culture laden with the Turkic influences of the steppe. Having done so, they became insulated in the circumambient sea of Indo-European *(largely Slavic)* languages. The main foreign political consequence of our linguistic particularity is that due to lack of foreign language skills, the Hungarians are integrated in the globalized world to a rather small degree, having limited insight into and understanding of its events[5].

In areas lying to the south and south-east of Hungary our otherness is referred to and perceived at times with a positive, and at other times with a negative connotation. The aforementioned primeval cultural layers play a significant role in the markedly positive, friendly Turkish-Hungarian relations. The roots of the similarly good, problem-free Bulgarian-Hungarian, Bosnian-Hungarian and Albanian-Hungarian relations trace back to shared medieval

[5] On a demotic level this applies less to some torn off regions – particularly to Transylvania – than to the mother country, as Hungarians beyond the borders have to learn the official language through which they are linked to the world of other Slavic or Neo-Latin languages. Furthermore, it is also true that, with the exception of Ukraine, English is taught more effectively than here in all neighbouring countries.

historical events. Neighbour relations between Croatia and Hungary but more typically Serbia and Hungary are a lot more controversial, primarily due to the events of the nineteenth and twentieth centuries.

Spatial community and neighbourhood policy

In essence, the issue of "place" belongs to the *spatial community,* i.e.in this case it refers to the question of which countries should Hungary co-exist in cooperation with among the peoples of Europe, and respectively, what kind of role it should basically play (see: as it is often called: the bulwark of the West, the ferry-country, the Westernmost East, the Easternmost West, etc.). In this issue the positive consensus was mostly embodied in the fact that the country belonged to the community of Central European nations. While in the state socialist era this meant a qualitative category – compared to the much more disadvantageous regions of the Soviet Empire living under more difficult conditions – this connotation vanished with the dissolution of the Soviet Union. In the 1990s the European Union became the targeted community and this wish materialized in 2004.

Spatial community could be positively grounded, and in fact it is partly grounded on the co-existence during the Austro-Hungarian Monarchy and the positive experience gained in the times of dualism. Unfortunately, however, the evaluation of this period shows contradictions: the current Romanian and Slavic states of the region were formed at the Monarchy's expense; the sum of the state-founding elites showed animus towards it (Gulyás, L. 2012). Ever-renascent small-nation nationalisms impeach common grounds. The idea of a unified Central Europe and cooperation has a more or less, mainly liberally supported (slightly conservative) intellectual basis.

Even today, the issue of spatial community is trammelled by historical wounds and conflicts of interest that burden relations formed with states in the area. Relations with neighbouring states are burdened with conflicts related to Hungarian minorities there residing (*see: assaults against the Hungarians in Romania; issues related to the restitution, dual citizenship, language use, etc.*).

Today interstate conflicts of interest appear within the Central European state community with regard to distribution of the EU funds or gaining economic benefits. "Small Hungarian MNCs" (multinational companies) – such as MOL, Magyar Telekom, OTP or Trigránit – play a vital role, but from time to time they face animosity. These companies expand primarily into the Balkans.

The "near-abroad" of Hungary comprises territories outside the current borders of Hungary that used to belong to the former Hungarian Kingdom. These territories are of vital importance for us because of their proximity on the one hand, and on the other on the grounds of their settlement network that has been formed over a thousand years: transportation routes and places of Hungarian "historical memory". Furthermore, in these territories – inside the Carpathian Basin, outside the borders of the Hungarian Republic – two and a half

million foreign citizens of Hungarian ethnic origin reside who live within a state apparatus that was once torn out of the Hungarian Kingdom. Over three-hundred thousand of them live in the Western Balkans.

Ethnic Hungarians did not occupy all this space even at the time of the Paris Peace Conference in 1920: other nations were living there as well, more or less mingling with each other. In practical terms the sovereignty that was formed in the wake of the Treaty of Trianon received its final shape following the – territorially slight, yet consequentially huge – correction[6] after the Second World War.

Following this – partly due to the destiny of the Hungarians outside the borders, partly due to spatial community, conflicting and conjoined interests – the relations with the neighbouring states have always been intricate and antinomic, and not without conflicts. Antagonism was a characteristic of the "Horthy" era (1920-1944); even if, for example, in Yugoslav relations – highly significant from the point of view of the present study – the aspiration for cooperation emerged as well.

In the times of state socialism the characteristic attitude was to ignore problems and rein in "nationalism". Crossing the borders was rather difficult, not only westwards but also to other "friendly socialist countries". In Hungary's social and state behaviour some national considerations emerged as well (even though being contradictory) during the march into Czechoslovakia in 1968, and the Romanian village destruction plan of the 1980s. In the period prior to the Romanian Revolution in 1989, the terror of a possible Romanian – Hungarian war precipitated by the ailing Ceausescu regime. The legacy of the obligate period characterized by CoMEcon[7] and the Warsaw Pact[8] is the system of recurring conflicts in the interstate relations. The communist party elite having weak inner legitimacy, preferred reaching back to the nationalist political rhetoric of the previous epochs.

[6] The so-called Bratislava bridgehead meant the annexation of three Hungarian villages (Dunacsún, Horvátjárfalu, Oroszvár) to Czechoslovakia, which enabled the Gabčikovo-Nagymaros dams to be built, thus forcing Hungary into an exposed position. The construction of the dams and the protests against land degradation on the Danube Bend had a significant role in democratization processes and social transformations.

[7] CoMEcon was formed on 25 January 1949 to strengthen economic cooperation between the Soviet satellite states. The organization was dissolved by its member states at the Budapest council session on 28 June 1991.

[8] Hungary became one of the founding members of the Soviet-led military alliance – The Warsaw Pact – on 14 May 1955.

Greater Hungary and national integration

In the course of ethnic geographical researches conducted following the regime change the picture of a rather slim (compared to Teleki's Carte Rouge[9]) Hungarian dwelling place in the Carpathian Basin showed up (Kocsis, K. 1993). Up to now Hungarians have been unable to get over the trauma of Trianon, which manifests itself in their way of thinking as regards Hungarian space and the ideal state. The population of the Hungarians living outside the borders of the country is declining, while some parts of the former dwelling space seem to have been abandoned. This statement is especially true for the Hungarian population in Croatia and Serbia.

Today, there is not a single considerable political organization or power that would hope for the restoration of the territorial framework of the former Hungarian Kingdom or would reckon with the reality of such aspiration. Contrarily to this, foreigners, often visitors from neighbouring countries, are exposed to an endless number of stickers and maps depicting Greater Hungary, prompting absurd territorial demands. The emotional tension manifested this way is a proof of one of the greatest political geographical uncertainties pervading and dividing Hungarian society which also reflects the lack of a national geopolitical concept.

Following the regime change, new elements appeared in relational dimensions such as national-cultural, economic, area development, transportation development, water management, security policy, migratory and other elements. Along with transnational and high-level political relations, new actors turned up observably in the fields of cross-border, inter-territorial relations, civil initiatives and business relations. New issues emerged in the cooperation – confrontation dimension. Euro-regional and CBC (Cross-border Cooperation) programmes evolving along the Hungarian borders very often came into existence as forms of "Hungarian – Hungarian" cooperation. These programmes promoted the reintegration processes of the Hungarian communities that had been cut off from the country for decades.

The successful closing of the period got underway with the EU-accession of some countries of the region in 2004 and 2007. The growing dominance of the air borders led to the actual cultural and economic integration of the borderland populated by the Hungarians. Therefore joining the Schengen Area is the most significant EU achievement from a Hungarian perspective. Supporting Romania's efforts to join the Schengen Area, Croatia's EU-accession and the Serbian accession process is a highly important joint venture with the neighbouring countries, which also offers outstanding national political benefits for

[9] Count Pál Teleki (1879-1941), geographer and politician (twofold Prime Minister) after World War I, made a map of the distribution of nationalities and population density, where Hungarian ethnic nationality was marked red, hence the name the 'red map'. Although it was of no direct use (during the post-war regularization the exact ethnic distribution was not reckoned with while redrawing the borders), the map still became a household word (Ablonczy, B. 2005).

Hungary. Hungarian support given to the integration process of the Western Balkans can mostly be interpreted in this correlation.

Water policy

Relations with neighbouring countries show new dimensions. The first is linked to the growing priority of water resources, one of the global problems of the twenty-first century. Due to the basin nature of the region, river issues are frequently on the agenda of neighbourhood policy. Waters flowing into a country from the territory of other states have generated numerous conflicts and clashes of interest. Serious incidents from the last few years have highlighted the increasing significance of environmental safety. Here are some examples: the cyanide pollution of the river Tisza (Romanian relevance), floods on the river Tisza (Ukrainian relevance), dams on the Danube (Slovakian relevance, Gabčikovo-Nagymaros Dams), dams on the Drava River (Croatian relevance, Đurđevac), and the pollution of the Raba River (Austrian relevance). The growing number of incidents forecast a new type of international conflicts of the twenty-first century expected in the Carpathian Basin. "Water conflicts" of international relevance are treated acutely at present, but the situation is likely to become more serious.

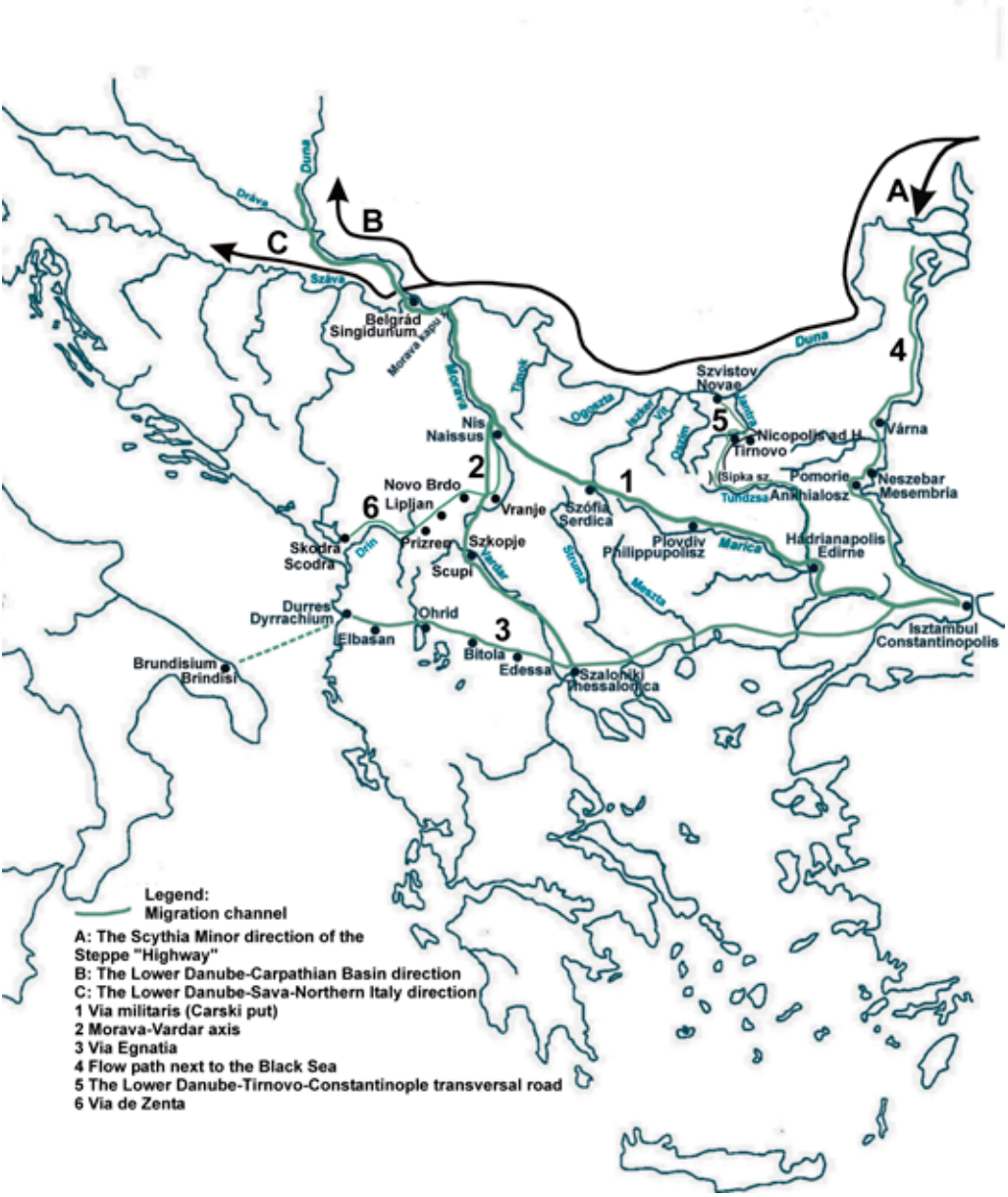
As rivers flow southwards in the basin, we might reckon with some exposure in our system of Southern, Western Balkan relations. Cross-border funding systems are aimed at joint utilization of natural waters. Earlier the Euroregional programmes, and now the IPA cross-border cooperation programmes, while in the future mainly European Territorial Cooperation, will ensure sustainable development and the fulfilment of common interests (Bali, L. 2012).

International migration

Another process that affects our international relations is a declining Hungarian population and the opportunities for its supplementation (L. Rédey, M. 2001). The population of Hungary has fallen from 10.7 million to under 10 million in the 1980s despite intensifying immigration. Difficulties inflicted by the global financial crisis have cast many employees in a desperate situation: some of these have subsequently appeared as migrants on the international labour market, further aggravating the country's demographic situation[10]. Internal migration threatens some rural areas with depopulation, ageing or becoming a social time-bomb. However, the aforementioned risks are further aggravated by tensions in our city population. Supplementing the declining and ageing population by receiving international migrants from over the borders seems inevitable. This, however, is going to raise further problems in the forthcoming years and decades.

[10] The number of people working abroad amounted to some 600 thousand at the end of 2013. As a comparison, in 1956 less than 200 thousand people emigrated, which was then considered to be a huge blow to the country.

Figure 2: *The most typical route of illegal migration to Hungary through the Balkans*



Source: Pap N.–Nagy J. T.–Végh A.–Léphaft Á. (2013)

Even if we disregard the extremist assumptions, scenarios for 2050 forecast a population size of 8 to 9 million in Hungary. There is not a single forecast that does not envisage hundreds of thousands of migrants coming from abroad. They

are partly expected from the borderland territories, but great numbers are likely to arrive from the Balkans and the East-Mediterranean territories[11]. Their proportions are debatable, still all forecasts count on the appearance of communities from outside the Carpathian Basin showing strong cultural differences.

Based on religious-cultural features of the potentially sending countries that are characterized by high population growth, it is likely that the majority of the new inhabitants will be worshippers of some form of Islam.[12] Social and political integration of the youthful, fertile immigrants living in close-knit communities will be one of the most exigent problems. Preparation for this must be started at the earliest possible time. Problems related to social integration in Western European states represent the actual weight of this issue. This prospective best highlights the significance of our system of relations with the Balkans, the Mediterranean and the Near-East region. On the other hand, neither Hungarian society, nor the political elites wish to face this issue for the time being. The situation is worsened by the fact that Hungarian policies are restrictive against migrants and prospective migrants. They make settlement in Hungary difficult even for highly-qualified young people whose affiliation would be a benefit for the country.

Atlanticism

The estimation of Hungary's *size* underwent a peculiar change following the dissolution of the Eastern Bloc. Although its area has not changed one square metre, with the dissolution of the neighbouring synthetic states (Czechoslovakia, Yugoslavia, the Soviet Union) it has evolved from a small state into a middle-sized state in the region. Compared to other countries of the region – which sometimes got involved in incidents of war or civil war – it has until recently remained an island of peace and predictability.

[11] In the first decade following the regime change, immigrants came predominantly from different parts of Serbia and Romania populated by the Hungarians. This is changing nowadays. Mainly the elderly are moving to Hungary from the sending countries, and that is the tendency which does not solve our demographic problems. Younger generations prefer Western European countries, such as Great Britain, France, Spain, Germany and Italy. Many of the immigrants decide to move back. Hungary seems to be losing its appeal as a liveable place offering favourable economic perspectives. If the immigration of the Hungarians from the Slovakian Highlands, Romania and Vojvodina nevertheless continued, cracks within their communities over the borders would inflict significant damages. Thus we cannot say that there is a proper solution to these problems.

[12] The estimated number of Muslims living in Hungary was around 30,000 – 35,000 in 2013, mainly living in Budapest. Their largest ethnic group came from various Arab countries (14,000-15,000). The number of (converted) Hungarian Muslims is around 3,000. Their religious centres along with Budapest are Pécs, Szeged, Debrecen and Miskolc (N. Pap, 2013b).

In October 2006[13]street rallies were sparked off by domestic politics, and violent, sometimes even unlawful intervention of the police demonstrated the end of the years of quiet to the international community. Alongside the intensification of domestic tensions, growing conflicts soon started to dominate foreign relations as well. Hungarian governments became embroiled in conflicts, even with international organizations and some lobby groups with international links.

In relation to the traditional East-West opposition in Europe, Hungary shows clear alliance commitment to the Atlantic (EU, NATO). This, however, does not exclude the sporadic appearance of social indisposition[14] to American (and British) initiatives. At the same time post-communist Hungarian economic and political wings emerged – often totally renewed and under an international aegis - who are interested in Russian orientation. In the past years this has been demonstrated plastically in reference to energy policy and energy safety. At the same time all-time Hungarian foreign policy must also realize that Russia is its second most important partner after Germany, which requires pragmatic rather than ideological foreign policy between Budapest and Moscow. The Hungarian army sent military corps to various "hot spots" of the Balkans to take part in peace preservation. (Bosnia, Kosovo) Furthermore, it provided the US army with a military base of strategic significance during the Balkan conflict (Taszár).

Energy policy

Considering Hungary's present size, it is too small to be an independent factor in geopolitical games, and it has rarely been in the focal point of international attention. Examples for this are the Revolution and War of Independence in 1956, where we fought in isolation without comprehending the broader geopolitical situation, or the opening of borders in 1989, which led to the regime change in Eastern and Central Europe. Nevertheless, in both cases the "logic of blocs" manifested itself. Processes had to be adjusted to the geopolitical balance dictated to the broader region.

At present, issues concerning energy safety, gas pipes, distribution systems and storage capacities seem to raise the dilemma of shaping and adjusting. Some kind of logic of blocs is also likely to manifest itself in this case taking the geopolitical balance into consideration, but its outcome is not immaterial to us either.

It is our primary national interest that groups controlling various energy systems consider Hungary as a player of strategic importance and sustain the safety of our energy supply. Energy cooperation has its regional features as well;

[13] The speech of Ferenc Gyurcsány, former Hungarian Prime Minister, was meant for his immediate environment, but was publicly revealed and had serious consequences on domestic politics.

[14] In Hungary neither Euroscepticism, nor EU-phoria is prevalent, an unconcerned and distant attitude being more typical. The same applies to the country's NATO membership. Concerning international, transnational debates and conflicts the approach of the elites is mostly motivated by ideological and domestic political considerations.

the Balkans plays an important role in this respect, too: think of Nabucco, the South Stream gas pipeline and Nabucco West, still in the process of planning and negotiation.

Challenges of international security policy

A number of Hungary-related security policy challenges are connected to the Balkans, the Near East and Central Asia. The territorial patterns of these areas are linked to Spykman's conception of the "Rimland" and its centre of gravity is situated south of Hungary. From the point of view of security policy, Hungary belongs to the Southern wing of NATO. In the last two decades our diplomatic activities have comprised predominantly the treatment of problems in the Western Balkans. Alliance commitments require the deployment of a contingent of approximately 1000 people abroad. These corps are serving in the Balkans, the Near East and Central Asia; furthermore, they will soon be present in the crisis-affected areas of Africa. In the latter territory the expansion of Chinese oil corporations creates uncertainties in safety and conflicts, while Islamic fundamentalism provides a breeding-ground for terrorist organizations. Moreover, the emergence of refugee waves reaching Europe must also be prevented. We might be affected by these influences, especially via Southern Europe and the Balkans. As a member state of the EU we must form an opinion in numerous issues we have never taken a stand on before.

In our view, the greatest problem does not lie in our military skills or financing the operations. It rather revolves around the questions of how to prepare soldiers for operations in faraway lands and how Hungary could benefit – in both moral and financial sense – from the accomplishments of the missions.

In this politically exposed situation the Balkans will probably remain a primary region in terms of our security. Even if no threat is imposed by this region in the form of interstate conflicts as in the 1990s, it will rather constitute modern political security challenges, such as organized crime, arms trafficking, human smuggling, gaining ground of terrorist groups, etc.

We must also prepare for extraordinary situations that might be connected primarily to the escalation of the political crisis in Bosnia and Herzegovina, ethnic tensions in Southern Serbia, to Kosovo or the issue of Western Macedonia. There are other places in the Balkans that might generate further unexpected conflicts. Such are Bulgarian territories populated by Turkish, Pomak and Gypsy ethnic groups, the Northern borderland in Greece, the Greek populated parts of Southern Albania, dwelling-places of Sandzak Muslims and ethnic Albanians in Montenegro and Serbia (Négyesi, J. – Pap, N. 2013).

2. The Balkans and its wider environment in Hungarian foreign political thinking

1920 / 2004

Hungarian foreign political thinking has often changed in the past centuries according to the demands and influence of great powers, and partly internal interests. In the formation of foreign relations, the years of 1920[15] and 2004[16] are important turning points that are connected by more than a superficial resemblance. The decree of Trianon shrank the borders of the new-born independent Hungarian state, leaving it long in the grip of a hostile state. After World War II it was obliged to join the Soviet bloc, which meant a formerly inconceivable degree of revaluation of Eastern relations. The EU-accession in 2004 put an end to this era through processes that started with the regime change, and in many respects the elbow-room in Hungary's foreign relations became similar to that of the pre-1920s.

The main direction of political thinking in 1989-90 turned towards the West as a counteraction to the former Eastern orientation, bringing about our involvement in Euro-Atlantic integration. However, beyond the general concept of Western orientation not a single group of the political elite drew up a strategy on shaping foreign policy, foreign economy and foreign relations in the broader sense. The Central European system of relations was more or less reconstituted by the formation of the "Visegrad" cooperation (and partly by CEFTA). However, the effectiveness of the cooperation within the framework of the Visegrad Group (V4) fell short of expectations. At the same time it could not utilize its Southern system of relations which boasts the past and present that underline its significance. Although relations existed, they lacked vision and strategy. Official relations were shaped both by traditions and *ad hoc* goals. The structure of Hungarian foreign policy – unlike the practice in earlier historical times – was based on the follower strategy typical of the state socialist era. This meant suffering and avoiding possible influences rather than active shaping of events.

In the first centuries of Hungarian history the foreign policy of our kings had visions related to goals concerning the Balkans and the (partly connected) Italian territories. Beyond these, however, there was an unknown world. The Habsburgs and the elite of the Austro-Hungarian Monarchy had conceptions about the Mediterranean world and also related political goals. The Hungar-

[15] The Treaty of Trianon was signed on 4 June 1920, closing World War I. Hungary lost two thirds of its territory and population.

[16] Hungary was one of the ten countries that joined the European Union on 1 May 2004. Eight Eastern-Central European states became EU members: Czechoslovakia, Slovakia, Slovenia, Poland, Hungary, Latvia, Lithuania and Estonia together with two Mediterranean islands, Malta and Cyprus.

ians, however, never did. It was because there were no challenges from this region that had to be addressed.

In 2004 a new situation emerged due to our accession to the European Union, which has one of its most important neighbouring territories around the Mediterranean Sea. None of the member states of the EU can afford not to have a policy related to the Mediterranean region without suffering (financial and moral) losses. In the last few years this region (Southern Europe, together with the Southern and Eastern shores of the basin) has been re-valued both in terms of challenges and of opportunities.

Although northern countries lying on sparsely populated, politically safe less frequented territories extended the Northern dimensions of the EU during the accession in 1995, the southern, much more densely populated, and in terms of population more dynamic territories with a number of safety risks or significance were constantly being re-evaluated both for NATO and the EU. As a comparison: the three states (Austria, Finland, Sweden) that joined the EU in 1995 have a total population of 22 million, 14 million of which only belong to the Northern countries. The Eastern expansion of ten member states (eighth of them from the post-socialist bloc) in 2004 is of great significance; it means over 72 million people and the significant eastward expansion of the EU. The two tiny Mediterranean island states have strategically significant locations. Through the integration of the southern part of divided Cyprus a security related political conflict became incorporated into the EU as well. With the expansion to the Balkans in 2007, Romania with its population of 22 million and Bulgaria with a population of 7 million established military bases increasing their weight in the security based political cooperation with regards to the Near East. With their accession, the legitimacy of the territorial category of the Western Balkans gained strength and, being a huge, problematic enclave, it has attracted European political attention following the expansion of 2007.

The region in the Mediterranean geopolitics

What are the main reference points along which our interests can be defined? Following centuries of peripheralisation, the Mediterranean Basin has been re-evaluated in recent decades. Strategic sea routes gained a new meaning during the times of East-West antagonism. The Atlantic powers established military bases on the islands and the southern shores in support of Europe facing the Soviet threat. In 1952, following a bitter civil war, Greece joined NATO instead of the Soviet bloc.

In Northern Africa there are huge mineral oil- and natural gas reserves. Apart from that, the Mediterranean (and the Balkans) has become one of the most important areas for the distribution of hydrocarbons. Political conflicts of the "Arab spring" in Northern Africa (Algeria, Libya, Egypt and Tunisia), and the crisis in the Near East (Palestine, Syria, Lebanon, etc.) affect global energy

safety. Therefore, all stable powers are concentrating their focus and strength in the region. The significance of the region might further increase in the future. The construction of gas pipes linking the Near East, Inner Asia and Europe has an effect on the Balkans as well. Violent acts that have escalated in some countries jeopardize general safety, additionally inducing further waves of refugees and thus weighing on the problems of European countries.

This is a part of another, long-existing important issue: migration through the Mediterranean "Rio Grande". The welfare systems and job prospects of Europe and hope for a better life motivate millions to set off. This has already resulted in numerous severe conflicts and draws the EU's attention to the region with reason: the Euro-Mediterranean partnership programme , run with significant financial support, aims to partly mitigate these phenomena and their influences.

In the last few years French politics has increased its activity again with its plan for a Mediterranean Union and by offering a perspective of cooperation to Islamic countries. Political Islam is gaining ground in numerous countries of the Southern Mediterranean region, which is considered by many as a threat to the states and societies of Western civilization, attacking their life-style and pointing out their vulnerability (e. g. in energy supply). The sweep of Islamic fundamentalism in the Balkans, more precisely in Bosnia and Herzegovina, Macedonia, Bulgaria and the Sandzak territories, has become an important item on the political agenda.

Hungary, as a NATO- and EU member state, takes its share of the responsibility with regard to security, political and economic issues of the Balkans and the Mediterranean region. It is active in peacekeeping operations in a number of world regions. It is a financier of the Mediterranean policy of the EU and also of the international aid and development initiatives in the Balkans and Northern Africa.

"Eastern opening", the new doctrine of Hungarian foreign policy

The centre-right government (FIDESZ-KDNP party alliance) that gained power in 2010 has started "revolutionary" changes on the basis of a two-thirds majority in nearly all fields of Hungarian society and politics. Foreign policy was not an exception.

The three pillars of Hungarian foreign policy following the regime change were the EU membership, NATO alliance and neighbourhood policy, emphasizing the minority issue. The new concept was originally called "global opening" for internal use, and "Eastern opening" in a wider spectrum of use to highlight its emphasis, which indicated something new in the terminology.

According to the new doctrine in Hungarian foreign political thinking due to global changes (among which financial crisis plays an emphatic role) there is a demand for newly based and much stronger relations, primarily with BRICS

countries, but with other emerging – among them Central Asian – countries as well[17]. This is partly traced back culturally to the Eastern origin of the Hungarians and the often inherent mutual sympathy with some Asian peoples. Among these countries Turkey, as a dynamic actor, plays a significant role, taking the role of a Euro-Asian intermediary among other things.

Turkey as a NATO member state with a population of nearly 75 million has become a significant military, and a major economical power. Also it is knocking harder on the door of Europe as regards policies on Europe, the Near East, the Caucasus, the Balkans and the Mediterranean region. The significance of its role in the decades-old conflict of world political relevance connected to Palestine territories is increasing, as lately it seems to be moving away from Israel and drawing nearer to the public feeling of the Islamic world. Its presence in the Balkans has intensified, and it is especially active as regards Bulgaria, Bosnia and Herzegovina, Albania and FYROM – the Former Yugoslav Republic of Macedonia. In the forthcoming decade Turkey is expected to become the strongest economic, political and military power of the region, meaning that it cannot be ignored by Hungary either. The currently ruling Islam-friendly AKP that created legitimacy in the Ottoman times now utilizes the increased margin for drawing up a new foreign policy. From Afghanistan to the "Horn of Africa" and concerning Hungary it has become active and is in the process of reshaping and strengthening its relations. This can be easily harmonized with the Hungarian policy of "Eastern opening". Thus the Balkans might be an important side scene of the new doctrines, as it might appear a primary terrain of Hungarian – Turkish cooperation. Turkey has such political weight in security and economic matters in the South-Eastern system of relations that influences not only the Western Balkans, but Central Europe as well. Due to Ankara's increasing regional role as a powerful monolith, this can be considered as not only conjunctural but permanent.

"Eastern opening" also proposes the re-consideration of the existing relations with our partners. Lately there have been delicate modifications in the concord between the old and new members of the European Union and NATO. Despite difficulties Germany's relative European weight has increased in the midst of the world economic crisis but it does not play an independent role or only within strictly defined limits. Italy's importance has weakened due to intense domestic political divisions and a decline in competitiveness. Of the new member states, Poland has gained in importance due to its geopolitical situation. Of the older states it is Spain that – looking back at a prosperous near-past, but facing severe financial problems now – has an essential role to play. The United Kingdom, although it seemed to draw away from the continent with

[17] The development of Eastern relations features the accentuated role of the countries like China, Turkey, Kazakhstan, Georgia, Vietnam, Azerbaijan, Saudi-Arabia, Kuwait as one of the smaller states of the Persian Gulf, etc.

its unconditional friendship with the US at the time of the Gulf War, has preserved its weight for the time being. France continues to play a primary role but its relative weight seems to be decreasing on the continent. All these balance shifts also influence our Balkan and Eastern policy. As regards the Western Balkans, member states of the European Union are divided. In this situation Hungary has ample elbowroom and is a subject in EU discourses. When it is in our interests we support the EU accession of the countries in the region, as well as all initiatives that strengthen regional stability.

Public opinion in Hungary and our political elite know little about the Balkans, our knowledge deficiency being considerable. The region plays an essential part in nearly all the major challenges (security environment, water- and migration policy, foreign economic margin, etc.) that the country is facing. The latest documents prepared in government workshops acknowledge its significance and importance. This era challenges us to learn to use multilateral political tools in order to be able to enforce our interests.

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MAĐARSKA I BALKAN

S a ž e t a k

Za Balkan, Mađarska predstavlja jedan od regiona posrednika u Evropi. U isto vreme, Balkan je teritorija spona između Turske, danas regiona u usponu, i Mađarske, koja

nastoji da sarađuje sa njim. Budući da je Mađarska član NATO i Evropske Unije, ona učestvuje u geopolitičkim igrama koje postoje između Evropske Unije, Rusije, SAD i nekih zemalja islamskog sveta. Ovo učešće suštinski određuje zadatke Mađarske spoljne politike, kao i zadatke njene kulturne, ekonomske, i politike bezbednosti i odbrane u sledećim decenijama.

Mađarska predstavlja kapiju između Zapadne Evrope i Balkana. Ova uloga bila je dominantnija u prethodnim vekovima mađarske istorije nego što je to danas, ne samo zato što su veličina i snaga ove zemlje značajno opale posle Trijanonskog sporazuma. Mnogi od istorijskih, imperijalnih refleksasu se zadržali, ali bez imperijalnih pretenzija. Danas smo samo jedan od regiona posrednika koji ima uspostavljene odnose sa Balkanom i čini most ka Evropi. Ubrzane promene svetskog poretka, zemlje BRIK grupe, kao i nastanak nekih važnih država srednje veličine, poput Turske, znače neizbežno prilagođavanje naše zemlje. Na tome se zasniva politika 'otvaranja ka istoku'.

Ključne reči: Mađarska, Balkan, geopolitika, migracije, Dunav, 'otvaranje ka istoku

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O KRAJU RATA I RATNOG STANJA

Rad se bavi problemom prestanka rata i prestanka ratnog stanja. Autor prvo ukazuje na razliku između rata (oružanog sukoba) kao faktičke pojave i ratnog stanja, kao pravnog instituta, a zatim razmatra mirovne ugovore kao redovan put za prestanak ratnog stanja među državama. U nastavku, on se naročito osvrće na neke uslovno rečeno neredovne načine prestanka ratnog stanja koje poznaje praksa: drugi sporazumi, zajedničke deklaracije, jednostrane deklaracije, opšte primirje itd.

Ključne reči: međunarodno pravo, rat, ratno stanje, ratno pravo, ugovor o miru, primirje

Problemu kraja rata i s tim povezanim pitanjima pristupa se u literaturi na razne načine. [1] Ovaj rad je pokušaj da se ovo pitanje, koje je aktuelno od kada postoje ratovi, što znači od kad je sveta i veka, sagleda iz nešto drugačijeg ugla.

1. Kraj rata i ratnog stanja

1.1. Rat i ratno stanje

Kraj rata je drugi naziv za prestanak oružanog sukoba između zaraćenih strana, za trenutak posle koga ponovo nastupa mir.

Premda naoko jasno samo po sebi, ovo određenje ipak nije dovoljno precizno. Ovo već zbog toga što, strogo uzev, rat nije isto što i ratno stanje. Mada se ponekad shvataju kao sinonimi, to su veoma bliske, ali ne i iste društvene pojave. Stoga pre nego što se govori o njihovom kraju, treba prvo objasniti u čemu je razlika između rata i ratnog stanja.

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[1] Andrassy Juraj: *Međunarodno pravo,* Zagreb 1978, 574-576; Avramov Smilja: *Međunarodno javno pravo,* Beograd 2011, 735-747; Degan Vladimir-Đuro: *Međunarodno pravo,* Zagreb 2011, 842-854; Игнатенко Г.В., Тиунов О.И. (отв. ред.): Международное право, Москва 2009, 556-558; Kreća Milenko: *Međunarodno javno pravo,* Beograd 2010, 753-758; Perazić Gavro: *Međunarodno ratno pravo,* Beograd 1986; 87-114; Petrović Nastas: *O ratu i ratnom pravu,* Beograd 1876, 57-60; Radojković Miloš: *Rat i međunarodno pravo,* Beograd 1947, 170-182; Rivijer Alfons: *Osnovi međunarodnoga prava,* knjiga druga, Beograd 1898, 440-465; Vučinić Zoran: *Međunarodno ratno i humanitarno pravo,* Beograd 2006, 132-137.

Termini „rat“ odnosno „ratno stanje“ često se u literaturi, a tim pre u svakodnevnom govoru koriste u veoma različitim značenjima. Ovde će im biti dato osnovno, usko značenje.

1.Rat. - Neće se mnogo pogrešiti ako se kaže da je rat u suštini oružani sukob dveju ili više država, radi nasilnog ostvarenja političkog ili drugog interesa, kao što su: uništenje protivnika, nametanje određenog društvenog uređenja ili oblika vladavine, zauzimanje teritorije, otmica nekog važnog dobra i sl.[2]

Ono što je ovde bitno, to je da je, nezavisno od toga zašto je i kako započet, "rat" naziv za oružana neprijateljstva između država. Kada ona definitivno prestanu, prestao je rat.

2.Ratno stanje. - S druge strane, ratno stanje je stanje u kojem se nalazi zemlja koja je stupila u neprijateljske odnose s jednom ili više država. Ono ima unutrašnju i međunarodnu dimenziju.

Na unutrašnjem planu, ratno stanje proglašava državni organ utvrđen domaćim propisima, s tim da to izaziva mnoge pravne i faktičke promene u unutrašnjim okvirima - prelazak niza funkcija sa civilnih na vojne vlasti, suspendovanje određenih ljudskih prava i sloboda, mobilizacija, evakuacija, prelazak na ratnu privredu i snabdevanje i dr. [3]

Za nas je mnogo zanimljivija međunarodna dimenzija. Tu se pod ratnim stanjem ima u vidu situacija koja nastupa kada miroljubivi i prijateljski odnosi između država ustupe mesto sasvim suprotnim, neprijateljskim.[4] Do toga dolazi objavom rata ili početkom faktičkih dejstava (oružanih neprijateljstava).[5]

Institut objave rata[6] nastao je još u antičko doba i dugo je bio uobičajeni način početka ratnog stanja. Štaviše, prema klasičnom međunarodnom pravu smatralo se da je objava rata obavezna, da je rat koji otpočet bez nje nezakonit, nepravedan.[7]

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[2] Više o pojmu rata: Krivokapić Boris: „Pojam rata i klasifikacija ratova“, *Megatrend revija – Megatrend Review* 3/2013, 3-29.

[3] Rat koji neka velika sila vodi protiv neke male države, može da ima za posledicu stvarno ratno stanje iz ugla male države (uključujući velike žrtve, razaranja i sl.) i da bude skoro neprimećen za stanovništvo i vladu velike sile - jer ona nije ni na koji način ugrožena i ništa se ne menja u svakodnevnom životu onih stanovnika koji nisu neposredno angažovani u vojnim operacijama. Ovo je posebno karakteristika onih savremenih ratova koji se svode na bombardovanje iz velikih visina odn. raketiranje sa po nekoliko hiljada kilometara udaljenosti. Tu je žrtva agresije u stvarnom ratu, s tim da zbog tehničke inferiornosti i velike udaljenosti protivnika, nije u prilici da uzvrati.

[4] Pojedini teoretičari određuju ratno stanje na negativan način. Tako prema Deganu: "Ratno stanje ukratko znači odsutnost miroljubivih odnosa između zaraćenih država." Degan Vladimir-Đuro: *op. cit.,* 842.

[5] Фердросс А.: Международное право, Москва 1959, 427

[6] Pod objavom rata ima se u vidu formalni jednostrani akt kojim jedna država saopštava drugoj da se sa njom nalazi u ratnom stanju, tj. da namerava da s njom stupi u rat.

[7] Klasično međunarodno pravo uslovljavalo je pravnu valjanost objave rata ispunjenjem određenih zahteva. Takvo rešenje usvojila je i III haška Konvencija o otpočinjanju neprijateljstava (1907), koja u čl. 1. izričito utvrđuje da neprijateljstva između država ugovor-

U savremenoj istoriji, Prvi svetski rat otpočeo je objavom rata Srbiji od strane Austro-Ugarske (28.7.1914), na šta su usledile objave rata među drugim državama, u čemu su prednjačile velike sile.[8] Ovaj institut korišćen je u izvesnoj meri i tokom Drugog svetskog rata.[9]

Objava rata predstavljala je prilično pouzdan kriterijum za utvrđivanje momenta od kojeg počinje ratno stanje. Samim tim i trenutka od kojeg se ima primenjivati međunarodno ratno pravo, što je od značaja za utvrđivanje prava i obaveza kako zaraćenih strana, tako i neutralnih država.

Rat je obično objavljivan pismenim putem ili preko naročitog izaslanika. U nekim slučajevima to je činjeno posebnim kitnjastim jezikom, u skladu s uobičajenim formama opštenja visokog plemstva; u drugim prilikama objava rata je saopštavana na manje-više uvredljiv način, a bilo je i takvih objava koje su u osnovi značile poziv da dve vojske podele megdan određenog dana na tačno određenom mestu (obično na nekom polju).[10]

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nica ne smeju početi bez prethodnog i nedvosmislenog upozorenja koje će imati ili formu obrazložene objave rata ili formu ultimatuma s uslovnom objavom rata. Odredbom iz čl. 2. utvrđena je obaveza da se ratno stanje bez odlaganja notifikuje neutralnim silama (to može biti učinjeno i telegrafskim putem) s tim da prema njima deluje tek po prijemu notifikacije (obaveštenja). Za tekst vidi: Todorović Vladimir (prir.): „Ratno pravo i bezbednost", *Međunarodni ugovori,* knjiga 3, tom I, Beograd 1999, 47-49.

Mnogi klasični pravni pisci su isticali da bi bilo nečasno, podlo napasti protivnika bez upozorenja. Za stavove tadašnje doktrine i razne konkretne istorijske primere objave rata vidi: Nis Ernest: *Poreklo međunarodnoga prava,* Beograd 1895, 191-204.

8 Nemačka je objavila rat Rusiji i Francuskoj (1. odn. 3. avgusta). Velika Britanija - Nemačkoj (4. avgusta), Crna Gora - Austro-Ugarskoj (5. avgusta), Austro-Ugarska - Rusiji (6. avgusta), Srbija - Nemačkoj (6. avgusta), Crna Gora - Nemačkoj (8. avgusta), Francuska i Velika Britanija - Austro-Ugarskoj (12. avgusta), Japan - Nemačkoj i Austro-Ugarskoj (23. odn. 25. avgusta), Austro-Ugarska - Belgiji (28. avgusta), Rusija i Srbija - Turskoj (2. novembra) itd. Objave rata nastavljene su i u narednim godinama, sve do sredine 1918. "Declaration of War by Each Country", *Maps of the World,* http://www.mapsofworld.com/world-war-i/war-declaration-by-each-country.html (Ovaj i svi ostali u ovom radu korišćeni izvori sa Interneta poslednji put su konsultovani 14.9.2014).

9 Ratove su objavili: Francuska i Velika Britanija – Nemačkoj (3.9.1939, zbog napada na Poljsku), Italija – Francuskoj i V. Britaniji (10.6.1940), SAD i V. Britanija – Japanu (8.12.1941), Nemačka i Italija – SAD (11.12.1941) itd. Pred kraj rata, Sovjetski Savez je objavio rat Japanu (8.8.1945) i Bugarskoj (5.9.1944), Rumunija – Nemačkoj (25.8.1944), Mađarska – Nemačkoj (31.12.1944) i dr.

10 Neobična po načinu saopštavanja bila je objava rata Austro-Ugarske Srbiji 28.7.1914. To je učinjeno telegramom, što se, koliko je poznato nije nigde dogodilo ni pre ni posle. Tekst se sastojao od samo dve rečenice: „Kraljevska vlada Srbije nije na zadovoljavajući način odgovorila na notu, datiranu 23. jula 1914. koju je predao austrougarski ministar u Beogradu, zbog čega Carska i Kraljevska vlada nalazi da je prinuđena da se osloni na silu oružja radi očuvanja svojih prava i interesa. Od ovog momenta Austro-Ugarska se smatra u ratu sa Srbijom. Ministar spoljnih poslova Austro-Ugarske grof. Berthold." Izvor: „Nota Austro-Ugarske o objavi rata Srbiji", Stojković Momir (prir.): *Balkanski ugovorni odnosi 1876-1996,* I tom, Beograd 1998, 423.

I pored toga, veliki je broj ratova koji su otpočeli iznenadnim napadom, bez formalne objave rata odnosno tako što je, u nekim slučajevima, rat objavljen tek nakon što je već otpočet.[11] To je, razume se, uglavnom činjeno zbog sticanja početne vojne prednosti (faktor iznenađenja) a ponekad i zbog nastojanja da se prebacivanjem krivice na drugu stranu (u smislu da se ne može tačno utvrditi ko je koga prvi napao) izbegne eventualna osuda od strane drugih država.

Po prirodi stvari, ratno stanje uvek faktički nastupa činom napada jedne države na drugu, čak i bez objave rata.

U naše vreme, kada je rat zabranjen i proglašen međunarodnim zločinom,[12] oružani sukobi počinju bez formalne objave, jer bi ona značila automatsko priznavanje odgovornosti za agresiju, a time i prizivanje međunarodnih sankcija.[13]

Iz istih razloga, države koje počinju oružane sukobe, uglavnom izbegavaju da ih imenuju ratovima. Umesto toga koriste se izrazi "kampanja", "dejstva", "policijska akcija", "antiteroristička akcija", "preventivna samoodbrana", "humanitarna intervencija", i sl. Stoga se događa da jedna strana negira da postoji rat odnosno ratno stanje, dok druga (žrtva agresije) upravo to ističe u prvi plan.

Kao što je već pomenuto, ratno stanje znači da su odnosi između odnosnih država iz mirnodopskih prešli u neprijateljske. To se može sažeti u konstataciji da pravila međunarodnog prava koja regulišu međunarodne odnose u miru prestaju da važe ili se suspenduju, a na snagu stupaju pravila međunarodnog ratnog i humanitarnog prava.[14]

Bliže gledajući, prekidaju se diplomatski i konzularni odnosi sukobljenih strana; menja se režim međunarodnih ugovora (izvesni ugovori prestaju da važe, neki se suspenduju, a neki tek tada stupaju na snagu);[15] svaka strana u sukobu stiče pravo pune kontrole nad slobodom, kretanjem i delatnošću neprijateljskih državljana na svojoj teritoriji, kao i pravo kontrole nad trgovinom s neprijateljem; automatski dolazi do primene pravila i principa međunarodnog ratnog i humanitarnog prava; o ratnom stanju se obaveštavaju ostale države, za koje, ako se same

[11] Praksa objave rata se sve više gubi u XX veku, o čemu dovoljno svedoči podsećanje na to da su sile Osovine bez objave rata napale Poljsku, Dansku, Norvešku, Holandiju, Belgiju, Luksemburg, Grčku, Jugoslaviju, SSSR i dr.

[12] Već Povelja UN (1945) utvrdila je kao jedno od osnovnih načela zabranu upotrebe sile, pa čak i pretnje silom u međunarodnim odnosima. Čitavo savremeno međunarodno pravo počiva na tim principima i na tome da je agresija najteži međunarodni zločin.

[13] Sukobi između Izraela i Egipta 1967, Iraka i Irana 1980, V. Britanije i Argentine 1982. NATO pakta i Jugoslavije 1999. i dr. Primera radi, SAD su ranije oružana neprijateljstva počinjale objavom rata, kao npr. protiv Velike Britanije (1812), Meksika (1846), Španije (1898) i u oba svetska rata, ali su posle Drugog svetskog rata napustile tu praksu – npr. ratovi u Koreji (1950-1953), Vijetnamu (1963-1973), Persijskom zalivu (1990-1991), Avganistanu (od 2001), Iraku (od 2003) itd. Henderson Conway W.: *Understanding International Law,* Wiley-Blackwell 2010, 234.

[14] Gažević Nikola (gl. ur.): *Vojna enciklopedija,* tom 8, Beograd 1974, 47.

[15] Krivokapić Boris: *Međunarodno javno pravo,* Beograd 2013, 158.

ne uključe u sukob, počinju da važe pravila međunarodnog prava o pravima i obavezama neutralnih država; itd.

Ukratko: rat je faktičko stanje (činjenica), a ratno stanje je pravna kategorija.

To su različite društvene pojave koje kao takve imaju sopstveni značaj i ulogu, ali i vreme nastanka i prestanka. Mada se ponekad početak odn. kraj rata mogu poklopiti sa početkom odn. krajem ratnog stanja, u praksi obično nije tako. Ovo zato što ratno stanje može postojati nezavisno od toga da li se stvarno vode borbe odn. vojne operacije.

U principu moguće je da je objavom rata između država zvanično uspostavljeno ratno stanje, a da još nema stvarnog rata (još se ne izvode neprijateljstva),[16] pa čak i da do stvarnih sukoba uopšte ne dođe - spor se u međuvremenu ipak reši mirnim putem; pređe u neku vrstu mirovanja, pa se na njega posle nekog vremena jednostavno – zaboravi; [17] ili, prosto, za vreme trajanja rata odnosne

[16] Tako u Drugom svetskom ratu, više od pola godine posle upada Nemačke u Poljsku, 1. 9. 1939, i objave rata među velikim evropskim silama (praktično sve do maja 1940) nijedna strana nije izvela značajniji napad. Sve se svodilo na sporadične manje okršaje, tako da se stekao utisak da je to u najmanju ruku čudan rat. Otuda se i pojavio pojam „lažni rat"(engl. *Phoney War*), a uz njega, u istom značenju i naziv „dosadni rat" (*Bore War*), odn. „sumračni rat", tj. „zamračeni rat" (engl. *Twilight War*). Nemci ovo stanje nazivali „sedeći rat" (*Sitzkrieg* – sa jasnom šaljivom aluzijom na suprotnost od blickriga), Francuzi „smešni rat" (*drôle de guerre*), a Poljaci „čudni rat" (*dziwna wojna*). Više: Krivokapić Boris: *Enciklopedijski rečnik međunarodnog prava i međunarodnih odnosa,* Beograd 2010, odrednica "Lažni rat", 484-485.

[17] Jedan od zanimljivih primera je crnogorsko-japanski rat (1904-2006). Dve države su došle u ratno stanje kada je za vreme rusko-japanskog rata (1904-1905) Crna Gora, kao znak solidarnosti i moralne podrške Rusiji, objavila rat Japanu. Mada je u ratu, u sastavu ruske vojske učestvovao i jedan broj crnogorskih dobrovoljaca, od kojih su se neki veoma istakli, nikakvih ratnih dejstava između Crne Gore i Japana nije, razume se, bilo. Da sve bude zanimljivije, kada su Rusija i Japan su u Portsmutu (SAD) 5.9.1905. potpisali mir, to nisu učinili i Crna Gora i Japan, tako je ratno stanje između njih i dalje ostalo na snazi. Relativno brzo Crna Gora je učestvovala u Prvom (1912-1913) i Drugom (1913) balkanskom ratu. Zatim su obe države ratovale na istoj strani u Prvom svetskom ratu (1914-1918) nakon čega je Crna Gora ušla u sastav nove države (Kraljevine SHS odn. Jugoslavije). To je imalo za posledicu da se na crnogorko-japanski rat jednostavno zaboravilo odnosno upućeni su ga povremeni pominjali kao zanimljivu anekdotu o tome da su Crnogorci i Japanci i dalje u ratu. Tek kada je 21.6.2006. kada je Crnu Goru, nakon njenog osamostaljenja, posetila specijalna izaslanica japanskog premijera i zamenica japanskog ministra inostranih poslova, ne samo da je Japan zvanično priznao Crnu Goru, već je potvrđeno i da je rat završen.

Istini za volju. ima i tvrdnji da je reč o nesporazumu tj. da crnogorski dvor nikada nije objavio rat Japanu. Navodno crnogorski knjaz Nikola bio je počasni komandant jednog ruskog puka (kurtoazna funkcija) pa kad je taj puk krenuo na front, poslao mu je telegram sa rečima podrške. I to bi trebalo da je sve što se tiče crnogorskog učešća u tom ratu. Batričević Đuro: „Crnogorci u rusko-japanskom ratu", http://montenegrina.net/pages/pages1/istorija/cg_od_20vij_do_1_svj_rata/crnogorci_u_rusko_japanskom_ratu.htm.

Pa ipak, mnogi izvori potvrđuju priču o crnogorsko-japanskom ratu i konačnom miru potpisanom 2006.g.: „List of wars extended by diplomatyc irregularity", *Wikipedia,* http://en.wikipedia.org/wiki/List_of_wars_extended_by_diplomatic_irregularity; „Montenegro, Japan to declare truce", http://www.upi.com/Top_News/2006/06/16/Montenegro-Japan-to-

zaraćene strane nijednom ne budu u stvarnoj prilici da se sukobe.[18]

Isto tako, moguće je i da se stvarno ratuje, a da se ratno stanje među državama ne proglasi ili da se makar ne uspostavi u punom kapacitetu. Savremena praksa nudi niz primera stvarnih oružanih sukoba, sa pratećim žrtvama i razaranjima, a u vezi sa kojima nijedna od sukobljenih strana iz određenih razloga nije formalno proglasila da je u ratnom stanju sa onom drugom. Štaviše, dešava da, premda sukob realno traje, ne nastupaju konkretne pravne posledice koje su odlika ratnog stanje - nema prekida diplomatskih odnosa među stranama u sukobu, nema ukidanja ili suspendovanja međusobnih ugovora, nema nastupanja pravnih posledica ili mera prema neprijateljskim državljanima, treće države ne proglašavaju svoju neutralnost i sl.[19]

1.2. Kraj rata odn. prestanak ratnog stanja

Po logici stvari osnovna razlika između rata i ratnog stanja je polazna osnova i za kraja svakog od njih. Ukratko – kraj rata vezan je za konačan prestanak oružanih neprijateljstava, dok prestanak ratnog stanja, strogo uzev, nastaje tek potpunom normalizacijom odnosa, što se najčešće postiže tek stupanjem na snagu ugovora o miru.

Mada kraj rata može da se poklapa sa krajem ratnog stanja, vrlo često nije tako.

Rat (oružani sukob) može i da sasvim prestane, a da ratno stanje opstane još neko vreme.[20] Takvi slučajevi poznati su i iz relativno nedavne prakse.

Tako npr. Drugi svetski rat protiv Nemačke prestao je njenom kapitulacijom 8.5.1945, ali je ratno stanje sa njom prestalo za svaku odnosnu savezničku

declare-truce/UPI-82871150474764/; „A hundred years of war between Montenegro and Japan", http://www.dailyonigiri.com/2011/05/a-hundred-years-of-war-between-montenegro-and-japan/; „Japan i Crna Gora najavile primirje", *B92* 16.6.2006, http://www.b92.net/info/vesti/index.php?yyyy=2006&mm=06&dd=16&nav_category=12&nav_id=201527.

[18] Tako npr. za vreme Drugog svetskog rata brojne latinoameričke države bile su u ratnom stanju sa silama Osovine, a da između njihovih oružanih snaga nije bilo nikakvih neprijateljstava. Jedini neprijateljski čin bile su mere kojima su latinoameričke države, shodno pravilima ratnog prava, izvršile sekvestraciju i plenidbu imovine nemačkih državljana koja se nalazila na njihovoj teritoriji. Degan Vladimir Đuro: *op. cit.,* 842.

Uostalom, i za vreme Prvog svetskog rata niz latinoameričkih država (Nikaragva, Haiti, Honduras) je sredinom 1918, pred sam kraj rata, objavio rat Nemačkoj i Austrougarskoj – ne došavši u poziciju da se sa njima zaista sukobi.

[19] Tako npr. premda prekid diplomatskih odnosa automatski nastupa kada između odnosnih država izbije rat, do toga nije došlo tokom indijsko-kineskog sukoba 1962, indijsko-pakistanskog sukoba 1965. i dr. Za vreme NATO agresije na Jugoslaviju (1999) diplomatski odnosi između nje i država-agresora bili su značajno pogoršani, ali ne i zvanično prekinuti (Jugoslavija je prekinula diplomatske odnose sa samo nekolicinom od ukupno 19 članica Alijanse, dok je iz ostalih samo pozvala svoje ambasadore „na konsultacije").

[20] Primera radi, u Prvom svetskom ratu rat između Savezničkih i udruženih sila i Turske završen je primirjem iz Mudrosa (30.10.1918), a ratno stanje je završeno tek 6 godina kasnije - stupanjem na snagu Lozanskog ugovora (potpisan 24.7.1923, stupio na snagu 6.8.1924).

državu, znatno kasnije, 1951. i u kasnijim godinama. Rat između Kine i Japana prestao je kapitulacijom Japana 2.9.1945, a ratno stanje između njih prestalo je tek 23.10.1978, stupanjem na snagu Ugovora o miru i prijateljstvu, potpisanog između tih zemalja u Pekingu 12.8.1978.

Drugim rečima, iako su neprijateljstva okončana, sporna pitanja među datim državama mogu još neko vreme ostati neregulisana, a njihovi odnosi formalno, pa i stvarno neprijateljski. Vraćanje tih odnosa na mirnodopski kolosek iziskuje da se prethodno uredi čitav niz važnih problema pravne, političke, ekonomske i druge prirode, kao što su razgraničenje, repatrijacija ratnih zarobljenika, uređenje osnovnih prava pripadnika etničkih manjina, reparacije, odluka o tome koji ugovori se vraćaju na snagu, kažnjavanje ratnih zločinaca itd.

Stoga čak i kada dođe do potpisivanja ugovora o miru tim činom samo prestaju sva neprijateljstva, dakle oružani sukob, rat. Naprotiv, ratno stanje prestaje tek kada taj ugovor stupi na snagu, počne da proizvodi pravno dejstvo. A to, zavisno od slučaja, može biti posle nekoliko dana, meseci, eventualno i nekoliko godina od momenta posle potpisivanja ugovora.[21]

Uostalom, rat može prestati i bez ugovora o miru, a ratno stanje među državama ne može se protezati unedogled. To ne dozvoljavaju zahtevi normalnog života u međunarodnoj zajednici, pa čak ni interesi samih pojedinačnih država. Ovo je posebno izraženo u naše vreme sveopšte globalne povezanosti.

Premda, prema izloženom, teorijski postoji jasna razlika između prestanka rata i prestanka ratnog stanja, u praksi se događa da neki od načina prestanka neprijateljstava istovremeno imaju za posledicu prestanak ratnog stanja.

Ovde ćemo prvo razmotriti "redovan" način prestanka ratnog stanja, onaj do kog dolazi na osnovu ugovora o miru. Zatim ćemo ukratko prikazati prestanak ratnog stanja na bazi nekih drugih sporazuma, a ne ugovora o miru, pa čak i jednostranih akata država pobednica. Na kraju će biti dat kratak osvrt na one načine prestanka neprijateljstava koji pod određenim uslovima mogu da znače i prestanak ratnog stanja.

2. Ugovor o miru

2.1. Opšte

1.Pojam. - Redovan put je da se ratno stanje između država završi ugovorom o miru. Sama neprijateljstava, oružana dejstva, dakle sam rat, mogu faktički prestati i u praksi najčešće i prestaju nešto ranije, pre zaključenja mirovnog sporazuma. [22]

[21] Tako su npr. mirovni ugovori sa Bugarskom, Finskom, Italijom, Mađarskom i Rumunijom potpisani u Parizu 10.2.1947, a stupili na snagu tek 15.9.1947.

[22] U praksi se dešavaju i sasvim neočekivani obrti. Tako su krajem Drugog svetskog rata saveznici uspostavili odnose mira sa nekim od dojučerašnjih neprijatelja (Italija, Rumunija, Bugarska,

Opšte uzev, ugovor o miru (mirovni ugovor) je dvostrani ili višestrani međunarodnopravni sporazum kojim se između zaraćenih strana ponovo uspostavljaju miroljubivi i prijateljski odnosi. Drugim rečima, njegovim stupanjem na snagu (po pravilu, razmenom ratifikacija) prestaje ratno stanje između odnosnih država i njihovi odnosi ponovo potpadaju pod pravila onog dela međunarodnog prava koje uređuje međunarodne odnose u doba mira.

Ugovor o miru ispunjava četiri važne funkcije:

1) konačno utvrđuje da je rat završen, da je završeno ratno stanje, i ujedno,
2) čini to nesumnjivim za sve subjekte (organe i građane sukobljenih strana, ali i za neutralne države i njihove organe i građane),
3) trajno rešava sporna pravna, vojna, ekonomska i druga pitanja i time unosi stabilnost u međusobne odnose, što istovremeno
4) predstavlja svojevrsnu garanciju da je oružani sukob zaista završen tj. da se neće nastaviti ili uskoro ponovo buknuti.[23]

Gledano iz drugog ugla, mirovni ugovor je: 1) konstatacija da je rat završen, 2) svojevrstan dokaz o tome, 3) pravni sporazum kojim se rešavaju određena važna pitanja tj. regulišu međusobna prava i obaveze, 4) jedna vrsta garancije miroljubivih odnosa između odnosnih država, 5) jedna vrsta doprinosa jačanju mira u svetu.

2.Sadržina. - Sadržina mirovnog ugovora razlikuje se od slučaja do slučaja i zavisi od niza faktora kao što su: ko je učestvovao u ratu, kako je rat završen, koji su problemi u međuvremenu iskrsli (npr. da li je bilo ratnih zločina, izbeglica, pljačke kulturnog blaga itd.) i slično.

Opšte uzev, uz ponovno uspostavljanje mira ovim sporazumom se po pravilu uređuju dve vrste odnosa:

a) sporna pitanja koja su dovela do oružanog sukoba (npr. granični spor) i

b) određene posledice rata - ustupanje teritorije, obrazovanje nove države, pravo plebiscita ili opcije stanovnika neke teritorije, ratna odšteta, povratak ratnih zarobljenika, status međunarodnih ugovora između odnosnih država, razoružanje, demilitarizacija, okupacija dela teritorije, kažnjavanje ratnih zločinaca, itd.

3.Mirovni ugovor posle sukoba više učesnika. - Kada je reč o prestanku sukoba između više učesnika, obično se zaključuje samo jedan (višestrani) mirovni ugovor kojim se uređuju sva relevantna pitanja.

Druga mogućnost, koja se naročito koristi posle velikih ratova sa velikim brojem aktera, jeste da sve države koje su se borile na pobedničkoj strani zaključe poseban mirovni ugovor sa svakom poraženom stranom.

Mađarska) mnogo pre nego što su sa njima uopšte počeli pregovore za zaključenje ugovora o miru, pa su čak te države učestvovale u ratu na strani saveznika. Andrassy Juraj: *op. cit.,* 576.

[23] Ovo sve, razume se, pod uslovom da je mirovni ugovor koliko-toliko realan i pravedan. U protivnom, strana koja se oseća oštećenom gajiće stalne revizionističke težnje.

Tako su npr. Savezničke i udružene sile posle Prvog svetskog rata zaključile 1919. posebne ugovore sa Nemačkom (Versajski, 28.6.1919), Austrijom (Senžermenski, 10.9.1919), Bugarskom (Nejski, 27.11.1919), Mađarskom (Trijanonski, 4.6.1920) i Turskom (Sevrski, 10.8.1920).[24] Slična situacija ponovila se posle Drugog svetskog rata, kada su Saveznici istog dana (10.2.1947) potpisali posebne ugovore sa saveznicima Nemačke – Bugarskom, Finskom, Italijom, Mađarskom i Rumunijom.

4.Preliminarni ugovor o miru.[25] – Praksa poznaje i preliminarne (prethodne) ugovore o miru. Njima strane u sukobu okončavaju oružane operacije i predviđaju da će pojedinosti urediti konačnim ugovorom o miru.[26] Međutim, time nije prestalo i ratno stanje, tj. sam odnos neprijateljstva, pa su strane slobodne da primenjuju izvesne mere kojima u miru ne bi smele da pribegavaju (npr. pravo plena, sekvestracija neprijateljske imovine i sl.).[27] Konačni ugovor o miru ne mora biti zaključen u istom mestu u kome je bio sklopljen preliminarni mir.[28] Međutim, ako u predviđenom roku ne dođe do zaključenja mirovnog ugovora, i sam preliminarni ugovor gubi značaj.

Preliminarni ugovor o miru se obično zaključuje onda kada su strane u sukobu saglasne da prekinu neprijateljstva, ali nisu u stanju da odmah regulišu sva sporna pitanja. Time dakle, prestaju neprijateljstva, ali ne i ratno stanje. Pored toga, takvom sporazumu može se pribeći i onda kada se želi ispitati reagovanje trećih zainteresovanih država na rešenja budućeg konačnog mirovnog ugovora.

U novijoj praksi nije uvek sasvim jasna razlika između preliminarnog ugovora o miru i kapitulacije. Verovatno najpoznatiji primer je način na koji je završen Prvi svetski rat – Nemci su ugovor o primirju, sklopljen 11.11.1918, smatrali preliminarnim mirovnim ugovorom koji prethodi mirovnom ugovoru, dok su ga sile Antante tretirale kao nemačku kapitulaciju.

2.2. Istorijski primeri

Mnogi veliki ratovi u prošlosti završavali su se nekom vrstom mirovnog ugovora kojim su precizirani posleratni odnosi sukobljenih strana.

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24 Ne samo da je Sevrski ugovor zaključen posle svih pomenutih, već nikada nije stupio na snagu. Pobeda Turske u ratu za nezavisnost (Turska revolucija, 1919-1923) i uspostavljanje republike, omogućili su novoj turskoj vladi na čelu sa Kemalom Ataturkom da od zapadnih sila zahteva drugačije uslove. Konačan ugovor o miru potpisan je u Lozani, 1923. i bio je povoljniji za Tursku.

25 Od lat. *praeliminarius*, uvodni, prethodni.

26 Primer preliminarnog ugovora o miru je ugovor koji je 1782. potpisan u Parizu kao uvod u konačni mirovni ugovor, zaključen 1783, kojim je definitivno okončan Američki rat za nezavisnost.

27 Andrassy Juraj: *op. cit.,* 576.

28 Tako je npr. rat između Austrije i Rusije okončan preliminarnim mirom u Nikolsburgu jula 1866, a mirovni ugovor je zaključen avgusta iste godine u Pragu.

Uostalom, najstariji sačuvani međunarodni sporazumi – između Eble i Abarsala (zaključen između 2350. i 2250. pre n. e.), odn. između Ramzesa II i Hatušila III (oko 1278. pre n. e.) su, pre svega, ugovori o miru.[29]

I grčki polisi sklapali su ugovore o miru u pismenoj formi, s tim da ih nisu, poput mnogih drugih naroda, zaključivali u vidu nekakvog „večnog mira", već obično na kratke periode. Ipak, poznati su i ugovori zaključeni na 30, pa i na 50 godina.[30]

Nasuprot tome, Rimljani su najčešće zaključivali ugovore „za večna vremena", a tek izuzetno na određene vremenske periode, ali su i oni bili prilično dugi – 10, 50, pa čak i 100 godina.

Među najpoznatije novije mirovne ugovore spadaju: Tordesiljaski (1494), Vestfalski (1648), Olivski (1660), Sremskokarlovački (1699), Utrehtski (1713), Raštatski (1714), Ahenski (1748), Kučuk-Kajnardžijski (1774), Pariski (1815), Jedrenski (1823), Pariski (1856), Londonski (1913), Bukureški (1913), Brestlitovski (1918); niz ugovora zaključenih 1919-1920. posle Prvog (Versajski, Senžermenski, Nejski, Trijanonski, Sevrski) i Drugog svetskog rata (ugovori o miru zaključeni 1947. sa Bugarskom, Finskom Italijom, Mađarskom i Rumunijom), Kempdejvidski (1978), Dejtonski (1995) itd.

Iako kod zaključenja mirovnih ugovora obično svaka strana nastoji da što bolje i potpunije zaštiti svoje bezbednosne, političke i druge interese, ima i drugačijih primera. Ponekad, posebno kada je reč o mirovima posle velikih ratova, mirovni ugovori mogu da sadrže i rešenja od interesa za čitavu međunarodnu zajednicu (npr. o internacionalizaciji određenih reka, o neutralizaciji i demilitarizaciji određenih područja itd.),[31] pa čak i neka rešenja koja su suštinski u interesu pobeđene strane.[32]

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[29] Više: Krivokapić Boris: *Međunarodno pravo – koreni, razvoj perspektive,* Beograd 2006, 16-20.

[30] Tako npr. poznati mir između Atine i Sparte iz 421. pre n. e. (u vreme Peloponeskog rata) zaključen je na 50 godina. Uz obavezu uzajamnog nenapadanja, predviđao je i povraćaj zauzetih neprijateljskih teritorija, razmenu zarobljenika itd.

[31] Tako npr. demilitarizacija, a zatim i neutralizacija Alandskih ostrva utvrđena je Pariskim ugovorom (1856), a zatim potvrđena finsko-švedskim Alandskim sporazumom (1921), mirovnim ugovorom između Finske i SSSR (1940) i Ugovorom o miru sa Finskom (1947) čime je prerasla u neku vrstu rešenja običajnog međunarodnog prava, a time i u objektivan međunarodnopravni režim koji niko ne dovodi u pitanje. Više: Krivokapić Boris: "Alandska ostrva – osam decenija široke autonomije", u Krivokapić Boris (ur.): *Alandska ostrva – primer uspešne autonomije,* Beograd 2001, 29-31.

[32] Kao najplemenitiji ugovor o miru u istoriji obično sa navodi onaj koji je starogrčki vladar Gele i Sirakuze, Gelon (ili Gelo) nametnuto 480. pre n. e. Kartagini, koja je napala grčke kolonije na Siciliji. Ostalo je zabeleženo da nakon što je u bici kod Himere do nogu potukao 300.000 njenih vojnika, on za zaključenje mira nije od Kartagine tražio nikakve druge uslove nego da se ona obaveže da neće više prinositi na žrtvu bogu Balu svoju sopstvenu decu.

3. Drugi sporazumi i deklaracije

U pojedinim slučajevima do prestanka ratnog stanja dolazilo je na osnovu nekih drugih sporazuma, a ne mirovnog ugovora, pa čak i jednostranih akata (deklaracija) država pobednica.

3.1. Drugi sporazumi

1.Opšte. - Već samo primirje kojim se završava rat odn. ratno stanje suštinski je jedna vrsta sporazuma između zaraćenih strana. Prema tome i u onim izuzetnim slučajevima kada ratno stanje prestaje na osnovu primirja, radi se o tzv. "drugim sporazumima" u odnosu na mirovni ugovor.

Međutim, praksa je veoma raznovrsna. Sve u krajnjoj liniji zavisi od specifičnosti konkretnog slučaja i volje ugovornih strana.

Postoje, i drugi sporazumi koji nisu ugovori o miru, a nisu ni sporazumi o primirju, a koji dovode do kraja rata. Primer je Sporazum o okončanju rata i obnavljanju mira u Vijetnamu (Pariz, 1973) kojim je završen rat u Vijetnamu. Njime je istovremeno regulisan niz pitanja koja se tiču miroljubivih posleratnih odnosa

Ratno stanje može se sporazumno okončati i na druge načine, pored ostalog i razmenom pisama.[33] Tako je npr. Jugoslavija razmenom pisama okončala ratno stanje sa Japanom, 23. odn 27. februara 1952.[34]

Opšta karakteristika ovih i sličnih sporazuma je da se njima ukida ratno stanje, ali se, sem ponovnog uspostavljanja diplomatskih odnosa, ne rešavaju pitanja koja se tradicionalno uređuju mirovnim ugovorom. Ovo bilo zato što to u osnovi nije potrebno (jer su odnosi među njima i inače bili nedovoljno razvijeni npr. zbog velike teritorijalne udaljenosti) a za vreme trajanja rata njihove oružane snage se nisu međusobno oružano sukobile, bilo zato što će se ta pitanja naknadno biti detaljno uređena posebnim sporazumima (o uspostavljanju diplomatskih odnosa, o ekonomskoj saradnji i sl.).

3.2. Zajednička deklaracija

Novija praksa nudi nekoliko primera u kojima je ratno stanje okončano zajedničkom deklaracijom sukobljenih strana.

Mada ponekad može da sadrži i rešavanje nekih drugih konkretnih pitanja, takva deklaracija je, suštinski, takođe samo jedna vrsta sporazuma - sporazuma kojim se konstatuje prestank ratnog stanja.

Tako su zajedničkom deklaracijom, potpisanom u Moskvi 19.10.1956. SSSR i Japan utvrdili da ratno stanje među njima prestaju stupanjem Deklaracije na

[33] Način zaključenja međunarodnog ugovora u pojednostavljenom postupku. Više: Krivokapić Boris: *Međunarodno javno pravo, op. cit.,* 131.

[34] Avramov Smilja: *op. cit.,* 742.

snagu (to se dogodilo 12.12.1956.).[35] Deklaracija je precizirala da se među dvema državama uspostavljaju prijateljski odnosi, a predvidela je i zaključenje mirovnog ugovora.[36] Do toga, međutim, nije došlo zbog teritorijalnog spora oko Kurilskih ostrva, koja su posle Drugog svetskog rata prešla u ruke Sovjetskog Saveza. Zbog ovog otvorenog pitanja pomenute zemlje (odnosno, nakon raspada SSSR 1991, Rusija kao država sukcesor) ni do danas nisu nisu formalno sklopile ugovor o miru,[37] tako da je rat između SSSR i Japana završen zapravo Deklaracijom iz 1956.

Slično tome, zajedničkom deklaracijom, potpisanom u Taškentu 10.1.1966. pod pritiskom UN, SSSR i SAD, obnovljeni su normalni, miroljubivi i prijateljski odnosi između Indije i Pakistana, posle rata iz 1965. Mada su dogovoreni i neki konkretni koraci (povlačenje oružanih snaga na početne položaje, nemešanje u unutrašnje poslove druge strane, uspostavljanje ekonomskih i diplomatskih odnosa, oslobađanje ratnih zarobljenika) to ipak nije bio mirovni ugovor.[38]

3.3. Jednostrani deklaracije

Situacija u kojoj je rat završen (nema više neprijateljstava) a iz nekog razloga nije zaključen ugovor o miru je neprirodna, posebno ako dugo traje. Suštinski odnosne države nalaze se u miru (ne ratuju), a formalno među njima je ratno stanje. To izaziva niz problema u domenu diplomatskih odnosa, razvijanja trgovine, problema položaja "neprijateljskih" stranaca itd. Problemi su utoliko veći ako je reč o zemljama koje su zbog susedstva ili iz drugog razloga prirodno upućene na ekonomsku i drugu saradnju, što znači da obe trpe znatnu štetu zbog postojećeg stanja.

U novijoj praksi kao jedan od načina da se izađe iz te po mnogo čemu zamršene situacije javili su se slučajevi u kojima su države-pobednice prekidale ratno stanje s poraženom zemljom svojom jednostranom izjavom volje (jednostranom deklaracijom).[39]

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[35] Mirovni ugovor sa Japanom potpisan je 1951, na konferenciji u San Francisku na kojoj su učestvovali predstavnici 51 države (50 članica antihitlerovske koalicije i Japan). Mada je preostalih 48 država potpisalo ugovor, SSSR i njegovi saveznici Čehoslovačka i Poljska odbili su da to učine zbog toga što na skup nisu pozvani predstavnici NR Kine i zato što ugovor nije potvrdio suverenost SSSR nad Kurilskim ostrvima i južnim Sahalinom odnosno Kine nad Tajvanom i još nekim ostrvima. Više: „Treaty of San Francisco", *Wikipedia,* https://en.wikipedia.org/wiki/Treaty_of_San_Francisco#Signatories_and_ratification.

[36] Игнатенко Г.В., Тиунов О.И.: *op. cit.,* 558.

[37] SSSR je 1956. kao znak dobre volje nudio da vrati dva ostrva, ali Japan na to nije pristao, zahtevajući povraćaj sva četiri ostrva.

[38] „Tashkent Declaration", *Wikipedia* http://en.wikipedia.org/wiki/Tashkent_Declaration; Degan Vladimir-Đuro: *op. cit.,* 854.

[39] Po sebi se razume da ratno stanje ne može jednostrano da prekine država koja je izgubila rat, već samo pobednica.

Premda jednostrani akti država u principu ne proizvode pravne posledice za druge države, u nekim situacijama oni su se nametnuli kao efikasno sredstvo za sređivanje međudržavnim odnosa.[40] Ova situacija naoko liči na takav slučaj.

Ipak, strogo uzev, u suštini reč je o prećutnom dogovoru, dakle sporazumu. Ovo zato što druga strana makar prećutno prihvata inicijativu one koja je donela jednostranu deklaraciju.

To je utoliko očiglednije, što se u praksi često posle jednostrane deklaracije zaključuju novi sporazumi o regulisanju međusobnih odnosa. To nisu ugovori o miru, ali oni jednim delom uređuju pitanja koja se inače regulišu mirovnim ugovorom.

Primeri okončanja ratnog stanja putem jednostranih deklaracija pojavili su se posle Drugog svetskog rata. Počev od 1951. tim putem niz država okočao je ratno stanje sa Nemačkom i Austrijom.

Mada je bilo predviđeno da se sa ovim zemljama potpiše ugovor o miru, do toga nije došlo zato što je među glavnim savezničkim silama, izbio Hladni rat, čime su se odnosi među njima naglo pogoršali. To je, pored ostalog, za posledicu imalo nastanak dve nemačke države,[41] što je dodatno otežalo zaključenje ugovora o miru.

Pošto je život zahtevao brzu normalizaciju odnosa (prekid ratnog stanja) a političke prilike su onemogućavale zaključenje ugovora o miru, ministri spoljnih poslova SAD, Velike Britanije i Francuske, prvo su, posle sastanka u Njujorku 18.9.1950, izdali deklaraciju u kojoj se izražava spremnost za okočanje ratnog stanja sa Nemačkom da bi se s njom stvorili miroljubivi i prijateljski odnosi, a zatim su 1951. njihove zemlje jednostranim deklaracijama i formalno proglasile prestanak ratnog stanja sa Nemačkom.[42] Slično su postupile i neke druze države, među njima i Jugoslavija (1953) i SSSR (1955). [43]

Bliže gledajući, prestanak ratnog stanja između SSSR i Nemačke i uspostavljanje miroljubivih odnosa objavljeni su Ukazom Prezidijuma Vrhovnog Sovjeta SSSR 25.1.1955. Ukazom je utvrđeno: 1) da prestaje ratno stanje između Sovjetskog Saveza i Nemačke i da se među njima uspostavljaju miroljubivi odnosi; 2) da se ukidaju sva ograničenja u pogledu nemačkih građana, kao neprijateljskih državljana, koja su nastala kao posledica Drugog svetskog rata; 3) da objavljivanje prestanka ratnog stanja sa Nemačkom ne utiče na njene međunarodne obaveze i ne dotiče prava i obaveze Sovjetskog Saveza koji proističu iz međunarodnih spora-

[40] Više: Krivokapić Boris: „Jednostrani akti država kao izvor međunarodnog prava", *Pravni život* 12/2011, 138-169.

[41] SR Nemačke ili Zapadne Nemačke (nastala ujedinjenjem okupacionih zona SAD, Velike Britanije i Francuske) i DR Nemačke ili Istočne Nemačke, koja je bila okupaciona zona SSSR.

[42] Velika Britanija i Francuska su to učinile 9.7.1951, a SAD 19.10.1951.

[43] Perazić Gavro: *op. cit.,* 111-112.

zuma četiri države koji se tiču Nemačke u celini.[44] Konačno regulisanje odnosa u političkoj, ekonomskoj i drugim oblastima, postignuto je kasnije dvostranim ugovorima između SSSR i DR Nemačke odn. između SSSR i SR Nemačke.

Na sličan način i druge države su, nakon što su svojom jednostranom deklaracijom prekinule ratno stanje sa Nemačkom, zatim zaključile dvostrane ugovore sa Istočnom odn. Zapadnom Nemačkom. Ipak, definitivno je ova materija regulisana tek mnogo kasnije, višestranim sporazumom – Ugovorom o konačnom regulisanju odnosa Nemačke, koji su 12.9.1990. potpisali predstavnici DR Nemačke, SR Nemačke, Velike Britanije, SAD, SSSR i Francuske.[45]

I sa Austrijom su prvo normalizovani odnosi putem jednostranih deklaracija (Jugoslavija je to učinila Ukazom Prezidijuma Narodne skupštine od 16.1.1951) da bi tek nakon toga predstavnici četiri velike pobedničke sile (SAD, SSSR, Velika Britanija i Francuska) i Austrije potpisali Državni ugovor o uspostavljanju nezavisne i demokratske Austrijer (15.5.1955) koji je uspostavio jedinstvenu Austriju i rešio niz pitanja koja se inače rešavaju ugovorom o miru (politička pitanja, teritorijalna pitanja, vojna pitanja, reparacije, ekonomski odnosi i dr.).

Mada je prema mišljenju mnogih pisaca u pitanju nova pojava u međunarodnom pravu (prestanak ratnog stanja jednostranom voljom pobednika)[46] čini se da je i ovde na delu neka vrsta prećutnog sporazuma. Jer, mada se naoko radi o jednostranoj izjavi volje, da bi ona imala dejstvo potrebno je da se druga strana ne protivi, da makar prećutno pristane na takav razvoj događaja.

4. Prestanak neprijateljstava i prestanak ratnog stanja

Ovde je, razume se, zanimljiv samo opšti prestanak neprijateljstava između država (a ne npr. na lokalnom nivou). Njime prestaje oružani sukob (rat), premda još nije zaključen ili čak možda uopšte neće biti zaključen ugovor o miru.

Naime, premda je najprirodnije i najpoželjnije da se rat završi ugovorom o miru, uvek je bilo oružanih sukoba koji su se iz nekog razloga završili na drugi način.

I zaista, mada sam po sebi ne znači i prestanak ratnog stanja, prestanak neprijateljstva može u nekim slučajevima da ima i takve posledice.

Ova materija je vrlo složena, a praksa neujednačena, što onemogućava davanje konačnih i nedvosmislenih odgovora. Kruta pravna pravila i naoko solidne teorijske konstrukcije se ovde neretko lome u sudaru sa veoma različitim, ponekad sasvim neobičnim rešenjima koja nudi život.

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[44] Указ Президиума Верховного Совета СССР по прекращению состояния войны между Советским Союзом и Германией, Ведомости Верховного Совета СССР 2/1955, nav. prema: Собакин В.К. (сост.): Современное международное право – сборник документов, Москва 1964, 630-632.

[45] Игнатенко Г.В., Тиунов О.И.: *op. cit.,* 557.

[46] Perazić Gavro: *op. cit.,* 111-112.

Ovde će biti dat kratak osvrt na pokoravanje, opštu obustavu vatre, opšte primirje i opštu kapitulaciju.

4.1. Pokoravanje

Pokoravanje (porobljavanje, podjamrljivanje, subjugacija) jedne strane podrazumeva nasilno zauzimanje njene teritorije, nakon čega može da sledi pripajanje te teritorije (aneksija) ili uspostavljanje neke druge države. U oba slučaja rat je okončan, a uspostavljeni odnosi bitno su drugačijih od onih koji su postojali pre njegovog izbijanja. Država koja je izgubila rat više ne postoji, a to, pored ostalog, znači da istovremeno sa krajem rata nastupa i prestanak ratnog stanja.

Ovaj način prestanka rata odn. ratnog stanja bio je čest u prošlosti. Mnoge velike država nastale su upravo na ovaj način.[47]

Danas on nije prihvatljiv jer je u suprotnosti sa osnovnim načelima i pravilima savremenog međunarodnog prava.

Pa ipak, praksa, nažalost poznaje razne oblike kršenja međunarodnog prava. U tom smislu, u načelu ne može se isključiti situacija u kojoj bi neka zemlja, u prvom redu velika sila, pripojila sebi ratom osvojenu teritoriju druge države, posebno onda kada ima određeno uporište u delu stanovništva i kada odsustvuje snažan međunarodni pritisak koji bi onemogućio takav razvoj događaja.

4.2. Opšta obustava vatre

Obustava (prekid) vatre odnosno prekid neprijateljstava je oblik privremenog prekida oružanog sukoba. Može nastupiti formalnim putem (na osnovu posebnog sporazuma o tome) [48] ili neformalnim (obe strane jednostavno prekinu vatru, tj. obustave oružana dejstva).[49] U oba slučaja radi se o privremenom, a ne trajnom prestanku oružanog sukoba.

Međutim, tako se naziva i jedan od načina konačnog prestanka neprijateljstava. Ovo posebno u naše vreme, kada se obustava vatre, posebno ako je do nje došlo po nalogu ili uz posredovanje UN, koristi da bi se rešavanje spora premestilo u mirne vode.

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47 Neke istorijske primere vidi kod: Andrassy Juraj: *op. cit.,* 574; Perazić Gavro: *op. cit.,* 111; Degan Vladimir Đuro: *op. cit.,* 848-849.

48 U teoriji se obustava vatre navodi kao zanimljiv primer slučaja u kome je moguće sklapanje međunarodnog sporazuma ne samo usmeno već i putem simbola - isticanje bele zastave kao predlog obustave vatre radi pregovora, na šta sledi isticanje istog simbola sa druge strane, kao znak da je predlog prihvaćen. Oppenheim-Lauterpacht: *International Law*, vol. I, 1955, 809, nav. prema: Bartoš Milan: *Međunarodno javno pravo*, III knjiga, Beograd 1958, 131.

49 U ovom slučaju u pitanju je tzv. zatišje, kako se naziva faktičko obustavljanje borbenih dejstava, spontano ili kao odgovor na to da je protivnik obustavio neprijateljstva.

Jednu posebnu vrstu uslovno rečeno obustave vatre predstavljaju oni primeri iz prošlosti[50] gde su države jednostavno obustavile neprijateljstva, bez posebnog sporazuma, nastavljajući da poštuju faktičko stanje (princip *status quo post bellum* odnosno kada je reč o teritorijama, *uti possidetis*).[51] U takvim slučajevima obično prođe i po nekoliko godina pre nego što se odnosi zaista normalizuju.[52]

Uostalom, u istoriji je, posebno u dalekoj prošlosti, bilo dovoljno slučajeva u kojima su napadači došli iz daleka (npr. preko mora, sa drugog kontinenta) pa se, suočivši se sa snažnim otporom, jednostavno povukli i zatim više nisu vraćali. Tu je obustava neprijateljstava značila i kraj ratnog stanja utoliko pre što među sukobljenim stranama najčešće nisu ostali neregulisani odnosi (razgraničenje i sl.). S druge strane, mada opisani primer govori o prestanku ratnog stanja, preciznije bi bilo reći da su ovde na duži rok faktički prestajali ne samo neprijateljski, već svi odnosi.[53]

Može se učiniti da je obustava vatre samo drugi naziv za primirje. Nije tako. U načelu, osnovna razlika je u tome što se obustava vatre, strogo uzev, svodi upravo na to, dok se primirjem najčešće regulišu i neka druga pitanja – povlačenje sukobljenih strana na određene pozicije, sloboda kretanja u određenom prostoru (npr. radi prikupljanja mrtvih, zbrinjavanja ranjenika, evakuacije civila, dotura humanitarne pomoći i sl.). S druge strane, obustava vatre u praksi najčešće prethodi primirju, predstavlja prvi korak na putu ka njemu.

Pored toga, za razliku od primirja koje je se uvek utvrđuje sporazumom, do obustave vatre može doći i na druge načine - spontano, po nalogu nekog spoljnog autoriteta (npr. Saveta bezbednosti UN) itd. Tako je npr. Savet bezbednosti UN odgovarajućim rezolucijama naredio trenutnu obustavu vatre i neprijateljstava u sukobima između Holandije i Indonezije (1947), Izraelaca i arapskih država (1948), Indije i Pakistana (1965), Izraela i Sirije (1967), Izraela i arapski država (1973), Iraka i Irana (1987), Izraela i Libana (2006) i dr.[54]

[50] Tako su npr. okončani ratovi između Švedske i Poljske (1716), Španije i Francuske (1720), Rusije i Persije (1801), Prusije i Lihtenštajna (1866), Francuske i Meksija (1867), Španije i Čilea (1867). Andrassy Juraj: *op. cit.,* 574.

[51] Svodi se na to da svaka strana zadržava teritoriju i imovinu koja je bila pod njenom vlašću u trenutku prestanka neprijateljstava. Kako je još krajem XIX v. primetio Rivijer: „Oni obustavljaju neprijateljstva i ostaju kako su se zatekli, naročito što se tiče oblasti, i svaki čuva što je u tom trenutku njegovoj državini." Rivijer Alfons: *op. cit.,* 440.

[52] Primera radi, premda je rat između Francuske i Meksika (1862-1867) okončan prestankom neprijateljstava još 1867, diplomatski odnosi između tih zemalja uspostavljeni tek 1881. Rivijer Alfons: *op. cit.,* 441. Na isti način, Španija i neke od njenih bivših kolonija ostale su više od pola veka bez međusobnih redovnih diplomatskih odnosa. Le Fir Luj: *Međunarodno javno pravo,* Beograd 1934, 660.

[53] Treba, međutim, imati u vidu da u to vreme međunarodno pravo nije bilo dovoljno razvijeno - ni pravo rata, ni pravo mira, te da su mnoga udaljena društva živela ne znajući jedno za drugo, ili makar ne održavajući nikakve zvanične odnose.

[54] Na odgovarajući način, rezolucije Saveta bezbednosti br. 27/1947, 54/1948, 211/1965, 235/1967, 338/1973, 598/1987, 1701/2006.

4.3. Opšte primirje

Primirje je naziv za sporazum zaključen između strana u sukobu o privremenom prekidu neprijateljstava (borbenih dejstava).[55]

Ovde je naročito bitna razlika između lokalnog i opšteg primirja. Ona se vrši s obzirom na organe koji zaključuju primirje (njihov hijerarhijski položaj i ovlašćenja), na domašaj (u smislu teritorije odn. jedinica) i, što je ovde posebno važno, na moguće posledice.

Lokalno primirje međusobno zaključuju nadležni vojni komandanti, obično samo na kraći vremenski rok. To se čini radi rešavanja neodložnih pitanja lokalnog značaja, od obostranog interesa - sakupljanje ranjenika i mrtvih, evakuacija civila, doturanje humanitarne pomoći, razmena ratnih zarobljenika, bezbedan prolazak neutralnih izaslanika ili posmatrača i sl. Po logici stvari ono samo po sebi ne može da dovede do kraja rata.

Za razliku od toga, opšte primirje zaključuju predstavnici vlada, dakle politički predstavnici država. Njime se pored vojnih, uređuju i izvesna politička pitanja – povlačenje sukobljenih strana iza određene linije, razoružanje, povratak izbeglica, kažnjavanje ratnih zločinaca i dr.

Dok je prema klasičnom ratnom pravu primirje, pa i opšte primirje, značilo samo privremenu obustavu neprijateljstava, a ne i kraj čitavog oružanog sukoba, u naše vreme ono (naročito ako je zaključeno uz učešće UN)[56] najčešće znači i kraj neprijateljstava odnosno rata. Ovo zato što, u skladu sa opštim načelima savremenog međunarodnog prava i odgovarajućim načelima Povelje UN, podrazumeva zabranu daljeg pribegavanja sili. U praksi se sukobljene strane najčešće razdvajaju (povlače se na određene pozicije, stvarajući neku vrstu tampon zone, ili se između njih raspoređuju nedunarodne mirovne snage) a spor se dalje rešava mirnim sredstvima.

U tom smislu, opšte primirje može značiti kraj rata, mada ne obavezno, samo po sebi, i kraj ratnog stanja.

Pored ostalog, neprijateljstva u Prvom svetskom ratu obustavljena su primirjem potpisanim između sila Antante i Nemačke, 11.11.1918, u železničkom vagonu u šumi pored francuskog gradića Kampjenja (*Campiègne*), 75 km od

[55] Bliže gledajući, ovaj sporazum može biti zaključen na određeno ili na neodređeno vreme. U prvom slučaju, ukoliko se naknadno ne produži, prestaje istekom utvrđenog roka (protekom dogovorenog broja dana i sl.). Ako je zaključeno na neodređeno vreme, svaka strana je slobodna da kada to želi prekine primirje i ponovno otpočne neprijateljstva, s tim da je dužna da prethodno obavesti protivnika o takvoj svojoj nameri. U oba slučaja primirje je samo sporazum o privremenom prekidu neprijateljstava (na određeno ili neodređeno vreme) ali ne i o kraju čitavog rata.

[56] Tako je su npr. na zahtev Saveta bezbednosti UN i pod njegovim pririskom zaključenjem primirja okončani sukobi između Holandije i Indonezije (1948), Izraela, s jedne strane, a sa druge Egipta, Libana, Sirije i Jordana (1949), između Severne i Južne Koreje (1953) itd. Perazić Gavro: *op. cit.,* 109-110.

Pariza, a tek su kasnije zaključeni Versajski i drugi ugovori o miru (kojima je prestalo ratno stanje).

Krajem Drugog svetskog rata niz zemalja koje su se borile na strani sila Osovine najpre su zaključile sa Saveznicima primirje (npr. Rumunija, 12.9.1944), a tek znatno kasnije (10.2.1947) su potpisale i ugovore o miru.

Moguće je, međutim, da se dogovori primirje, a da iz nekog razloga ne dođe do zaključenja ugovora o miru. Tada rat i ratno stanje prestaju na osnovu primirja. Drugim rečima, u takvim slučajevima dešava se da privremeno sklopljeni sporazum o primirju prerasta svoju početnu funkciju i počinje da se primenjuje kao ugovor o prestanku ratnog stanja.

Među najzanimljivijim primirjima posle Drugog svetskog rata je ono koje je potpisano 27.7.1953, u Panmundžomu (*Panmunjom*, selo na granici između sukobljenih strana), kojim je okončan korejski rat (1950–1953). U ovom slučaju, ugovor o miru ni do danas nije zaključen.[57]

4.4. Opšta kapitulacija

Postavlja se pitanje: da li ratno stanje može da se završi ratnom kapitulacijom? [58] Misli se, razume se, samo na opštu kapitulaciju, kojom se vrši predaja svih snaga jedne strane u sukobu dugoj.[59]

Ovako shvaćena, kapitulacija je posebna vrsta međunarodnog sporazuma, koji zaključuju vojni komandanti.[60] Po pravilu, zaključuje se u pismenoj formi, u skraćenom postupku, i stupa na snagu odmah.[61]

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[57] Pa ipak, dve države su zaključile niz bilateralnih ugovora, među kojima je posebno važan Sporazum o pomirenju, neagresiji, razmeni i saradnji (1991). Štaviše, dve Koreje su na nizu sportskih takmičenja (npr. na Svetskom prventvu u stonom tenisu u Japanu, 1991) učestvovale sa zajedničkim timom, pod tzv. Zastavom ujedinjene Koreje (na beloj pozadini plavom bojom prikazana teritorija jedinstvene, nepodeljene Koreje).

[58] Ratna kapitulacija razlikuje se od tzv. režima kapitulacija koji su u prošlosti ugovornim putem evropske kolonijalne sile nametale tzv. nehrišćanskim državama (Turskoj, Egiptu, Maroku, Tunisu, Persiji, Kini, Japanu, Koreji i dr.) primoravajući ih da se odreknu dela svog suvereniteta. Više: Krivokapić Boris: *Enciklopedijski rečnik međunarodnog prava i međunarodnih odnosa, op. cit.,* odrednica "Kapitulacije, režim", 398-399.

[59] Tako je npr. Drugi svetski rat, koji je okončan bezuslovnom kapitulacijom Nemačke i Japana. Postoji i lokalna (delimična) kapitulacija, koja se svodi na sporazum vojnih komandanata o uslovima predaje samo nekog dela snaga jedne od tih strana drugoj strani (predaja dela fronta, određene jedinice, položaja, tvrđave, ratnog broda i sl.). Ona nas ovde ne zanima, jer ne povlači prestanak rata i ratnog stanja.

[60] Po tome se kapitulaciju razlikuje od obične predaje, koja je jednostrani prestanak otpora pojedinca ili trupa (jedinica), bez zaključivanja bilo kakvog sporazuma.

[61] Mada na prvi pogled imaju određene sličnosti, pa čak mogu slediti jedno za drugim, kapitulacija se od pokoravanja razlikuje po mnogim elementima: pokoravanje je faktička radnja – kapitulacija je jedna vrsta sporazuma; pokoravanje znači nestanak države kao takve – kod kapitulacije toga u principu nema, država koja se predala ostaje da postoji;

Kapitulacija u principu nije isto što i ugovor o miru, pa čak nije ni isto što i klasični međunarodni ugovor. Po svojoj prirodi to je čisto vojni sporazum koji, kao takav, sadrži samo vojne odredbe - o sudbini predatih trupa, o ranjenicima, o sudbini oružja i sl. Ona ne može sadržati političke odredbe (o prenosu suvereniteta, razgraničenju, ljudskim pravima i sl.) a ako ih i sadrži, nadležni politički organi mogu ih naknadno poništiti. S druge strane, sa stanovišta međunarodnog prava, kapitulacija je valjana i ako je zaključena uprkos tome što je unutrašnje pravo odnosne države izričito zabranjuje.[62]

Pošto se radi o sporazumu vojnih komandanata[63] koji, kao takvi, nisu ovlašćeni da rešavaju politička i druga nevojna pitanja, čak i opšta kapitulacija u načelu može dovesti samo do prestanka neprijateljstava, ali ne i ratnog stanja.[64] Normalno je da se naknadno zaključi ugovor o miru i njime urede sva relevantna pitanja.[65]

Ako ne dođe do potpisivanja mirovnog ugovora, ratno stanje obično prestaje na neki drugi način - deklaracijom, posebnim sporazumom i sl. Iako je u principu moguće zamisliti i situaciju u kojoj bi se odnosi posle kapitulacije normalizovali spontano, „sami od sebe", bez nekog formalnog akta, to bi bio samo redak izuzetak, neprimeren vremenu u kome živimo. Zapravo čak i tada najvažniji međusobni odnosi morali bi pre ili kasnije biti regulisani odgovarajućim ugovorima.

Zaključak

Prema izloženom, problematika kraja ratnog stanja je vrlo složena. Mnogo je faktora koji na to utiču.

Pre svega, nema jedinstvenog odgovora na to kada postoji rat, a kada je na delu nešto drugo (npr. granični ili sličan incident). Neki teoretičari pojam rata povezuju sa učešćem određenog broja boraca, sa određenim najmanjim bro-

kapitulacija može u nekim slučajevima da prethodi pokoravanju, ali ne i obrnuto; itd. Uostalom, kapitulacija može da prethodi i zaključenju primirja ili čak ugovora o miru. Naprotiv, kod pokoravanja drugog subjekta (druge države) više nema, pa nema mesta ni bilo kakvim sporazumima.

62 Više: Perazić Gavro: *op. cit.,* 105-106.

63 Praksa i ovde poznaje određena odstupanja. Pored ostalog, kapitulaciju Japana 2.9.1945. nije potpisao vojni komandant, već su to, kao predstavnici japanske vlade zajedno učinili ministar inostranih poslova Šigemicu Mamoro (kao prvopotpisani) i Jošiđiro Umetzu Esidiro, načelnik generalštaba. U ime saveznika akt o kapitulaciju potpisali su nadležni vojni komandanti.

64 Tako npr. Crna Gora je potpisala ugovor o polaganju oružja (kapitulaciju) početkom 1916. ali je ostala u ratnom stanju do stupanja na snagu Versajskog mirovnog ugovora (potpisan 28.6.1919, stupio na snagu 10.1.1920). Vučinić Zoran: *op. cit.,* 132.

65 Pa ipak, nije uvek tako. U prošlosti su često vojskovođe sa obe strane bile istovremeno i vladari svojih\ država. Predaja (kapitulacija) jednog drugome najčešće se poklapala sa mirovnim ugovorom (uslovi kapitulacije bili su ujedno uslovi sporazuma o miru).

jem stradalih i sl. Ali, realno, nema jedinstvenog kriterijuma prema kojem bi se moglo utvrditi da li u datom slučaju nesumnjivo postoji rat ili je posredi neki drugi okršaj. Poseban problem predstavlja to što je sve više građanskih ratova u koje su na ovaj ili onaj način upletene strane sile.

Kada je već teško precizirati da li odnosni sukob predstavlja rat, isto tako teško utvrditi i da li postoji ratno stanje. Ovo posebno zbog toga, što se rat odavno više ne objavljuje. Zapravo, sve su češće situacije u kojima se puca i gine, a da pri tome nijedna strana ne govori o ratu niti proglašava ratno stanje. Događa se i da se i pored svega ne prekidaju diplomatski odnosi, ne suspenduju međunarodni ugovori, ne primenjuje kategorija neprijateljskog stranca itd. Drugim rečima, premda ratno stanje realno postoji, države, vođene svojim internim procenama i rezonima odbijaju da ga proglase. A kada rat odn. ratno stanje nisu zvanično proglašeni, realno nema mnogo mesta razgovorima o njihovom okončanju.

Konačno, mada bi najpirodnije bilo da ratno stanje prestane stupanjem na snagu mirovnog ugovora, praksa poznaje i razna druga rešenja, pa i neka koja sasvim iskaču iz opštih okvira međunarodnog prava. Ovo u smislu da u nekim slučajevima prestanak oružanih neprijateljstava nadilazi svoju funkciju i prerasta u prestanak ratnog stanja.

Sve to sugeriše da nema jedinstvenih rešenja, da se svaki pojedini slučaj mora analizirati vrlo pažljivo, u svetlu samo njemu svojstvenih osobenosti.

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ON THE END OF WAR AND THE END OF STATE OF WAR

S u m m a r y

The paper deals with the problem of war termination and the termination of a state of war. The author first points out the difference between war (armed conflict) as a factual phenomenom and a state of war as a legal institute, and then discusses the peace treaty as a usual way for the termination of state of war between states. After that he focuses on some other ways of terminating the state of war, that appeared in practice, such as: other agreements, joint declarations, unilateral declarations, the general truce and so.
Key words: International law, war, state of war, peace treaty, armistice, truce

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LEGAL AND ORGANIZATIONAL SPECIFICITIES OF THE EUROPEAN UNION'S OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET

The creation of the Community trademark (CTM) in 1993 was a true revolution in legal and economic terms. Given the supranational legal nature of this newly created trademark, it had to be followed by the establishment of a new agency of the European Union: the Office for Harmonization in the Internal Market (OHIM). Notwithstanding the fact that the EU has a remarkable network of various bodies, offices and other entities, the legal status of the newly created Office is not easily comparable with the majority of other agencies at the European level. The international success of the CTM, as well as the legal originality and the economic importance of the OHIM justify the study of its normative and organizational specificities. To this end, this paper will first focus on the legal basis and the practical consequences of Office's institutional position (Chapter 1 – OHIM as an autonomous institutional structure), before entering, in a second stage, in some legal aspects of its internal organization (Chapter 2 – Competencies of the OHIM's bodies).

Key words: Office for harmonization in the internal market, trademark law, European Union agencies, European Union law, community trademark

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Introduction

The Community trademark (CTM)[1] is created in 1993, in order to ensure the possibility[2] of supranational and unique protection of this aspect of the intellectual property in the European Union (EU)[3]. Even though some other international organizations, like the World Intellectual Property Organization (WIPO), can assure the international protection[4] of various intellectual property rights, the CTM was the first truly supranational trademark, with unique effects in all EU's Member States, established with the purpose to create legal conditions "which enable undertakings to adapt their activities to the scale of the Community, whether in manufacturing and distributing goods or in providing services"[5]. This new legal, economic and political reality has also required the introduction of a new institutional and procedural framework, whose function is to ensure that the obtaining of CTMs is centralized, with uniform protection and supranational effects. The Office for Harmonization in the Internal Market (OHIM)[6] is created to ensure the accomplishment of this complex and origi-

1 The Council Regulation (EC) No 40/94 of 20 December 1993, as well as the Council Regulation (EC) No 207/2009 of 26 February 2009 are referring to "Community trade mark" and not "trademark". However, due to its widespread presence in theory, in this article will be used the second term. See also: Dinwoodie B. Graeme, Janis D. Mark: *Trademark Law and Theory – A Handbook of Contemporary Research,* Edward Elgar Publishing Limited, Cheltenham 2008; Brookman L. Adam: *Trademark Law – Protection, Enforcement and Licensing*, Wolters Kluwer, New York 2014; Beebe Barton: "The Semiotic Analysis of Trademark Law", *University of California Law Review* 51/2003, 621-640; Bartholomew Mark: "Advertising and the Transformation of Trademark Law", *New Mexico Law Review* 38/2008, 1-48; Hu H. Robert: "International Legal Protection of Trademarks in China", *Marquette Intellectual Property Law Review* 1/2009, 71-99.

2 Of course, the national trademarks and national institutions for their protection continued to co-exists with the CTM.

3 Notwithstanding the fact that, according to the Lisbon Treaty (2009), the European Community (EC) has ceased to exist and was replaced by the European Union, in this article it will also be referred to the EC and European Economic Community (EEC). The reason for this choice lies in the progressive establishment of the Common/Internal/Unique Market and in the need to present the background for the creation of the CTM and the OHIM.

4 The protection of a Trade mark through WIPO is international only by its mean of obtaining, but remains fully national by its legal nature: several national trademarks are obtained by one international demand.

5 Recital 1 of the Council Regulation (EC) No 40/94 of 20 December 1993 on the Community trademark, replaced by the recital 2 of the Council Regulation (EC) No 207/2009 of 26 February 2009. For the purposes of this article, all the quotations will be based on the Regulation (EC) No 207/2009, while it will be referred to the Regulation (EC) No 40/94 only when it is necessary to explain certain historical aspects of the OHIM's functioning.

6 It is interesting to note that the Council Regulation (EC) No 40/94 of 20 December 1993, as well as the Council Regulation (EC) No 207/2009 of 26 February 2009 are referring to "harmonisation" in OHIM's name, while OHIM in all its official documents uses the

nal mission. Even if the OHIM is not an international organization, in various aspects in can be compared with certain regional or international organizations having competencies in the field of the intellectual property, like the WIPO, or the European Patent Organization. In order to put some more light on the specificity of the OHIM as an agency of the EU, it is first necessary to analyze the legal basis and the practical consequences of its institutional position (Chapter 1 – OHIM as an autonomous institutional structure), before entering, in a second stage, in some legal details of its internal organization (Chapter 2 – Competencies of the OHIM's bodies). Since the status of its staff is more closely linked to the issue of the legal status of the Office as such, this issue will be treated in the first chapter.

1. OHIM as an autonomous institutional structure

The administrative procedure for trademark registration by the national authorities and its validity only in the context of an internal legal order imposed geographical limits to the protection: the right conferred by a national trademark is always a territorial monopoly. Therefore, the need to create and develop the legal mechanisms in order to ensure an international trademark protection became even more evident in the context of the principle of territoriality of industrial property rights. That is why the first international efforts, starting with the Paris Convention singed in March 1883, aimed at creating intergovernmental arrangements to facilitate the protection of trademarks in several states. The trademark has remained a territorial monopoly, but its international registration has become possible. In other words, for quite a long period, the economic necessity of the development of cross-border trade have not questioned the principle of territoriality. More than a century after the signature of the Paris Convention was conceived the first genuinely supranational intellectual property (IP) right: the Community trademark (CTM), created by the adoption of the Council Regulation (EC) No 40/94. Even if the establishment of the CTM was "the logical consequence of the European efforts in order to harmonize the national legislations"[7], the newly created trademark was a true revolution in legal and economic terms.

The originality of the legal nature of IP rights is, in many aspects, similar to the uniqueness of the project of economic and political integration that was progressively established by the European Community/Union. Suffice is here to highlight three crucial elements: the innovative capacity that was needed for

term "harmonization"; see, for example http://pmd.oami.europa.eu.edgesuite.net/Annual-Report/FINAL/ohim/en/trademarks.html (15.10.2014.) In this article will be used the term "harmonization".

7 Gastinel Eric: *La marque communautaire,* LGDJ, Paris 1998, 7.

their creation, the rapid evolution of both EEC/EC/EU[8] and IP rights and, finally, the difficulties they may cause in terms of classification. On the one hand, every IP right shares all the basic characteristics of other property rights, but their object is immaterial, intangible. On the other hand, the European Union has become – throughout its numerous and profound changes that occurred during more than a half of century that elapsed between the adoption of the Treaty of Rome and the entry into force (2009) of the Lisbon Treaty – a political and legal entity *sui generis*, halfway between an international organization and a quasi-federal structure that shares sovereignty with its Member States. When the EU started to make some important steps in IP regulation, all the solutions adopted had to be original and unprecedented. Therefore, the creation of the CTM had to be followed by the establishment of a new EU's institution: the Office for Harmonization in the Internal Market. This newly created body contributed to the phenomenon some authors named "the proliferation of the number of actors in what can be loosely termed the European administrative space"[9].

Like the majority of international organizations with significant competencies in the field of economy or international trade, the EC[10] have had the power to create different entities whose function was to contribute to the achievement of its goals. Moreover, due to the fact that the European Court of Justice (after the adoption of the Lisbon Treaty: Court of Justice of the European Union) has progressively defined the fundamental principles of EC law, "the controversy over the determination of the legal nature of the Community legal system (...) largely faded"[11]. The EU now disposes of an impressive network of various bodies, offices and other entities, commonly referred to as "agencies", often having different legal status and responsibilities. However, their common point is that they are "set up to perform specific tasks under EU law"[12]. The EU agencies are grouped into four categories, which include decentralized agencies, executive agencies, EURATOM agencies and bodies and European Institute for Innovation and Technology. In October 2014, without taking into consideration the executive agencies and the agencies created to support the aims of the European Atomic Energy Community Treaty, their total number is 38. These entities are

8 See fotnote 2.

9 Curtin Deirdre: „Holding (Quasi-)Autonomous EU Administrative Actors to Public Account", *European Law Journal* Vol. 13, 4/2007, 523.

10 *Ibid*.

11 Blumann Claude, Dubouis Louis: *Droit institutionnel de l'Union européenne*, Litec, Paris, 2008, 416.

12 Agencies and other EU bodies, official website of the EU, http://europa.eu/about-eu/agencies/index_en.htm (21.10.2014.)

named as follows: agency[13], body[14], office[15], authority[16], centre[17], foundation[18], institute[19], college[20], board[21] or unit[22]. In this complex institutional forest, the place of the OHIM seems to be guaranteed, despite the fact that it often lacks the visibility. As it was underlined (by quoting the December 2008 issue of European Voice) in the OHIM's Annual Report for the same year, "The Office for Harmonization in the Internal Market is not the best known of EU organizations, but it is arguably one of the most successful"[23]. In addition, in the President's introduction, opening the OHIM's Annual Report for 2013, Antonio Campinos stressed that "the Office made progress in a number of areas in 2013, staying on track to meet the objectives set out in the Strategic Plan for 2011-2015"[24]. This progress is, among other reasons, certainly due to the quality of the legal structure introduced by the Regulation on the Community trademark; defining the OHIM as an EU agency can only be a starting point in the study of its legal specificity.

13 Like, for example, the Agency for the Cooperation of Energy Regulators, the European Agency for Safety and Health at Work or the European Aviation Safety Agency. In total, there are 14 EU agencies that officially bear this name.

14 Only one name of an EU agency includes this term: the Body of European Regulators for Electronic Communications.

15 Besides the OHIM, there are four other offices: the Community Plant Variety Office, the European Asylum Support Office, the European Police Office and European Public Prosecutor's Office, still in preparation.

16 There are four "authorities" among EU agencies: the European Banking Authority, the European Food Safety Authority, the European Insurance and Occupational Pensions Authority and the European Securities and Markets Authority.

17 Among all EU agencies, there are four "centres": the European Centre for Disease Prevention and Control, the European Centre for the Development of Vocational Training, the European Monitoring Centre for Drugs and Drug Addiction and the Translation Centre for the Bodies of the European Union.

18 There are two EU agencies whose names include this term: the European Foundation for the Improvement of Living and Working Conditions and the European Training Foundation.

19 The European Institute for Gender Equality.

20 The European Police College.

21 The Single Resolution Board, still in preparation.

22 The European Union's Judicial Cooperation Unit.

23 Official website of the OHIM, https://oami.europa.eu/ohimportal/en/annual-report (21.10.2014.)

24 Official website of the OHIM, Annual Report for the year 2013, President's Introduction, http://pmd.oami.europa.eu.edgesuite.net/Annual-Report/FINAL/ohim/en/introduction.html (21.10.2014.)

Despite the relative brevity of its introductory remarks[25], the Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trademark[26] (hereinafter referred to as "Regulation") dedicated to the OHIM three of its nineteen recitals. In addition, the entire Title XII (Articles 115 to 144) is exclusively devoted to the administrative, financial and legal functioning of the agency of the European Union responsible for registering trademarks and designs. The reason for this approach is the fact that the new supranational industrial property right required the establishment of a body responsible for its transnational registration, with precise competencies and structured internal organization. Therefore, we will first analyze the general normative framework applicable to this unique body, before examining in detail the various aspects related to the legal status and the functioning of the OHIM. Starting from the observation that the new trademark requires administrative measures "for implementing (…) the trademark law created by this Regulation"[27], its 12th recital specifies that "it is therefore essential, while retaining the Community's existing institutional structure and balance of powers, to provide for an Office for Harmonization in the Internal Market (trademarks and designs) which is independent in relation to technical matters and has legal, administrative and financial autonomy"[28]. As a result, a direct link between the new supranational IP right and the autonomous body responsible for its obtaining is already established. Furthermore, mentioning the new body in the context of the "Community's existing institutional structure and balance of powers" shows that the newly created Office will have the legal status not easily comparable with the majority of other agencies at the European level. In order to preserve its independence, the OHIM "should be a body of the Community having legal personality and exercising the implementing powers (…) and that it should operate within the framework of Community law without detracting from the competencies exercised by the Community institutions"[29]. This statement has a dual function: first, it announces the legal status of the Office, which will be developed in detail by the provisions of Articles 115 to 123 of the Regulation; secondly, it puts the OHIM in a larger European institutional

[25] The Council Regulation (EC) No 207/2009 of 26 February 2009 has 19 recitals and 167 articles, devoting about 5% of the text to the introductory remarks. On the other hand, the Directive 2008/95/CE of the European Parliament and of the Council of 22 October 2008 to approximate the laws of the Member States relating to trade marks contains 14 recitals and 19 articles, dedicating approximately 20% of its text to the non-normative part.

[26] Recital 1 of the Council Regulation (EC) No 207/2009 of 26 February 2009 specifies that, because "the Council Regulation (EC) No 40/94 of 20 December 1993 on the Community trade mark has been substantially amended several times (…) in the interests of clarity and rationality the said Regulation should be codified". See also footnote 4.

[27] Recital 12 of the Council Regulation (EC) No 207/2009.

[28] *Ibid.*

[29] *Ibid.*

context, especially regarding the legal protection against its decisions, but also concerning the auditing of its accounts.

The Article 115 of the Regulation defines the Office as "a body of the Community" having the legal personality. Moreover, "in each of the Member States the Office shall enjoy the most extensive legal capacity accorded to legal persons under their laws; it may, in particular, acquire or dispose of movable and immovable property and may be a party to legal proceedings". It is interesting to note that, thus defined, the legal capacity of the OHIM is much greater than the legal capacity enjoyed by the European Union before the entry into force (December 1, 2009) of the Lisbon Treaty. As regards OHIM's contractual liability, it is "governed by the law applicable to the contract in question"[30], while "in the case of non-contractual liability, the Office shall, in accordance with the general principles common to the laws of the Member States, make good any damage caused by its departments or by its servants in the performance of their duties"[31]. Given that, in the current state of the European Union's legal system, there is no unified EU contract law, the Regulation allows a wide application of the national legal provisions, without losing the intention to seek for their lowest common denominator.

Concerning the employees of the OHIM in a broad sense, their legal status is defined both by the rules of the Staff Regulations of officials of the European Union (for general issues, as specified by the Article 116 of the Regulation) and by certain special rules required by their independence and special skills. For example, the Article 136, paragraph 4 of the Regulation specifies that "the President of the Boards of Appeal and the chairmen and members of the Boards of Appeal (…) in their decisions (…) shall not be bound by any instructions", which means they are not supposed to seek or receive instructions from any authority or person, especially if it belongs to any Member State institution or body. In this respect, their status was, *mutatis mutandis*, comparable to that of members of the European Commission, for whom the ex-Article 213, paragraph 2 of the Treaty establishing the European Community[32] specified that "in the performance of these duties, they shall neither seek nor take instructions from any government or from any other body". In addition, the members of the Boards of Appeal "may not be removed from office unless there are serious grounds for such removal and the Court of Justice, after the case has been referred to it by the Administrative Board on the recommendation of the President of the Boards of Appeal, after consulting the chairman of the Board to which the member con-

[30] Article 118, paragraph 1 of the Council Regulation (EC) No 207/2009.

[31] Article 118, paragraph 3 of the Council Regulation (EC) No 207/2009.

[32] It is interesting to note that the Article 245 of the Treaty on the Functioning of the European Union considerably reformulated the provision of ex-Article 213. The level of independence is now formulated in more general terms, given that "Member States shall respect their independence and shall not seek to influence them in the performance of their tasks".

cerned belongs, takes a decision to this effect"[33]. The role of the Court of Justice in the removal of certain OHIM officials clearly shows that the level of their independence is incommensurate with the position of the employees of other EU agencies.

In financial and organizational matters, the OHIM's independence is considerable, but it has certain limitations. The various decisions of its bodies – those concerning the CTM registration process, as well as decisions relating to the establishment and implementation of the budget – are subject to judicial or financial control[34]. Consequently, the necessity "to ensure that parties who are affected by decisions made by the Office are protected by the law in a manner which is suited to the special character of trademark law"[35] imposed the existence of "an appeal to lie from decisions of the examiners and of the various divisions of the Office"[36]. The first instance of appeal against those decisions is within OHIM itself – the Board of Appeal of the Office. Subsequently, the decisions of this Board are "amenable to actions before the Court of Justice (…) which has jurisdiction to annul or to alter the contested decision"[37]. Therefore, the EU law related to the CTM largely consists of the interpretation of the provisions of the Regulation by the Court of Justice, while the judicial role of the OHIM remains significant. With regard to the control of the OHIM's financial functioning, the EU legislature predicted, without naming or prioritizing them, three modalities of its verification. It is, however, clear that there is some degree of difference between them, especially because, "as far as is compatible with the particular nature of the Office, the financial provisions shall be based on the financial regulations adopted for other bodies set up by the Community"[38]. On the one hand, the internal element of the financial control is the creation of an audit function, placed under the authority of the President of the Office, whose mission is to undertake the technical and procedural execution of the OHIM's budget. On the other hand, the modalities for establishment and implementation of the budget are specified by the Budget Committee, Office's internal body, while the adoption of these rules is subject to the Commission's and the Court of Auditors' favorable opinion. The third level of the control – placed completely outside the institution itself – is the audit performed by the Court of Auditors, whose role is to examine the accounts of the Office's total revenue and expenditure. Even if the nature of this auditing makes OHIM comparable to any other

[33] Article 136, paragraph 1 of the Council Regulation (EC) No 207/2009.

[34] The judicial control is of particular importance for the existence of the Community trademark, given the fact that the interpretation of the Court of Justice of the EU contributes to the creation of unified EU trademark law.

[35] Recital 13 of the Council Regulation (EC) No 207/2009.

[36] *Ibid.*

[37] *Ibid.*

[38] Article 143 of the Council Regulation (EC) No 207/2009.

EU agency, one major difference allows it to keep operational and functional autonomy: "an autonomous budget whose revenue comes principally from fees paid by the users of the system"[39]. The overall autonomy of the OHIM's institutional structure seems to be guaranteed by the normative context relative to the Community trademark, which remains, with more than 114.000 applications in 2013[40], very popular in EU's business community. In the future, the institutional position of the Office will remain dependent of the success of EU's single market and its capacity to overcome the global economic crisis.

2. Competencies of the OHIM's bodies

Like any other EU's administrative entity having legal personality and operational autonomy, the OHIM has management structures globally comparable to those existing in other EU agencies. However, the specificity of its mission and the role it has in trademark registration make the Office comparable to the national authorities, existing in each of the 28 EU Member States, competent for the IP protection. However, "initially hesitant, the European Union has gradually become interested in intellectual property and adopted a variety of legislative acts, which were subsequently supplemented by numerous decisions of the Court of Justice of the European Union"[41], to the extent that EU law "has become the main source of influence on the national laws"[42]. Consequently, the nature of the OHIM's bodies and their competencies will be analyzed without reference to the existing national authorities, given the fact that the CTM has supranational effects and that its registration is centralized. It is, therefore, first necessary to examine in detail the entities of the Office competent "for taking decisions in connection with the procedures laid down"[43] in the Council Regulation 207/2009; secondly, the attention should be paid to the OHIM's administrative bodies in a strict sense.

Article 130 of the Regulation sets out an exhaustive list of various existing entities or organs within the Office whose function is exclusively linked to the implementation of the procedures for registration of CTMs: examiners, Opposition Divisions, Administration of Trademarks and Legal Division, Cancellation Divisions and Boards of Appeal. However, the term "instance" could be used

39 Recital 18 of the Council Regulation (EC) No 207/2009.

40 Official website of the OHIM, Annual Report for the year 2013, Volumes – Trademarks, http://pmd.oami.europa.eu.edgesuite.net/Annual-Report/FINAL/ohim/en/trademarks.html (24.10.2014.)

41 Geiger Cristophe: *Constructing European Intellectual Property – Achievements and New Perspectives,* Edward Elgar Publishing Limited, Cheltenham, 2013, 5.

42 *Ibid.*

43 Article 130 of the Council Regulation (EC) No 207/2009.

for the first entity mentioned by Article 130, for at least two reasons: "examiners" cannot be considered as a typical body or organ, given that this denomination is chosen for being the most appropriate in order to legally designate all the employees of the Office that have the same role and competencies in the implementation of registration procedures; secondly, examiners are also the first instance, in the strictly procedural sense, in the process that starts with CTM application and ends once all conditions for its registration are met. Moreover, the analysis of the Regulation's drafting technique related to the definition of examiners' prerogatives clearly shows that they have a general competence, given that they are "responsible for taking decisions on behalf of the Office (…) except in so far as an Opposition Division is responsible"[44]. In other words, in the absence of an opposition, all the decisions taken in the context of the process starting with CTM application are made by the examiners, who are, in this case, the only entity within the Office to have participated in the process of the registration of this supranational trademark. As one important procedural provision specifies, "where an application meets the requirements of this Regulation and where no notice of opposition has been given within the period referred to in Article 41(1) or where opposition has been rejected by a definitive decision, the trade mark shall be registered as a Community trade mark"[45]. Therefore, the power in the hands of the examiners is considerable, which requires an efficient legal and organizational framework in order to ensure the effective appeal against their decisions.

Since the decisions in the context of examination of 1) the conditions for application and 2) the absolute grounds for refusal determine whether the CTM will be registered or not, the opportunity to appeal against them represents a guarantee of OHIM's fair and efficient functioning. Additionally, from the point of view of an economic operator wanting to register a CTM, it is also the most visible part of the OHIM's work, especially given the fact that after the filing of the CTM application, the examiner's decision represents the first contact of the user with the services of the Office. As it was emphasized in one of its Annual Reports, "maintaining quality in CTM and opposition decisions continued to be a major Office priority"[46] and, to this end "in recent years increased efforts have been made to ensure that the measurement and improvement of the quality of decisions is more systematic and transparent both within the Office and to the outside world"[47]. However, the effectiveness of these efforts also depends on the rules intended to ensure the impartiality and the independence of the examiners. On the one hand, the position of an examiner is incompatible with

44 Article 131 of the Council Regulation (EC) No 207/2009.

45 Article 45 of the Council Regulation (EC) No 207/2009.

46 OHIM Annual Report 2008, p. 7, https://oami.europa.eu/ohimportal/en/annual-report (27.10.2014.)

47 *Ibid.*

the exercise of other functions within the OHIM's decision-making bodies having a role in the CTM registration procedure; therefore, "the President of the Boards of Appeal and the chairmen and members of the Boards of Appeal may not be examiners"[48]. This rule ensures the independence of the Board members, but also reinforces, in an indirect way, the examiners' position, ensuring a different composition of the two bodies. On the other hand, the impartiality of the examiners is ensured by the provision specifying that they "may not take part in any proceedings if they have any personal interest therein, or if they have previously been involved as representatives of one of the parties"[49]. Moreover, the exclusion of an examiner may be requested only if suspected of partiality, but the objection "shall not be admissible if, while being aware of a reason for objection, the party has taken a procedural step"[50]. However, the nationality of the examiner may not be invoked as a ground for exclusion, even if she/he is a national of the same Member State as one of the parties. The status of OHIM staff generally requires the independence from all national governmental bodies, including those involving the State of which they are nationals. As Martin Groenleer rightly remarked, "cultivating a distinct loyalty to the organization (…) may serve as a means of shifting staff's loyalty to the supranational organization (instead of to their professional group or their national jurisdiction) and thus enhance the agency's autonomy"[51]. At the end of 2013, the OHIM had a total of 925 employees[52] with numerous different nationalities. An organization with such a linguistic and cultural richness of its staff cannot allow this diversity to be the victim of divergent national influences.

As for the other organs of the OHIM that can be involved in the process of CTM registration, Opposition and Cancellation Divisions and Boards of Appeal are among the most important for functioning of the Office as EU agency. In this context, every decision about the opposition to CTM application is made by the Opposition Division consisting of three members, of which at least one has to be a lawyer. Moreover, proceedings before the Division is not public, but its decisions are published. One of the greatest difficulties in the operation of the Office is the constant increase of the received oppositions and the accumulation of unsolved cases. As highlights OHIM's Annual Report for 2013, "the rate of oppositions against published CTMs has remained broadly stable over the past

48 Article 136, paragraph 5 of the Council Regulation (EC) No 207/2009.

49 Article 137, paragraph 1 of the Council Regulation (EC) No 207/2009.

50 Article 137, paragraph 3 of the Council Regulation (EC) No 207/2009.

51 Groenleer Martijn: *The Autonomy of European Union Agencies – A Comparative Study of Institutional Development,* Uitgeverij Eburon, Delft 2009, 50.

52 Official website of the OHIM, Annual Report for the year 2013, HR Reform and Finance, http://pmd.oami.europa.eu.edgesuite.net/Annual-Report/FINAL/ohim/en/introduction.html (27.10.2014.)

three years at around 16-17%, with just over 17 000 filed during 2013"[53], while "opposition e-filing has continued to grow steadily, reaching 46% of the total"[54]. Accordingly, the Office has set up a research group specialized in opposition and one can only hope a significant reduction in the duration of the proceedings before this instance.

The Cancellation Divisions are responsible "for taking decisions in relation to an application for the revocation or declaration of invalidity"[55] of a CTM. Their composition and decision-making procedure and are subject to the rules similar to those applicable to the Opposition Divisions: they have three members (at least one should be a lawyer), while only "in certain specific cases provided for in the Implementing Regulation, the decisions shall be taken by a single member" (identical provisions of Articles 132 and 134 of the Regulation). It is important to note that during 2013 "cancellation requests rose to just under 1 400, which is 10% more than the previous year"[56], but "when measured against the total number of CTMs, cancellations have remained constant over recent years at less than 0.2% of the Register"[57]. This percentage shows that the number of cancelation request depends almost exclusively on the quantity of CTM applications. Moreover, the operators demanding the cancellation are often well prepared, allowing to the Office to have greater efficiency in decision-making. As regards the Administration of Trademarks and Legal Division, it primarily has a residual jurisdiction, given that it is "responsible for those decisions required by this Regulation which do not fall within the competence of an examiner, an Opposition Division or a Cancellation Division"[58]. Secondly, this Division is exclusively competent for decisions in respect of entries in the Register of CTMs and for keeping the list of professional representatives before the OHIM. Given the fact that the workload of this body is relatively small compared to that of the Opposition and Cancellation Divisions, there is only one Administration of Trademarks and Legal Division. In addition, the nature of its responsibilities allows that the decisions are taken by a single member.

Finally, the Board of Appeal is a joint instance of appeal against the decisions of four other OHIM's bodies involved in the CTM registration procedures. This Board can make decisions in one of three possible formations: the "classical"

[53] Official website of the OHIM, Annual Report for the year 2013, Trademarks, http://pmd.oami.europa.eu.edgesuite.net/Annual-Report/FINAL/ohim/en/trademarks.html (29.10.2014.)

[54] *Ibid.*

[55] Article 134, paragraph 1 of the Council Regulation (EC) No 207/2009.

[56] Official website of the OHIM, Annual Report for the year 2013, Trademarks, http://pmd.oami.europa.eu.edgesuite.net/Annual-Report/FINAL/ohim/en/trademarks.html (29.10.2014.)

[57] *Ibid.*

[58] Article 133, paragraph 1 of the Council Regulation (EC) No 207/2009.

chamber of three members, enlarged or, exceptionally, single-member chamber, if the Board handling the case decides to confer it because of the "lack of difficulty of the legal or factual matters raised, the limited importance of the individual case or the absence of other specific circumstances"[59]. Any party wishing to attack, before the EU's judicial authorities, the decision of an examiner or a Division, must first address to the Board of Appeal. Unlike most national courts, when the Court of Justice of the EU is competent for an appeal against a decision of OHIM's Board of Appeal, it may annul, but also alter the contested decision.

Despite the fact that – both in their mode of operation as well as concerning the rules governing their composition – all the bodies of the Office involved in the CTM registration process are supranational, the same conclusion, unfortunately, cannot be brought when it is about OHIM's administrative organs in a strict sense. Although its operational management is the responsibility of the President, the fact remains that it is appointed by the Council, which consists of one representative from each EU's Member State. However, the Council's somewhat inter-governmental *modus operandi* does not influence the inherently supranational mission of the Office, and that for at least two reasons: firstly, the OHIM's Administrative Board takes its decisions by a simple majority; secondly, its real influence on the functioning of other departments of OHIM is relatively low, while the effective management is in the hands of the director. An EU agency with growing efficiency and a Community trademark enjoying international popularity would hardly be imaginable without the strong component of supranational governance within the Office.

[59] Article 135, paragraph 5 of the Council Regulation (EC) No 207/2009.

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PRAVNE I ORGANIZACIONE SPECIFIČNOSTI KANCELARIJE EVROPSKE UNIJE ZA HARMONIZACIJU NA UNUTRAŠNJEM TRŽIŠTU

S a ž e t a k

Stvaranje komunitarnog žiga je predstavljalo istinsku revoluciju u pravnom i ekonomskom smislu. Imajući u vidu nadnacionalnu pravnu prirodu novostvorenog žiga, bilo je neophodno da njegov nastanak bude praćen uspostavljanjem nove agencije Evropske unije: Kancelarije za harmonizaciju na unutrašnjem tržištu (KHUT). Međutim, i pored činjenice da EU raspolaže značajnom mrežom različitih tela, centara i drugih organizacija, novostvorena Kancelarija ima pravni status koji nije lako uporediv sa većinom drugih agencija na nivou Unije. Međunarodni uspeh komunitarnog žiga, kao i pravna jedinstvenost i ekonomski značaj KHUT opravdavaju izučavanje njenih normativnih i organizacionih specifičnosti. Kako bi se odgovorilo tako postavljenom cilju, ovaj rad će se prvo posvetiti pravnoj osnovi i praktičnim posledicama institucionalnog položaja Kancelarije (poglavlje 1 – KHUT kao autonomna institucionalna struktura), da bi se potom usredsredio na pravne aspekte njene unutrašnje organizacije (poglavlje 2 – Nadležnosti tela u sastavu Kancelarije).

Ključne reči: kancelarija za harmonizaciju na unutrašnjem tržištu, žigovno pravo, agencije Evropske unije, pravo Evropske unije, komunitarni žig

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EUROPEAN STANDARDS IN THE FIELD OF COMBATING CYBER CRIME

Cyber crime is a phenomenon which is often written and spoken about, ever since its inception, in theory, judicial and legislative practice of developed countries and international institutions. It had rapidly developed in the last decade of the 20th century, and in the 21st century its evolution has become even more evident. Countries have responded by introducing new measures in their criminal legislation, in an effort to reconcile traditional criminal law with the demands for perception, investigation and demonstration of new criminal acts. This paper presents and analyzes the most significant European standards adopted in order to create more effective national legislation in the field of combating cyber crime. Standards given in the Convention of the Council of Europe but also the European Union Directives have to a large extent been a guide for national legislations in order to regulate the new situations regarding the misuse of information and communication technologies in the most adequate manner. Among other things, this paper pays special attention to the most important Convention in the field of combating cyber crime, which is the Council of Europe Convention on cyber crime, whose objectives include: harmonization of national legislations with regard to substantive provisions in the field of cyber crime, introduction of adequate instruments in national legislations with regard to process provisions in order to create the necessary basis for investigation and prosecution of offenders in this field and establishment of quick and efficient institutions and procedures for international cooperation.

Key words: cyber crime, European standards, Council of Europe conventions, European Union directives

1. Introduction

There are no technical and technological achievements in the history of mankind that has not encountered various forms of misuse. Their specificities are the phases of development in which the invention has been subject to misuse,

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then groups of persons who have committed these acts and various purposes for which such misuse has been performed.

At the beginning of its implementation, computer technology was not suitable for larger misuse, since its implementation was not mass in character, so it addressed only a narrow range of users – IT professionals. What opened the door to the expansion of possibilities to misuse computer technology for various purposes is its rapid development, simplification of its use and its availability to a large number of users.

Nowadays, computers and computer technology may be misused in various manners, and crime itself may take the form of any of the traditional forms of crime, such as theft, evasion and fraud, whereas the data obtained without authorization via misuse of information systems may be used in different manners in order to obtain illegal benefits[1].

Cyber crime in terms of the Law on organization and jurisdiction of state authorities for combating cyber crime[2] is a commission of offences that contain, as the object or tool of criminal offences, computers, computer systems, computer networks, computer data and their products in its material or electronic form (Article 2 of the Law). Products in electronic form especially include computer programs and copyright works that may be used in electronic form.

Cyber crime, within its basic definition, includes the following criminal offences (Article 3 of the Law): offences against the safety of computer data as determined by the Criminal Code; offences against intellectual property, assets, economics and legal transactions, that contain, as the object or tool of criminal offences, computers, computer systems, computer networks, computer data and their products in its material or electronic form, should the number of copies of copyright work exceed 2000 or should the resulting damage exceed the amount of 1.000.000 dinars; offences against the freedoms and rights of man and citizen, sexual freedom, public law and order and constitutional order and security of the Republic of Serbia, which due to the manner of execution or means used may be considered cyber crime offences.

Cyber crime had rapidly developed in the last decade of the 20th century, and in the 21st century its evolution has become even more evident. Countries have responded by introducing new measures in their criminal legislation, in an effort to reconcile traditional criminal law with the demands for perception, investigation and demonstration of new criminal acts. After the initial period of implementation of these measures one may talk about relative success, but also the shortcomings of perceptions that currently prevail in this field need to be pointed out. Unification and harmonization, as well as efficient international cooperation, are the main prerequisites for better coordination of supranational

[1] Kreitzberg, R (1989): Kunstgriffe und Machenschaften, Kriminalistik No.8-9, Heidelberg: Kriminalistik Verlag, p. 453-458.

[2] Official Gazette of RS, no. 61/05 and 104/09

efforts in combating this type of criminal offences. Comparative analysis is not possible without reference to the only relevant international instrument in the field of cyber crime – the Council of Europe Convention on cyber crime and pointing out its significance within global frameworks.[3]

Cyber crime is a phenomenon which is often written and spoken about, ever since its inception, in theory, judicial and legislative practice of developed countries and international institutions. All its aspects are being considered. We are trying to provide more complete answers to numerous and each day more complex questions. The complexity of the issues which we have been facing for over thirty years may partly be anticipated through numerous papers in this field.

The subject of this paper is to present and analyze the most significant European standards adopted in order to create more efficient national legal solutions in the field of combating cyber crime.

2. Council of Europe standards

The Council of Europe is a regional international organization, whose headquarters are located in Strasbourg. The purpose of the Council of Europe is reflected in the achievement of basic personal and democratic rights and freedoms in Europe, and its most important acts are the adoption of the European Convention on Human Rights in 1950 and the establishment of the European Court of Human Rights in 1998 as a permanent legal protection system. The Council of Europe has 47 member states, which are also signatories to the European Convention on Human Rights, 1 candidate state and 5 observer states.

Ever since the 80s of the 20th century, the Council of Europe has been dealing with the issue of combating cyber crime. Two recommendations issued by the Committee of Ministers, which are considered as the first international document on cyber crime, are mainly devoted to the beginnings of the combat against the misuse of computer technology, such as: criminalisation of illicit behavior, separation of legal and illegal actions in national legislations, provisions on the exercise of investigations, obligations of providers to cooperate with investigating authorities etc. These are recommendations[4] that were not binding for member states, but whose primary goal was to draw attention to the emergence of a new type of criminal activities that have a strong international component and that it was made clear to the states that they need to react in a timely manner in order to prevent the spread of such illegal and malicious use

[3] Prlja, D., Reljanović, M. (2009): "Cybercrime - Comparative Experiences", Foreign legal life, 3, p.161.

[4] These are the following recommendations: Recommendation No. R (89)9 i R (95)13. Recommendation No. R (95) 13 of the Committee of Ministers to Member States, Concerning Problems of Criminal Procedure Law Connected with Information Technology

of new technologies.[5] Bearing in mind the hazards brought by the development of information technology, during the second half of the nineties the European Committee on Crime Problems – CDPC)[6] of the Council of Europe has founded an expert group, the Committee of Experts on Crime in Cyberspace – PC-CY, with a mission to prepare the text of the first international convention whose substance would include prevention, capture and punishment of offenders in the field of cyber crime.[7]

The Council of Europe Convention on cyber crime was adopted on November 23rd, 2001 in Budapest[8]. It entered into force on July 1st, 2004 and is open for signature by countries that are not members of the Council of Europe. Serbia signed the Convention on April 7th, 2005 and ratified it on April 14th, 2009 by adopting the Law on Ratification of the Convention on cyber crime.[9]

The Additional Protocol to the Convention on cyber crime concerning the criminalisation of acts of a racist and xenophobic nature, committed through computer systems was adopted in 2003. It entered into force on March 1st, 2006. Serbia has ratified the Additional Protocol by adopting the Law on Ratification of the Additional Protocol to the Convention on cyber crime concerning the criminalisation of acts of racist and xenophobic nature, committed through computer systems.[10]

3. Convention on cyber crime

The Convention has, above all, the following objectives: 1) harmonization of national legislations with regard to substantive provisions in the field of cyber crime; 2) introduction of adequate instruments in national legislations with regard to process provisions in order to create the necessary basis for investigation and prosecution of offenders in this field; 3) establishment of quick and efficient institutions and procedures for international cooperation.[11]

According to the above, "an important part of the Convention on cyber crime is dedicated to the states' obligations to create normative preconditions for the introduction of additional procedures and powers, in order to enable efficient detection and processing of cases of cyber crime. In this sense, the essential

5 Komlen-Nikolić L. *et al. (2010): Combating cyber crime,* Belgrade: Association of Public Prosecutors and Deputy Public Prosecutors of Serbia, p. 41.

6 CDPC/103/211196 decision from November 21st, 1996.

7 Komlen-Nikolić L. *et al.*

8 Council of Europe, 2001, ETS – No. 185.

9 Official Gazette of RS, no. 19/09

10 *Ibid*

11 Matijašević, J. (2013): Criminal legislation of computer crime, Novi Sad: Faculty of Law for Commerce and Judiciary in Novi Sad, University Business Academy in Novi Sad, p. 217.

importance lies in the establishment of special state authorities specialized for the combat against cyber crime. Formally and legally speaking, such obligations have become current only after the ratification of the said Convention and the Additional Protocol".[12]

The Convention consists of four chapters: (I) Use of the term; (II) Measures to be undertaken at the national level – substantive and procedural law; (III) International cooperation; (IV) Final provisions.[13]

The first chapter of the Convention provides a brief overview and definitions of basic terms used in the text of the Convention. Thus, a computer system (Article 1a) is a group of connected devices, of which at least one can perform automatic data processing; computer datum (Article 1b) is any information in a form suitable for processing in a computer system, including programs that can be used to perform certain functions of a computer; the term provider – service provider (Article 1c) is any natural or legal person that provides services that enable communication through a computer network, but also any person that keeps, or processes computer data incurred during such communication; the term datum in traffic (Article 1d) means any computer datum that is related to communication within the system or has emerged as a part of such communication and carries information about the origin and destination of communication, its path, date, time, size and duration, or type of service.

The second chapter of the Convention that includes Articles 2-22 is divided into several parts and includes substantive and procedural legal provisions. The substantive provisions stipulate nine criminal offences, grouped into four categories.

The first group of incriminating acts constitutes of acts against computers and computer systems in the narrow sense. The Convention calls this group "Offences against the confidentiality, integrity and availability of computer data and systems"[14]. This group includes the following offences:

1) Unauthorized access to information contained in a computer or computer system, in order to catch hold of, modify or destroy such information, Art. 2;
2) Unauthorized interception (wiretapping) of personal data transmitted in any way between two computers/networks, Art. 3;

[12] Milošević, M. i Nikač, Ž. (2010): "Changes in the legislation of the Republic of Serbia and the fight against cyber crime", in Petrović, S. (Ed.). Misuse of Information Technology and Privacy (str. 1-9). Belgrade: Association of Court Experts in Information Technology, p.1.

[13] Bjelajac Ž., Matijašević J., Dimitrijević D. (2012): "The importance of establishing international standards in combating cyber crime", International Politics, LXIII, 1146, p. 76-79.

[14] Offences against the confidentiality, integrity and availability of computer data and systems, Title 1, Section 1, Chapter II, Council of Europe, Convention on Cybercrime, ETS No. 185 – Explanatory Report

3) Interference with data (data disruption) on a computer in terms of intentional full or partial damage, deletion, modification of content or any other manner of changes in original data, Art. 4;
4) Interference with the system (system disruption) is an act that is equally defined as the previous criminal act, but is related to a computer system whose operation is disabled or altered via illegal access and modification of data on the network, Art. 5;
5) Misuse of devices as a general provision through which the signatory states commit themselves to punish any intentional illegal manufacture, possession, use or supply, sale and any other form of distribution and making available to anyone who is not entitled to, any device, including computer programs, as well as any form of data which may assist in the execution of criminal offences set forth in the previous Articles of the Convention, Art. 6.

The second group of incriminating acts constitutes of classic criminal acts whose execution is related to the aspect of information technologies.[15] This group includes the following offences:

1) Computer forgery – intentional, unauthorized insertion, deletion, modification or concealment of computer data, that results in altered content of such data, regardless of whether they in this way obtain a different purpose and meaning, or become unusable, Art. 7;
2) Computer fraud – intentional, unauthorized insertion, deletion, modification or concealment of computer data, as well as any other kind of interference with the operation of a computer system, in order to obtain unlawful property gain for oneself or a third person, Art. 8.

The third segment of the second chapter deals with acts that are related to the content of communication on a computer network[16] and is dedicated to criminal acts related to child pornography, in Article 9. Signatory states are obliged to criminalise the following activities as a criminal offence under national legislation: production of child pornography for the purpose of its distribution through a computer system; offering or making available child pornography through a computer system; distribution or sending child pornography through a computer system; procuring child pornography for oneself or others through a computer system; possession of child pornography on a computer system or a medium for transmission of computer data. Thus, any behavior related to child pornography is criminalised.

[15] Computer-related offences, Title 2, Section 1, Chapter II, Council of Europe, Convention on Cybercrime, ETS No. 185 – Explanatory Report

[16] Content-related offences, Title 3, Section 1, Chapter II, Council of Europe, Convention on Cybercrime, ETS No. 185 – Explanatory Report

The fourth segment of the second chapter is dedicated to criminal acts related to infringement of copyright and related rights[17] in Art. 10.

The fifth segment of the second chapter includes criminalisation of attempt to commit, assist in, and incite the said offences (Art. 11), the liability of legal persons (Art. 12) and prescription of sanctions for offences committed under the Convention (Art. 13).

Procedural law is dealt with in the second part of the second chapter of the Convention. These regulations address the procedural authorities of state bodies during the investigation of criminal acts related to new technologies. The Convention[18] has introduced some classic instruments for research of criminal acts in a new virtual environment, thereby respecting the specific nature of cyberspace.[19]

According to the Convention, competent state bodies have the authority to examine and seize any computer or data storage medium which contain or it is suspected that they may contain incriminating materials, as well as to collect data primarily related to the use of the Internet and credit cards from electronic communication providers, through which they can obtain data on potential perpetrators of a criminal act of computer crime (Art. 19 and 20). One of probably the most far-reaching provisions is related to the so-called data interception, i.e. type of wiretapping of electronic communications (Art. 21). The said measure is undertaken only when the proving of existence of an offence requires evidence collected at the time the communication is performed. Such treatment practically violates the privacy right and correspondence right, and the Convention itself does not contain any appropriate restrictions in order to prevent the misuse of such rights. It is stated that this measure shall be undertaken for "serious offences", but the Convention itself does not imply what kind of offences are those. Article 22 deals with the jurisdiction of a signatory state in case of occurrence of any offence under the Convention. The state shall have jurisdiction to prosecute should the offence be committed in its territory, on a ship or airplane carrying its flag, and should the offence be committed by a citizen of that state, provided that it is in another state that acknowledges the same kind of criminalisation, or outside the state territory (e.g. international waters).

The third part of the Convention[20] deals with international cooperation of states in combating computer crime, primarily in the way that should overcome

[17] Offences related to infringements of copyright and related rights, Title 4, Section 1, Chapter II, Council of Europe, Convention on Cybercrime, ETS No. 185 – Explanatory Report

[18] Procedural legal part of the Convention: Articles. 14-22., Council of Europe, Convention on Cybercrime, ETS No. 185 – Explanatory Report

[19] Prlja, D., Reljanović, M., p.62-63.

[20] Third part of the Convention: Articles. 23-35., Council of Europe, Convention on Cybercrime, ETS No. 185 – Explanatory Report

practical obstacles in the implementation of national legislation for offences that typically cross national boundaries, and often involve the participation of individuals from several countries around the world.[21] The main provisions of this act are dedicated to the cooperation of states in an organized or spontaneous exchange of data concerning possible execution of a criminal offence related to the use of electronic communications, as well as the possibility of extraditing the perpetrators of such offences from one signatory state to another (Art. 26). Each signatory state must entrust a particular body the task of cooperation with other states in the field of computer crime, and in case of emergency, the cooperation can be established directly between judicial authorities of the two countries, as well as through Interpol and other relevant channels of cooperation (Art. 27). According to Art. 31 each signatory state may request from another one to carry out certain investigations in its territory should it be necessary for the purposes of investigation in relation to some of the offences provided for in the Convention.

When it comes to extradition, there are situations where the state is not obliged to extradite a person. This is especially the case when there is a lack of double criminalisation, but the Convention also provides an additional condition – the act must be labeled as serious within the law itself, i.e. its execution should be punishable by a minimum sentence of one year in prison, unless provided otherwise by some other international agreement among states in question, that may be applied in a given situation (Art. 24). Also, among states that do not have mutual bilateral or multilateral extradition treaties, the Convention shall serve as the basis for extradition.[22]

There is also an interesting provision regarding the establishment of a 24/7 network in each country, that would serve as support to police and other authorities, as contact for all information and a starting point for all requests concerning the processing and investigation of criminal acts of computer crime (Art. 35).

4. Additional Protocol to the Convention on cyber crime concerning the criminalisation of acts of a racist and xenophobic nature, committed through computer systems

Additional Protocol to the Convention on cyber crime concerning the criminalisation of acts of a racist and xenophobic nature, committed through computer systems[23] was adopted on January 28th, 2003 and came into force on March 1st, 2006.

[21] Prlja, D., Reljanović, M., p.62-63.

[22] Matijašević J., p. 220.

[23] Council of Europe, 2003, CETS No.: 189

In addition to the Preamble, the Additional Protocol consists of four chapters: I – Common provisions, II – Measures to be taken at national level, III – Relations between the Convention and this Protocol, IV – Final provisions.

The main purpose of the adoption of this Protocol is the criminalisation of behavior that is not covered by the Convention, and which is related to the spread of hatred, intolerance and animosity towards racial, national, religious and other groups and communities, use of computers as a means of communication and dissemination of propaganda.[24]

For the purpose of this Protocol, "racist and xenophobic material" is any written material, any image or any other representation of ideas or theories that advocate, promote or incite hatred, discrimination or violence, against any individual or group of individuals, based on race, skin color, inherited, national or ethnic origin, as well as religion, if used as a pretext for any of these factors (Article 2 of the Protocol).

In the second chapter, entitled "Measures to be taken at national level", the Protocol introduces an obligation for signatory states to criminalise the following conducts in the national legislation:

1.) Dissemination of racist and xenophobic material through computer systems (Article 3 of the Protocol) – means any action by which this kind of material is made available to the public, using a computer or a computer system.

Each Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences under its domestic law, when committed intentionally and without right, the following conduct: distributing, or otherwise making available, racist and xenophobic material to the public through a computer system. (paragraph 1, Article 3 of the Protocol).

A Party may reserve the right not to attach criminal liability to conduct as defined by paragraph 1 of this article, where the material, as defined in Article 2, paragraph 1, advocates, promotes or incites discrimination that is not associated with hatred or violence, provided that other effective remedies are available. (paragraph 2, Article 3 of the Protocol).

Notwithstanding paragraph 2, a Party may reserve the right not to apply paragraph 1 to those cases of discrimination for which, due to established principles in its national legal system concerning freedom of expression, it cannot provide for effective remedies as referred to in the said paragraph 2 (paragraph 3, Article 3 of the Protocol).

2.) Racist and xenophobic motivated threat (Article 4 of the Protocol) – is presenting to an individual or a group that a serious criminal offense shall be committed against them, as defined in the domestic legislation of countries, through a computer or computer systems. An individual or group should be dis-

[24] Komlen-Nikolić L. et al. p. 52.

tinguished according to their race, skin color, origin, national, ethnic or religious affiliation, in order for this offence to obtain a specific form provided by the Protocol.

Specifically, "Each Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences under its domestic law, when committed intentionally and without right, the following conduct: threatening, through a computer system, with the commission of a serious criminal offence as defined under its domestic law, (i) persons for the reason that they belong to a group, distinguished by race, color, descent or national or ethnic origin, as well as religion, if used as a pretext for any of these factors, or (ii) a group of persons which is distinguished by any of these characteristics" (Article 4).

3.) Racist and xenophobic motivated insult (Article 5) – has the same elements as the previous case, but does not concern threats but insulting an individual or a group, based on race, skin color, origin, national, ethnic or religious affiliation.

Each Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences under its domestic law, when committed intentionally and without right, the following conduct: insulting publicly, through a computer system, (i) persons for the reason that they belong to a group distinguished by race, color, descent or national or ethnic origin, as well as religion, if used as a pretext for any of these factors; or (ii) a group of persons which is distinguished by any of these characteristics (paragraph 1, Article 5 of the Protocol).

A Party may: a) require that the offence referred to in paragraph 1 of this Article has the effect that the person or group of persons referred to in paragraph 1 is exposed to hatred, contempt or ridicule; or b) reserve the right not to apply, in whole or in part, paragraph 1 of this Article. (paragraph 2, Article 5 of the Protocol).

4.) Denial, gross minimization, approval or justification of genocide or crimes against humanity (Article 6) – introduces an interesting concept of punishment for alleged actions committed through computers or computer systems in cases that were subject to decisions by international courts. This kind of content must be somehow made available to a larger number of people who use computers and the Internet or any other computer network.

Each Party shall adopt such legislative measures as may be necessary to establish the following conduct as criminal offences under its domestic law, when committed intentionally and without right: distributing or otherwise making available, through a computer system to the public, material which denies, grossly minimizes, approves or justifies acts constituting genocide or crimes against humanity, as defined by international law and recognized as such

by final and binding decisions of the International Military Tribunal, established by the London Agreement of 8 August 1945, or of any other international court established by relevant international instruments and whose jurisdiction is recognized by that Party (paragraph 1, Article 6 of the Protocol).

A Party may: a) require that the denial or the gross minimization referred to in paragraph 1 of this Article is committed with the intent to incite hatred, discrimination or violence against any individual or group of individuals, based on race, color, descent or national or ethnic origin, as well as religion if used as a pretext for any of these factors, or otherwise b) reserve the right not to apply, in whole or in part, paragraph 1 of this Article. (paragraph 2, Article 6 of the Protocol).

5.) Aiding and abetting (Article 7) - Each Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences under its domestic law, when committed intentionally and without right, aiding or abetting the commission of any of the offences established in accordance with this Protocol, with intent that such offence be committed.

The third chapter, entitled "Relations between the Convention and this Protocol" specifies which provisions of the Convention shall be applied to this Protocol mutatis mutandis, as well as the provisions of the Convention whose scope may be extended to the application of the Protocol by each Party.

5. Convention for the Protection of individuals with regard to automatic processing of personal data

Convention for the Protection of individuals with regard to automatic processing of personal data[25] was opened for signature to member states on January 28th, 1981, and came into legal force on October 1st, 1985.

Namely, it is necessary that the persons who have access to information and data stored in computers and computer systems are prevented and disabled to commit fraud or any illegal use of such data. This approach is particularly significant in situations of so called "cross-border information flow", since it has turned out that the quality of personal data protection gets weaker as the observed space expands geographically. On the other hand, when this issue is observed within national frameworks, it may be noted that not all national legislations provide a sufficient level of protection to the citizens in this field.

The Convention is related to personal data collected in both public and private sectors. The essential part of the Convention contains substantive provisions in the form of basic principles that apply to all major segments in this field (quality and categories of data collected, security, safety measures,

[25] Council of Europe, 1981, ETS – No. 108.

exceptions and limitations, sanctions etc.). The Convention also resolves the issue of cross-border traffic of automatically collected personal data, and provides mechanisms of cooperation of the contracting states.

The intention of the Convention is that the signatory states harmonize their national legislations with the basic principles and recommendations contained in this document. Respecting the rule of law, human rights and basic freedoms, the Convention intends to bring its members together, to extend the protection of basic rights and freedoms of individuals, especially the right of privacy, when it comes to automatic processing of personal data. The states have the initiative to, in the process of regulation of this matter, decide on the content, scope and coverage of personal data protection, with the possibility of expressing certain specificities. In doing so, each state must adhere to the principles established.[26]

One of the basic principles of personal data protection is the principle of legality and impartiality. This means that personal data are collected, processed and used in accordance with the law. (…) This also implies that personal data are collected, processed and used impartially and in a manner that does not injure the personal dignity of man. (…) Regulations governing the protection of personal data should also include provisions based on the principle of data accuracy. (…) The rights of persons whose data are collected and processed to be informed of which collections contain data related to them, which data, who processes them, for what purpose and on what basis, as well as who are users of such data, are all contained in the principle of purpose determination. (…) The principle of data availability, which includes the right of the person whose data are recorded to be informed of the existence of a collection or other records containing personal data, the right to have access to his personal data, to request the correction of inaccurate data related to him, delete the data should their processing be against the law or contract, prohibit the use of inaccurate, outdated and incomplete data related to him, i.e. to prohibit the use of such data should they not be used in accordance with the law or contract. The rights stipulated by the principle of purpose determination and principle of data availability to the person whose data are collected and processed, may be restricted and be used to the extent necessary for the protection of national security, public safety, monetary interests of the state or the suppression of criminal offences, as well as rights and freedoms of others.[27]

[26] Prlja, D., Reljanović, M., Ivanović, Z. (2012): "Internet Law", Belgrade: Institute of Comparative Law, p. 91.

[27] *Ibid*

6. Convention on the Protection of children against exual exploitation and sexual abuse

Convention on the Protection of children against sexual exploitation and sexual abuse[28] was opened for signature to member states on October 25th, 2007, and came into legal force on July 1st, 2010.

The purpose of the Convention is to establish the possibilities for more effective criminal proceedings in which children appear as victims of sexual exploitation and abuse.

From the aspect of combat against cyber crime, the Convention is a backbone for harmonization of national legislations with regard to substantive criminal law in all cases in which the elements of computer technology are used for the purpose of distribution, exchange and storage of illegal content. The Convention, among other things, has been implemented due to a perceived increase in the degree of sexual exploitation of children, especially in the form of child pornography and prostitution, as well as all other forms of child abuse that are destructive to children's health and their psychosocial development. Particularly noteworthy is the significance of considering the need for preparing a comprehensive international instrument for the prevention, protection and criminal and legal aspect of the combat against all forms of sexual exploitation and sexual abuse of children, with particular importance being put on the creation of a special mechanism for monitoring the implementation of the Convention.

The Convention contains the following chapters: I - Purposes, non-discrimination principle and definitions; II – Preventive measures; III - Specialised authorities and co-ordinating bodies; IV - Protective measures and assistance to victims; V - Intervention programmes or measures; VI – Substantive criminal law; VII - Investigation, prosecution and procedural law; VIII - Recording and storing of data; IX – International co-operation; X – Monitoring mechanism; XI - Relationship with other international instruments; XII - Amendments to the Convention; XIII – Final clauses.

The purposes of this Convention are to (paragraph 1, Article 1 of the Convention): a) prevent and combat sexual exploitation and sexual abuse of children; b) protect the rights of child victims of sexual exploitation and sexual abuse; c) promote national and international co-operation against sexual exploitation and sexual abuse of children.

It is interesting to mention the types of preventive measures foregrounded by the Convention in order to prevent all forms of sexual exploitation and sexual abuse of children and the protection of children. These measures are the following: recruitment, training and awareness raising of persons working in contact with children (Article 5), education for children (Article 6), preventive intervention programmes or measures (Article 7), measures for the general

[28] Council of Europe, 2007, CETS No. 201.

public (Article 8), participation of children, the private sector, the media and civil society (Article 9).

The chapter that is related to substantive criminal includes the following offences: sexual abuse (Article 18), offences concerning child prostitution (Article 19), offences concerning child pornography (Article 20), offences concerning the participation of a child in pornographic performances (Article 21), corruption of children in order to perform sexual abuse, where the act is considered finished at the moment of recruitment/corruption of the child (Article 22), acts that include misuse of information and communication technology in order to promote pornographic material for the purpose of committing any of the above acts and the performance of such act (Article 23).

In relation to the misuse of computers and information technology in general, stress is put on criminal offences related to child pornography (Article 20 of the Convention) which, at the national level, recommends the criminalization of producing child pornography, offering or making available such materials, as well as their distributing or transmitting, procuring child pornography for oneself or for another person, possessing such material, as well as knowingly obtaining access, through information and communication technologies, to child pornography.

In the chapter relating to investigating, prosecuting and court proceedings, the Convention requires that each signatory state takes the necessary legislative or other measures to ensure that investigations and criminal proceedings are carried out in the best interests and respecting the rights of the child. Also, each state should adopt a protective approach towards victims, ensuring that the investigations and criminal proceedings do not aggravate the trauma experienced by the child, and that, in doing so, the proceedings are treated as priority and carried out without any unjustified delay (Article 30).

7. Convention on the prevention of terrorism

With regard to the combat against terrorism, in 1977 the Council of Europe adopted the Convention on the suppression of terrorism, amended in 2005 by the Convention on the prevention of terrorism[29], which entered into force on December 1st, 2009.

The part which in details presents the manifestations of computer crime, also shows the manners of connecting and impact of terrorism and information technology. It is pointed out that information technologies may be targets of terrorist organization attacks[30], but the capacities of computer technology can be

[29] Council of Europe, 2005, CETS No. 196

[30] More recently, the term "cyberterrorism" has been used as a special kind of terrorist attacks that are directed towards computer systems and networks with the intention of achieving certain political goals.

used for distribution of various content, as well as raising funds that enable further terrorist activity (spreading propaganda, sending threats, fundraising etc.). Finally, the Internet as a global network serves also as a means of communication among group members, as well as an instrument of planning and support.

Important articles of the Convention are Articles 5-7, which are related to certain preparation acts that are of such quality and importance that they have the potential to cause or assist terrorist acts (public invitations, recruiting for the commission of terrorist acts, training future terrorists).

Article 5 of the Convention is related to "Public provocation to commit a terrorist offence".

For the purposes of the Convention, "public provocation to commit a terrorist offence" means the distribution, or otherwise making available, of a message to the public, with the intent to incite the commission of a terrorist offence, where such conduct, whether or not directly advocating terrorist offences, causes a danger that one or more such offences may be committed (paragraph 1, Article 5).

Each Party shall adopt such measures as may be necessary to establish public provocation to commit a terrorist offence, as defined in paragraph 1, when committed unlawfully and intentionally, as a criminal offence under its domestic law (paragraph 2, Article 5).

Article 6 of the Convention is related to "Recruitment for terrorism".

For the purposes of this Convention, "recruitment for terrorism" means to solicit another person to commit or participate in the commission of a terrorist offence, or to join an association or group, for the purpose of contributing to the commission of one or more terrorist offences by the association or the group (paragraph 1, Article 6).

Each Party shall adopt such measures as may be necessary to establish recruitment for terrorism, as defined in paragraph 1, when committed unlawfully and intentionally, as a criminal offence under its domestic law (paragraph 2, Article 6).

Article 7 of the Convention refers to "Training for terrorism". For the purposes of this Convention, "training for terrorism" means to provide instruction in the making or use of explosives, firearms or other weapons or noxious or hazardous substances, or in other specific methods or techniques, for the purpose of carrying out or contributing to the commission of a terrorist offence, knowing that the skills provided are intended to be used for this purpose.

8. European Union standards

Apart from the fact that it recommends to the member states to sign and adopt the conventions and conclusions of the Council of Europe, the European Union has adopted specific acts aimed at effective combat against cyber crime.

In September 1990, the Commission of the European Community published a decision in the field of information security, which consisted of six sections related to personal data protection and information security. This decision upheld, for a period of two years, an activity plan that did not explicitly involve criminal law assistance, but included the following activities: development of strategic order of information security, analysis of needs for information security, solutions for emergency and temporary needs, specification, standardization and verification of information security, integration of technological and operational achievements within information security through general strategy and integration of reliable security functions into the information system.[31]

In 2000, within the framework of the European Union, the Directive on electronic commerce[32] was adopted, and paid special attention to the problem of malevolence, but also numerous other acts, from the Decision of the Council of Europe on the prevention of child pornography on the Internet, to the recommendations and strategies for the new millennium on the protection and control of computer crime. Each of these acts is an act of constructing a safer information society through improvement of security of information infrastructure and the combat against computer crime.

There are two Directives that are significant in the combat against cyber crime, which are presented below.

9. Directive of the Council of the European Community on the legal protection of computer programmes

This Directive,[33] was published in the "Official Journal of the European Community" on May 17th, 1991, with the duty of implementation in the member states, starting from January 1st, 1993, prior to which date they had been obliged to harmonize their national legislation with the content of the Directive. The need for uniform solutions in the field of legal protection of computer programs was imposed by the differences in national legislations of member states, that had an adverse impact on the functioning of the common market.

In accordance with the provisions of the Directive, the member states protect computer programs by copyright as literary works, in terms of the provisions of

[31] Sieber, U. (1992): The International Emergence of Criminal Information Law, Köln: Carl Heymanns Verlag KG, p. 80.

[32] EC. (2000): Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce'), Official Journal of the European Communities, L 178, 17. 07. 2000

[33] EEC. (1991): Council Directive 91/250/EEC of 14 May 1991 on the Legal Protection of Computer Programs, Official Journal L 122/42, Done at Brussels, 17/05/1991 P. 0042 – 0046

the Berne Convention for the protection of literary and artistic works, and the term "computer program" includes the preparatory design material. The concept of computer program author has also been determined, and legal protection is offered to any natural or legal person falling under the provisions of national legislations in the field of copyright law applicable to literary works.

The Directive provides for an obligation to sanction precisely specified conduct, duration of protection provided for computer programs, and also prescribes the obligation of seizure of any illegal copy of a computer program in accordance with the procedure laid down by procedural rules of national legislations.

10. Directive 2006/24/EU of the European Parliament and of the Council on storing data generated or processed in the provision of publicly available electronic communications services or of public communications networks

From the standpoint of efficient detection and prosecution of any criminal offences whose execution leaves "electronic trails" that in properly conducted proceedings may gain the force of incontrovertible evidence before the court, this Directive,[34] as well as the procedures set out in its provisions, represents an essential step towards the suppression of activities that endanger the security of computer data.

The main objective of the Directive is to harmonize the provisions of the member states concerning the obligations of providers of publicly available electronic communications services and public communications networks to store certain data received or processed in order to ensure that these data are available for the purpose of investigation, detection and prosecution of serious criminal offences. It should be noted that the Directive is applied only to the data on traffic and location of legal and natural persons and to the related data necessary for the identification of the subscriber or registered user.

For the purposes of the Directive, at the beginning, there are definitions of the most significant terms, and in Art. 4 there is a rule who and under what conditions may gain a right of access to information of a member state. The central part of the Directive is the categorization of data stored, which are enumerated and sorted into categories and subcategories. In accordance with the provisions, the member states undertake to store all of the said data categories for a period of not less than six months nor more than two years from the date of communication (Art. 6), and the provisions of the Directive also regulate the issue of legal protection of persons whose data are collected and stored for a certain period of time.

[34] EC, 2006, L 105.

11. Conclusion

Although today life and functioning of a society as a whole is impossible without the use of computers and modern information technology, we are experiencing growth in the awareness that these useful and necessary assets may be used for illicit, illegal purposes, primarily for obtaining illegal material gain for a certain person or for causing harm to others. Since our society has, in recent years, recorded numerous cases of computer misuse for criminal purposes, it is high time to recognize the need for striving towards adequate legislation in the field of cyber crime, which will to some extent be able to respond to the irresponsible conduct of individuals and groups in this segment.

Hundreds of millions of people who daily use cyberspace for business or personal use often do not have enough attention, time or will to properly protect themselves and get to know potential mishaps that may befall them if they are gullible or not serious enough when entering into various types of transactions or communications. The fact is that many classic criminal acts may be committed on the Internet, as well as that through obtaining information about users one may prepare or enable the execution of almost any criminal offence against life and physical integrity, property, copyright and many others. In addition there are crimes whose emergence and development are related exclusively to the development of electronic communications and the Internet. It is a wide range of conducts that may be harmless, but also may lead to the most serious crimes. All these illegal conducts are included in the definition of new criminal offences that follows a series of procedural and forensic specificities.[35]

This paper presents and analyzes the most significant European standards adopted in order to create more effective national legislation in the field of combating cyber crime. Standards given in the Convention of the Council of Europe, with special regard to the Convention on cyber crime, but also the Directives of the European Union, have to a large extent been a guide for national legislations in order to regulate the new situations regarding the misuse of information and communication technologies in the most adequate manner.

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[35] Prlja, D., Reljanović, M., Ivanović, Z., p. 152.

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EVROPSKI STANDARDI U OBLASTI SUZBIJANJA VISOKOTEHNOLOŠKOG KRIMINALA

S a ž e t a k

Visokotehnološki kriminal je pojava o kojoj se, od samog njenog nastanka, u teoriji, sudskoj i zakonodavnoj praksi razvijenih država i međunarodnih institucija, dosta piše i govori. Naglo se razvila u poslednjoj deceniji XX veka, a u XXI veku njegova evolucija je još evidentnija. Države su odgovorile uvođenjem novih mera u svoja krivična zakonodavstva, pokušavajući da pomire tradicionalno krivično pravo sa zahtevima za percipiranjem, istraživanjem i dokazivanjem novih krivičnih dela. U radu su predstavljeni i analizirani najznačajniji evropski standardi usvojeni u cilju stvaranja što efikasnijih nacionalnih zakonskih rešenja u oblasti suzbijanja visokotehnološkog kriminala. Standardi dati u Konvencijama Saveta Evrope, ali i Direktivama Evropske unije, u velikoj meri su vodilja nacionalnim zakonodavstvima kako bi se nove situacije u vezi sa zloupotrebama informaciono-komunikacionih tehnologija, što adekvatnije pravno regulisale. Između ostalih, u radu je posebna pažnja posvećena najznačajnijoj Konvenciji u oblasti suzbijanja visokotehnološkog kriminala, a to je Konvencija Saveta Evrope o visokotehnološkom kriminalu, čiji su ciljevi: usklađivanje nacionalnih zakonodavstava kada je reč o materijalnim odredredbama u oblasti visokotehnološkog kriminala, uvođenje adekvatnih instrumenata u nacionalna zakonodavstva kada je reč o procesnim odredbama u cilju stvaranja neophodnih osnova za istragu i krivično gonjenje učinilaca krivičnih dela iz ove oblasti i ustanovljavanje brzih i efikasnih institucija i procedura međunarodne saradnje

Ključne reči: visokotehnološki kriminal, evropski standardi, konvencije Saveta Evrope, direktive Evropske unije

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INTELLIGENCE ANALYSIS IN CORPORATE SECURITY

Located in the survey indicate that the protection of a corporation, its internal and external interest from the perspective of quality data for intelligence analysis and the need for kroporacije and corporate security. Furthermore, the results indicate that the application is not only practical knowledge of intelligence analysis, but also its scientific knowledge, provides epistemologically oriented critique of traditional techniques undertaken in corporate security in connection with the analysis of the challenges, risks and threats. On the question of whether it can and should be understood only as a form of corporate espionage, any aspect of such a new concept in the theory and practice of corporate security, competitive intelligence activities, as well as an activity or involves a range of different methods and techniques meaningful and expedient activities to be implemented integrally and continuously within corporate security, given the multiple responses to the work. The privatization of intelligence activities as an irreversible process that was decades ago engulfed the western hemisphere, in the first decade of the third millennium has been accepted in Europe, in the sense that corporations at national and multinational levels of system intelligence analysis used not only for your safety but also for the competition, and nothing and less for growth companies and profits. It has become a resource that helps control their managers in corporations to make timely and appropriate decisions. Research has shown that intelligence analysis in corporate security one factor that brings the diversity of the people and give corporations an advantage not only in time, but much more on the market and product.

Key words: intelligence analysis, corporate security, corporation

1. Introductory considerations

You might be wondering why this paper begins with a discussion of ‚our world'. Simply, it is because we are able to see what needs to happen, to happen or not happen (happen). In other words, we spend so much time dealing with creative daily tasks of security, crisis, business policy, we do not see, what affects our business environment. We do not accept the fact that what is happening in

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the world of the future will have a generally negative effect on our ability to protect the corporation. So, it seems that we always react to events that took place, instead of spending less time on planning for negative events that will affect our ability to protect the corporation, today, tomorrow, in a week for a year or more.

If you talk to some of the security professionals, many will tell you that today's world has become very complicated. Many yearn for the simple days. Days when safety meant-a friendly guard at the entrance of the company, which checks the official identification, and if anyone tries to present a physical property which performs a specific duty. Someone had the option of getting out of today's business world and seeking a slower pace, more isolated, perhaps it should be.

We wish for a simpler time, a slower pace, less problems in the world, does not want to realize, actually it depends on one's perspective. Build its, if you do not like the security profession and if you need security profession is not interesting, make room for those who prefer today's challenges. We truly live in exciting times, full of hopes, fears, challenges. The world is changing faster and faster every year. Lately, the world has seen important changes.

Corporations are in business to create a profit. This paper is about the protection of corporate assets that support the ability of corporations to make profit. Although this work-oriented profit corporation, every corporation and government is necessary to actively care, including non-profit corporations. A non-profit corporation whose main goal is to help the poor can not spend funds on the poor if account is constantly growing. Their costs may rise due to the continuous loss of corporate assets (money, equipment, supplies).

Supporting the term Lord Dizrealia Benjamin (Benjamin Disraeli)[1], „the most successful in life are usually the best-informed," we would say that the criminal intelligence analysis, understood in a narrow vocational-technical and broader theoretical and scientific terms, a necessary element of corporate security to anyone who wants to be most successful could be promptly notified.

Evolution in changing the management of corporate security begins in the middle of the seventh decade of the twentieth century[2], when it was noted that the then traditional model of technical support[3], not what you can not follow the rapid explosion of development companies and their activities. Then, intelligence analysis begins to experience the application not only in the investigation of crime, but her knowledge is applied to the security of corporations and their business-interests. As you can see this concept of application intelligence ele-

[1] Disraeli Benjamin: 1st Earl of Beaconsfield, KG, PC, FRS, (21 December 1804 – 19 April 1881) was a British Prime Minister, parliamentarian, Conservative statesman and literary figure. He served in government in four decades, twice as Prime Minister of Great Britain. He played a central role in the creation of the modern Conservative Party after the Corn Laws schism of 1846.

[2] Paris Roland:"Still and Inscrutable Concept", Security Dialogue 35, 2004, 370-372.

[3] Baylis John: International Security in the Post-Cold War Era, in John Baylis and Steve Smith (eds), The Globalization of World Politics, Oxford, Oxford University Press.1997, 45.

ment in corporate security, there is a long history.[4] First began to be applied in large companies based in developed economies, but its application in the last decade of the twentieth century and the first decade of the third millennium, began to spread not only the physical and technical protection of a corporation, but more on corporate security[5], which is significantly broader aspect.

Bearing in mind the rapid and radical changes in the perception of security in corporations-which is not just technical, physical, there is a growing need for systematic monitoring of the challenges[6], risks[7] and threats[8] to the corporation itself and beyond in its environment. The work which we investigate the application of intelligence analysis in corporate security is a desire for a new way of looking at the modern approach to corporate security. It is the fruit of research for more than a decade in the field of intelligence analysis and its applications, not only in the investigation sopljnjih (outside the country) and internal activities, but also in corporate security.

When fully applied, the global information network will be a vast network of which will be made up of a lot of networks. This network will lead our factory-wise, our financial transactions, organize our work, increase our productivity, to teach us and our children, will provide assistance to doctors and hospitals, to connect us with family and friends wherever you are in the world, at least to us party and perform a host of other services that are not currently designed. In other words, it is the heart of our personal and corporate non-physical world, also supports a number of our processes in the physical world. If you look at the current possibilities of intelligence analysis as a form that can provide more information in the contemplative stage of its occurrence, then self-closing doors and you are doomed to failure. Someone will use any means at their disposal, including theft and endangering valuable corporate assets, to gain a competitive advantage in the market, and many do so informally with the help of their government. Someone once said „the more things change, the more will remain unchanged." This is certainly true in our current environment. Not much has changed over the years, when it comes to the basic instincts of human beings, what we want out of life, our desire for personal freedom, but in the business world is, tremendously.

The structure of these investigations is being realized in several parts. First, to explore the roots of origin of intelligence analysis in corporate security and

4 Williams Paul: Realism. Security Studies: An Introduction, New York, Routledge, 2008, 42.

5 William Paul: The Routledge Handbook of Security Studies. New York, Routledge, Rousseau, D. L. (2010). Liberalism. M. D. Cavelty and V. Mauer. New York, Routledge, Navari, C.: Liberalism. Security Studies: An Introduction. 2010, 31.

6 The challenge is a factor that can izove risk in itself carries it. It may be human, force majeure, uncontrolled, etc. ....

7 The risk is a possible event which could cause a loss ....

8 The threat is a method of running the risk event that is dangerous ...

its application. In the second part, the author explores the encounter of this scientific discipline and corporate security. Furthermore, the direction research is moving towards the area of partnerships and the current state of safety is applied in the corporate world, and perspectives that are clearly visible in the foreign literature, as well as its implementation in corporate security. At the end of the paper we give definition of intelligence analysis in corporate security.

2. Safety-some theoretical aspects of the concept

The science of safety in the world, established a few decades ago, but following the demands of reality, overcome the first initial approach, to talk about it or teach in the military or police schools, but has become an unavoidable topic of the first specialized institutes, and now the many colleges and universities.[9] In thinking about the security of the corporate world that it still made ,, we will start from the traditional paradigm of security that is related to its early history in a realistic concept of security in which the reference object of security is the state. Hence the prevalence of this theorem peaked during the Cold War. In this sense, stability rested and rested not the premise if the national security, then the security of citizens will necessarily follow.[10] Some of known authors such as: Walter Lippmann, „considers security as a country's ability to protect its core values."[11] Another author, David Baldwin, said: „to implement security sometimes requires the sacrifice of other values."[12] While Richard Ullman believes that „security vulnerability reduction."[13] Arnold Volfers theorist, argues that „security is generally a normative concept", stating further „in the same way that people are different in reading and identifying hazards and threats, Volfers argues that different people have different expectations of security."[14] He further notes, „not only is there a difference between refraining from the threat, different people have different levels of coping with threats due to its unique geographic, economic, environmental and political environments." The renowned scientist in the field of security, Barry Buzan says, „you do not see the concept of security, even as the power of a peace, but something in between".[15] The same

9 Rothschild Emma: "What is Security." Dædalus 124 (3), 1995, 53-98.

10 Schneier, Bruce, Fear, Beyond: Thinking Sensibly about Security in an Uncertain World, Copernicus Books, 2006, 26-27.

11 Dumbrell John: U. S. Foreign Policy.Hamish Hamilton, London 1944, 31.

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13 Ullman H. Rishard: "Redefining Security." International Security 8(1), 1983, 129-153, (142).

14 Wolfers Arnold: National Security as an Ambiguous Symbol. Political Science Quarterly 67(4), 1952, 481-502 (494).

15 Buzan Barry: Societal Security, the State and Internationalization, in Waever, O. Et. Al.: Identity, Migration, and the New Security Agenda in Europe, Pinter, London 1993, 57.

author goes on to explain that „reducing the contradictions between state and societal security is a prerequisite for successful security policy".[16] „Thus, the key to achieving, maintaining and improving safety at any level and any object security were, consequently, in the hands of the state".[17]

In addition to these approaches in theory be able to give an analytical approach, pointing to security[18] as a condition is the degree of resistance or protection.[19] This applies to any level of vulnerability, such as the face, place of residence, community, nation or organization. Establishing or maintaining the level of safety is aim, structure and process, called security. Furthermore, for an important segment of our research is to understand one common terms in the theory of security, known as a „security policy", according to which one approaches could be referred to as-definition of what it means to be secure in the system, corporation or other entity. For corporations, it deals with constraints on the behavior of its members, as well as the limitations imposed mechanisms (meaning technical) as well as doors, locks, keys and the like.[20] For systems, the security policy is concerned with limitations of the tool and the flow between them. Constraints on access to external systems including programs and access to corporate (bodies) under certain conditions, the most common normative.[21]

3. Corporate-term safety and function of the theory

According to the current theory of corporate security security identifies and effectively mitigates or manages, in the early (all stages) stage, all events that could threaten the sustainability and the continued existence of the corporation. It is a corporate function that oversees, manages and closely coordinate all functions of the company which deals with security, continuity and security.[22] Globalization has changed the structure and dynamics of corporate life. Satu-

16 Buzan Barry: ibid, 59.

17 Collins Michael: Security in International Politics: Traditional Approaches. Contemporary Security Studies. A. Collins. New York, Oxford University Press, 2007, 34.

18 The Oxford Handbook of International Relations. Oxford University Press, 2008, 137.

19 Nayef Rodhan, et. al.: The Five Dimensions of Global Security: Proposal for a Multi-sum Security Principle, LIT, 2007, 123.

20 Abramovitz Mimi: Unnatural Disasters. Worldwatch, Washington: Worldwatch Institute, a brie and critical survey human-induced natural disasters, in Barnett, Jon.: The Meaning of Environmental Security. Ecological Politics and Policy in the New Security Era (London – New York: Zed). Key study on the development of the debate and the concept of environmental security, 2001.

21 Beck Urlich: Risk Society. English translation of the book Risikogesellschaft published in 1986 in Germanby the noted contemporary German sociologist, London: Sage, 1999, 199.

22 Briggs Rachel, Edwards Charlie:The Business of Resilience Corporate security for the 21st century, 2006, 14.

ration of traditional markets is taking companies to more risky places-shift to a new ‚place'[23] in the business world, new business practices, such as offshore, the challenges companies to manage remotely and new forms of accountability, such as corporate governance and corporate social responsibility, perform additional pressure on the company to suit the works, wherever they do business.

At the same time, security challenges and risks have become more complex.[24] Many of the threats[25], such as terrorism, organized crime and security information, are asymmetric and networked, which makes it difficult to control the corporations / companies. We would say, there is a need for greater respect for the interdependence between the company and the risk of the portfolio and the way it operates. Certain types of behavior can enhance or undermine the companies ‚license to operate'[26], and in some cases it may generate risks that would not otherwise exist. Consequently, koporativna security has a higher profile in the corporate world today, but it was evident thirty or five years. needs of the company for new views of the portfolio and the need for changing the mode of governance challenges, risks and threats, it is necessary to work out and go in the direction of that activity koprporativne security[27] include shared responsibility for such things as: the reputation, corporate governance, regulation and corporate social responsibility.

For many years the dominant view in the security theory and professional practice in corporate security was to look through the viewfinder of corporate security. He is grounded in ‚defensive'[28] approach, focusing on the physical and technical protection of the corporation (sometimes from the outside, and sometimes inside and outside) with visual loss prevention, preemption, and participation in the activities of the company. Correct in theory suggests that security was

[23] Gartzke Erik: 'Economic Freedom and Peace' in *Economic Freedom of the World, Annual Report*, 2005, 29-44.

[24] Smith Keith: Environmental Hazards. Assessing Risk and Reducing Disaster, 3rded. London – New York: Routledge. Key study on environmental hazards and associated risks and efforts to reduce Disasters, 2001, 56.

[25] Simić R. Dragan: Nauka o bezbednosti, Službeni glasnik, Fakultet političkih nauka, 2002, 53.

[26] Birkmann Jörn: "The Need for Rethinking the Concepts of Vulnerability and Risk from a Holistic Perspective: A Necessary Review and Criticism for Effective Risk Management", in: Bankoff, Gerg; Frerks, Georg; Hilhorst, Dorothea (Eds.): Mapping Vulnerability. Disasters, Development & People (London – Sterling, Va.:Earthscan). One of several chapters focusing on a conceptual mapping of vulnerability and risks in hazards and disasters, 2004, 37, 51.

[27] Buzan Barry: *People, States & Fear*. Colchester, ECPR, 2007.

[28] Buzen Barry, et al.: Security: A new frame work for Analysis. Boulder, CO, (1998) Lynne Rienner Publishers.; Doty, P., A. Carnesale, et al. (1976). "Foreword." International Security 1(1), 1998, 23.

seen as the ‚sentinel at the door".[29] Shares of traditional corporate security could be noted in physical stores ‚stop' employees at the exit, entrance or during labor interfering with them to do their job, rather than facilitating the business of the corporation works more efficiently.

There are many reasons for the traditional view of corporate security companies, why personnel for safety control draw or hiring managers from the security police and the army.[30] These are people with intensive training in the practice of security and protection, have practical experience, which are rarely available elsewhere. At the other end of the A methodological and the other approach to security theory is of the view that corporate security as a complex institute of corporate security, there are several reasons for employment of staff, for greater diversity within the corporate security features: a) increasing the security issues that burden the corporation are of strategic importance; b) specific types of corporations require a special approach to the management and leadership, which is in contrast to traditional models of security which are abstracted from the police or armed forces; c) the traditional security skills are associated with access where security is seen as a „dis-Enabler" business[31]; d) corporate security functions needed are experts / officials who are willing to Developing a rule, innovation and thinking outside the related professions, such as police and army. In theory, corporate security suggests that traditionalists with ‚too much' experience in traditional police and military security practices, can inhibit employees from making innovative responses to security incidents. It is believed in the theory that they need employees who are willing to push the boundaries, and constantly challenging the way in which corporate security work, providing solutions that contribute; e) all of the theory of corporate security feels a need for recognition of the value of ‚human element'. According to scientists in the field of security, many experts in corporate security are usually trained in resolving security incidents and emergency situations in a way that does not take into account the human dynamics in these situations, including the impact of emotions and perceptions of fear on people's behavior;[32] f) outlook prevalent in security theory suggests that emotional intelligence is critical to corporate of Security, not just the human element of security as a routine management with an emphasis on knowledge of technical security skills, stating that this is one of the watershed between the modern understanding of corporate security and its diversity not only of scientific theory, but also essential and practical than traditional corporate security; g)

[29] Brauch Hans Ginter et. al.: Security and Environment in the Mediterranean. Conceptualising Security and Environmental Conflicts. Berlin-Heidelberg, Germany: Springer, 2005, 1003-1089.

[30] Owen Taylor: Challenges and opportunities for defining and measuring human security', Human Rights, Human Security and Disarmament, Disarmament Forum. 3, 2004, 15-24 (19).

[31] Briggs Rachel, Edwards Charlie, 18.

[32] Briggs Rachel, Edwards Charlie, 25.

Corporate security is in addition to security and other no less important role or function, to align with business corporations which delivers a range of security, saying that this is a very significant difference to which it points when it comes to corporate and corporate security. Another crucial difference that is visible between corporate security and corporate lies in the fact that corporate security managers must understand the business and how they contribute to these goals.

Here we from the point of view of this study indicated some elements that might be called the basic elements of corporate security, such as: a) personal safety; b) physical security; c) information security; d) corporate governance; e) compliance and ethics; f) programs of crime prevention and detection of fraud; g) deterrence; i) investigation; j) risk management; k) business continuity; l) planning; m) management of environmental, health and safety, and many others ...

4. Intelligence analysis of corporate-development

Exploring the roots of occurrence of these events, our research goes back to the early twentieth century, when the discipline was introduced in corporate security, to be able to understand what is going on in corporations.[33] There was the basis of the analysis, a new phenomenon activities that were then in a new corporation threatened activity, and the hitherto unknown way collecting the profit and invest it later in order to gain even greater financial resources.[34]

Since then, this discipline is treated as a developed MAJOR RESEARCH ie. methodological approach, which is in its infancy at the level of expert-knowledge practices, and later scientific foundation.[35] Therefore, intelligence analysis, with its planned monitoring, scanning and using a number of methods[36] for collecting and analyzing information, imposed as a necessary instrument to function not only of discovering and proving activities that threaten corporate activity, but long before prevention and challenges, risks and threats.

A critical approach to redefining the concept of corporate security is extremely important question of contemporary views on corporate security today and its future. The changing nature of corporate security facilitates identification of intelligence analysis, as well as determining the limits of her research subjects in corporate security. That the issue of determining the precise subject of intelligence analysis in corporate security, set up in our region only a decade ago, not only methodologically but also epistemologically nor ontologically not be under-

[33] Manojlović Dragan: *Kriminalistička analitika*, Fakultet bezbednosti-"Službeni glasnik RS", Beograd 2008, 6.

[34] The theft of patents and others.

[35] Manojlović Dragan: *Kriminalistička operativa*, BeoSing, Beograd 2010, 158.

[36] Ibid

stood. To corporate security gained and maintained its analytical accuracy (precision), it is essential that its structure is a component of intelligence analysis.

Results in the field has enabled the identification of problems in corporations, nominated her to a much wider range of applications. At the beginning of the eighties of the twentieth century intelligence analysis begins to be subject to the higher education institutions, where are educated cadres not only for police, but also the prosecution, the courts, but now corporations, banks, and many other organs.

5. Encounter intelligence analysis and corporate security

When we want to explore the roots of meetings intelligence analysis and corporate security, we notice that it happens when corporations feel the need to recognize the changes that are taking place, in their environment. Identifying these more sensitive than the human eye unrecognizable subtle indicators, which send them to the various participants is needed for their own progress,[37] and we would progress before others, on the one hand, and on the other to protect against possible leakage of ideas, which were used as „know hovw".

Former understanding of corporate security threats in the visible factors within the company in physical form, which also had an outside influence, becoming blind to spot the point where it is intersected by not only visible but also the invisible elements of the environment.[38] Because of these invisible but essential factors for the corporation, the business world is facing a very different operating conditions in the market. What is the nature of changes that are not seen, in what direction will they act and how they will affect the activity of the corporation? Precisely, if we look at the complex influences and challenges that come spawned encounter between these disciplines.

Corporate security without permanent changes would not be able to meet the needs of corporations and their jobs. When we talk about the application of intelligence analysis in corporate security, we are talking about constants modern understanding of corporate security.[39] Another aspect that is very important influence on meeting these disciplines is funademntalnost and dramatic changes that are occurring in corporate security. On the other hand, sees the new environment in which corporations operate.[40]

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37 Alessia D'Amato, Sybil Henderson, Sue Florence: Corporate Social Responsibility and Sustainable Businesc, Center for Creative Leadership Greensboro, North Carolina 2009, 35.

38 Gerald L. Jons, et. al.: The Manager'sHandbookfor Corporate Security, Elsevier Science, 2003, 143.

39 Hitt. Michael, Ireland Duane, Robert Hoskisson Robert: Strategic Menagement (*Competitiveness and Globalization)*, South-Westwrn College Publishing, Cincinati, Ohio 2014, 11.

40 Hitt. Michael, Ireland Duane, Robert Hoskisson Robert, 18.

6. The difference between corporate espionage and intelligence analysis

The common denominator that can be recognized in the literature, and which is determined by the difference between corporate espionage[41] and intelligence analysis, is in the way of achieving the goal. While corporate espionage serves mostly illegal means, as long intelligence analysis uses only ethically permissible means, methods and techniques, recognized and accepted in the science and practice. Some differences can be observed, such as the time of emergence. While corporate espionage in its initial form was created and was known at the time of inception of production based on currency,[42] intelligence analysis occurs in modern times, as well as knowledge processing methodology used by the company's management, in order to prevent challenges, risks and threats to the company and their jobs.

Another important feature that distinguishes corporate espionage, the intelligence analysis is the double of regulation of the latter in relation to her sister, as the theory called „invisible sister" or „Sister Darkness,"[43] on the one hand the laws of nation-states, on the other by lower legal documents, and in many countries, and the code of ethical rules. As the sister of corporate espionage are the rules by which realizes its activity.[44]

Furthermore, the theory can also be seen as some others, but also important differences between the two disciplines. Not noticing these differences is the result of ignorance of the subject and the problems of dealing with intelligence analysis. Another very important reason is the lack of clear delineation of the functions of corporate espionage[45] and intelligence analysis in corporate security. Many authors go through a methodological error, the binding function of intelligence analysis for the activity of collecting information, it is certainly a much more comprehensive collection of knowledge, which is just one of the stages in the cycle of intelligence analysis. The literature indicates that the real advantage of the intelligence analysis, in fact, is not based only on information gathering, but the creative, insightful synthesis and analysis of collected information, which translates into the data and the information and analytical information. Furthermore, the crucial value of discipline in corporate security resulting from the synthesis and analysis of information, develop information, and then enrich the information.

41 Kolodziej Edward: *Security and International Relations*. Cambridge University Press, Cambridge, 2005, 11.

42 Waltz Kenneth: *Theory of International Politics*. New York, Random House, 1979, 46.

43 Tadjbakhsh Shahrbanou, Chenoy Anuradha: *Human Security: Concepts and Implications*. New York, Routledge, 2007, 128-129.

44 McDonald Matt: Constructivism. *Security Studies: an Introduction*. P. D. William. New York, Routledge, 2008, 123.

45 Econimic espionage Act of 1996scip.org/libry/8(3)eea.pdf

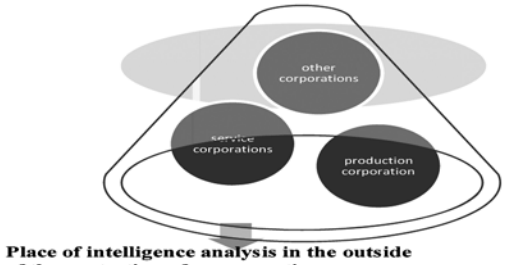
7. Rank intelligence analysis in corporate security and corporate

From previous research results in the theoretical field of intelligence disciplines, we can see that it is not only the operational and tactical, but much more strategic importance[46] for corporations and the role of corporate security.

The undoubted coupling is observed not only in the final phase of the intelligence analysis phase of „dissemination", but in the stage of tasks set by the corporation, corporate security. The connection is even more apparent in the strategic[47] implementation of the results of the analysis of knowledge as to the operations of the corporation. Then see all the usefulness and appropriateness of these intelligence components as elements in the structure of corporate security, the knowledge that now have their IQ, as products of their labor analysis and transformation of analytical information in production now IQ Corporation in its operations and security of its operations and its themselves.

Of the product's intelligence analysis in corporate security has been set, which in itself means that it can be turned into action then implemented. Of course, the one before the action can and usually cause-specific outcomes of the decision of the corporation that continues to lead to action. Thus, from the foregoing, that the goal of every corporation, to her corporate security is enabled, why not say created, its activities unique and valuable position which may enable her wide range of market activities in the area of its operations, but also in relation to its competitors.

Figure 1: *Shows the role of intelligence analysis in corporate security as an external structure that provides services to corporations*



From exposure to understand that corporations want to achieve different from them. Corporations do not exist in an abstract, undefined space, but in an environment that exists around them. See what direction the environment is

[46] From the literature we can inform the strategy comes from the Greek word "strategos" and translates or means-general or as some translations-generals. Thus, in its initial meaning it is indicating-skill of warfare, with a purpose to certain rules.

[47] Porter E. Michael: What is Strategy, *Harvard Business Review*, 1996, 71.

precisely this desire for variety in it. Adaptability company as a common denominator means in theory, operations associated with the environment in which it exercises its activity. This relationship to determine a way to get to the position and diversity in it, and that the information collected on the basis of their application process to have „products," which provides that a corporation is the diversity and valorize their success.

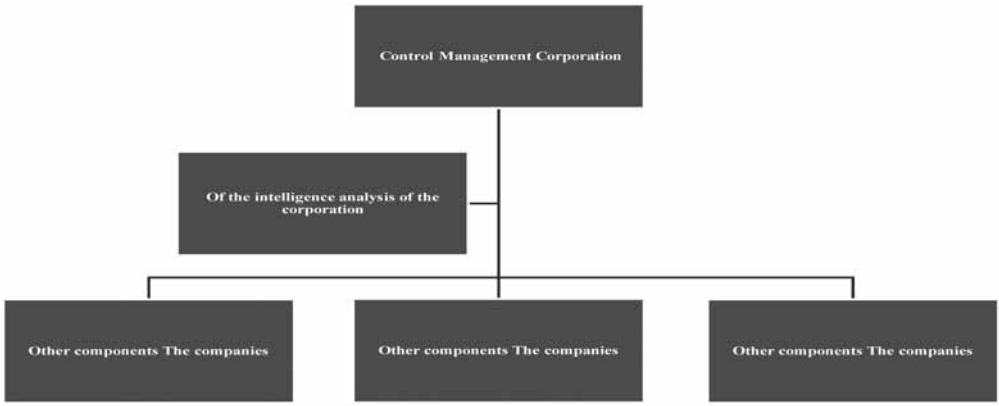
It was necessary from the point of view of research in the work to give the specified know that we now determine the location intelligence analysis in corporate security as exterior elements of security corporation or the corporation itself-ie, when the external, and when the internal.

From the analysis of previously stated views and considerations, we conclude that the creation-establishment of Intelligence Analysis, was to be established in a company that provides security services to external customers (natural persons or corporations), or at the very corporation whose original activity (a function of the market) is not providing security services, is not an easy process, but it is of great importance to the acquisition of knowledge that the corporation are different in the people and their safety.

According to the theory of security, the establishment of intelligence analysis in corporate security is conditional on the one hand, the algorithms business intelligence analysis, on the other hand, the algorithm business corporations, whose structure is established. From the results shown recognize two approaches. The first approach suggests that intelligence analysis establishes the corporation so that it is directly tied to the top of the corporation. Another approach suggests that its units should be established in every part of the corporation that performs a particular segment of work or a job.

As can be understood from the approach set forth in the first component of intelligence analysis is established at the strategic level of the corporation, and the second at the level of certain jobs or tactical (*operational*). Both the approach is common, it is tied to the top of the career management pillars Corporation or its segments. A third approach might be called mixed, indicating that in addition to the strategic level of building intelligence analysis, to enable communication with the lower organizational forms to corporations.

Figure 2: *Shows the position of the intelligence analysis of the corporation as an integral part*



When a component of intelligence analysis establishes the companies that deliver services from a range of corporate security jobs, we can talk about „internal intelligence service" and the „external intelligence service" aspect of the corporations that service users and corporate security product.

The forms in which to organize the structure of intelligence analysis is conditioned as we have presented a section algorithm corporate security. The most common forms are: Office urgent intelligence research; Office for flash intelligence research; Office Intelligence fundamental research. When investigating the levels of the structure according to the survey, the structure are established as follows: Office of the strategic team and office tactical team, problem-office team.

8. Perspectives of intelligence analysis in corporate security

Today's market in a global environment must understand the trends, incidents, changes in the world and their impact on the corporation. Today more than ever, the changes on the other side of the world can cause a crisis in the whole corporation. Perspectives intelligence analysis in corporate security, we began with the testimony of former CIA director William Colby[48], who is in his presentation of the seventies of the twentieth century, expressed the view that communities thinking of mankind lives in the expansion of corporate security and intelligence activities in it. His views have been followed by many authors in Western theory in the field of security.

This would work for the specified number of elements that suggest the need for expansion and development of these activities outside of the security services

[48] Colby William: *My life in the CIA*, Honorable Men, 1978.

and the police. All countries after World War II were the first to develop security systems and intelligence work at the state level, and at the same time there has been a rapid development of private corporations that need to protect their company, not only physically but also in other ways intelligence. Rapidly developing new technologies whose use is possible in gathering information, and companies want to protect them from uninvited. Leads to rapid development of intelligence work in the private sector; a start-up corporation in order to control security and safety of the increasing number of companies in the market. Intelligence activities in the corporate security becomes a resource for the realization of benefits and profits of its competitors.[49]

Furthermore, the technique of state espionage for the purposes of the corporation either in the public or private property, used in the past, becomes inadequate and outdated. The traditional model of economic espionage in the Cold War there is less applicable to the issue of corporate security requirements and corporations to protect their interests. On the other hand, what the corporations for their security and business needs, intelligence analysis in corporate security, applying his method covers the needs for knowledge: the corporations, the corporations, the business of the corporation, their development, flaws, strengths and intentions, more than ninety-five percent over legitimate sources.[50] All this, based on reasonable investigation that we conducted in this paper.

9. Products intelligence analysis of the importance of corporate security

Let's start this part of our study with one of the directions which indicates that the analysis of intelligence products valued over corporate income security as a supplier and corporations as a recipient of services. So, in this way of thinking we see investment approach (*return of investment*).

Another approach that is observed contributes to corporate security by analyzing the effectiveness of the intelligence services delivered. Third, we would say a key contribution to the corporate security, that is, on the basis of product intelligence analysis conducted, regulated, controlled, managed process produces corporate security as a whole or individual phases.

The ultimate goal of intelligence analysis and its fundamental role in Corporate Security implementation and maintenance advantages compared to the same company profiles and suppliers of same products. Thus, the essence of the product of intelligence analysis is not only in a particular method, technique

[49] Iri.lu.se/pdf/2003-10-pdf u časopisu *"Lund Universuty Journal"*, 1975...

[50] Many officers of criminal intelligence service analysis are either crossed or retirement become members of the corporation for security or just working in the corporate security business. It's almost unimaginable quality analysis of the challenges, risks and threats, not only at the operational and strategic levels, but without these frames.

and tool for precisely the proper selection and application of specific methods, techniques and tools in the corporate security corporation To ensure diversity in the same. That's according to the results of research conducted in this paper, the combination and organization of appropriate intellectual resources and working methodology of intelligence analysis in IQ corporate security product.

10. Concluding Remarks

Although the initial intent of the researchers conducting research and writing of this article on the topic of intelligence analysis in corporate security, have been clearly defined and it seemed easy to accomplish, the subject of research during the write operation proved very multifaceted and complex. Research has shown that intelligence analysis implement in corporate security, not a technical issue, but a matter of efficiency and capacity to deliver knowledge and tasks that are required to corporations.

From the results of the study indicate that the belief that plead to corporate security that can survive in the market without a clear structure of intelligence analysis in their midst without its elaborate methods and techniques, is detrimental to the future of corporate security. That would be a boat that wants to sail without navigational equipment.

Competitiveness corporate security market is a key comprehensive variable, which is the resultant set of its activities inside and outside, and is expressed as a product. It is a measure of the result of the success of the corporation that supplied products. Keeping these facts in mind, a key consideration in the study, it can be concluded that the competitiveness of corporate security depends on its IQ, which is measurable and the possibility of quantifying very visible.

Considerations in the work of the place and role of intelligence analysis in corporate security, they had to draw attention to the relevance of the intelligence components as not bypass factor which provides products which corporations may be different in the same.

Proving the impact of intelligence analysis on the efficiency and competitiveness of corporate security, expressed as the possibility of understanding and defining information interfaces IQ that delivers intelligence analysis and its use by the corporate security.

The results suggest that the structure of intelligence analysis without corporate security can not reach and to answer the question: How smart? The answer to this question is the crown can not be imagined without the products of intelligence analysis. Only those corporations in corporate security services are delivered and used the methodology of the intelligence analysis know at all times what the IQ of their products.

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OBAVEŠTAJNA ANALIZA U KORPORATIVNOJ BEZBEDNOSTI

S a ž e t a k

Studija polazi od shvatanja da, s jedne strane, postoji obaveštajna analiza u korporativnoj bezbednosti u svetu, ali da se, s druge strane, ona na prostoru Republike Srbije, javlja uglavnom u državnim organima. U svrhu dokazivnja teze da je obaveštajna analiza nezaobilazna komponenta korporativne bezbednosti, u radu se analiziraju odnosi državnog i privatnog korporativnog aspekta obaveštajne analize, od sredine sedamdesetih godina prošlog veka do novijih vremena u bezbednosnoj teoriji i literaturi. Rad autora ovog teksta, kao doprinos opštoj teoriji bezbednosti, ukazuje na to, da obaveštajna analiza nema samo one vidove koji su bili poznati u teoriji bezbednosti, kao civilna, vojna, spoljna, unutrašnja, ofanzivna, defanzivna već ona u novijem vremenu ima mnogo širu primenu u civilnoj korporativnoj bezbednosti, u nekoliko vidova, kao što su: korporativna obaveštajna analiza u statičkom smislu (*obaveštajno analitičko dokumentovanje*), korporativna obaveštajna analiza u dinamičkom smislu (*obaveštajna analitička obrada*) i korporativna obaveštajna analiza u funkcionalnom smislu (*obaveštajno analitičko skeniranje okruženja, tržišta, stvaranje bezbednosnih analitičkih prozivoda (analitičkih studija i dr,*). U savremenoj teoriji i literaturi u načelu se ne poriče korporativnoj bezbednosti karakter zasebne bezbednosne oblasti (*ne poriče se njeno pravo na naučnu disciplinu unutar nauke o bezbednosti*) te se samim tim i obaveštajna analiza smatra delom privatne korporativne bezbednosti. Niko u naučnoj misli u oblasti teorije bezbednosti ne stoji više na stanovištu, da između obaveštajne analize u strukturama državnih organa i obaveštajne analize u korporativnoj bezbednosti ne postoji suštinska veza. Sve do početka osme decenije prošlog veka u teoriji bezbednosti su se mogla sresti (*pronaći*) razmišljanja čiji se zajednički denominator može odrediti tako što ćemo reći, ako je i postojala veza, da ona nije bila suštinska, ta veza, u stvari, bila je slučajna, štaviše „neprirodna". Samatralo se ne samo u običnom životu već i u nauci bezbednosti da su to dve potpuno različite stvari, međutim neki njihovi aspekti se podudaraju: obe imaju za osnovni princip činjenicu, da su po pravilu bolji oni koji pobedjuju pre borbe. Pred sam kraj dvadesetog veka dolazi do zaokreta u bezbednosnoj teoriji i dotadašnja unisonost u napred iznetim pogledima menja, pa se navodi da je obaveštajna analiza nužna komponenta korporativne bezbednosti. Tada počinje organicija seminara a kasnije i specijalističkih studija koje organizuju fakulteti. Školuju se kadrovi za obaveštajnu analizu u korporativnoj bezbednosti širokog spektra od obaveštajne analize u bankama, preko korporacija do nevladinih organizacija ili drugih tela međunarodnih organizacija u svetu. Da je osnovna podela obaveštajne analize na onu unutardržavnu (*organa čiji je osnivač država*) i onu unutar korporacija (*pri-*

vatnu) davno napuštena svedoče kretanja koja se dešavaju ne samo u teoriji bezbednosti, već i u stručnoj praksi mnogih zemalja, a ponajpre Evropske unije. Dakle, bez obzira na pravnu suprematiju države ona oblast obaveštajne analize u korporativnoj bezbednosti u novijem vremenu u svojim aktima, ne uređuje više jednostrano. Nalazi u istraživanju ukazuju da zaštita korporacija, njenih unutrašnjih i spoljnjih interesa sa kvalitetnim podacima je perspektiva za obaveštajnu analizu i nužnost za kroporacije i korporativnu bezbednost. Nadalje, rezultati upućuju, da primena ne samo praktičnih znanja obaveštajne analize, već i njenog naučnog znanja, pruža epistemološki orijentisanu kritiku tradicionalnih tehnika koje se preduzimaju u korporativnoj bezbednosti u vezi sa analizom izazova, rizika i pretnji. Na pitanje, da li se ona može i treba razumeti samo kao oblik korporacijske špijunaže, bilo kog aspekta, kao novi koncept u teoriji i praksi korporativne bezbednosti, kao konkurentska obaveštajna aktivnost, kao jedna aktivnost ili uključuje čitav spektar različitih metoda i tehnika svrsishodnih i celishodnih aktivnosti koje se primenjuju integralno i u kontinuitetu unutar korporativne bezbednosti, dato je više odgovora u radu. Privatizacija obaveštajnih delatnosti kao nepovratni proces koji je pre nekoliko decenija zahvatio zapadnu hemisferu, u prvoj deceniji trećeg milenijuma prihvaćena je i u Evropi, u smislu da korporacije na nacionalnom i multinacionalnom nivou sistemski koriste obaveštajnu analizu ne samo radi sopstvene bezbednosti već i zbog konkurencije, a ništa manje i radi rasta kompanija i profita. Videti ono što drugi ne vide upravo je briljantnost obaveštajne analize, a znati ono što drugi ne znaju u svakodnevnom životu i obaveštajnoj delatnosti naziva se genijalnost. Ona je postala resurs koji pomaže upravljačkom menadžmentu u korporacijama da donosi pravovremene i adekvatne odluke. Istraživanje je pokazalo da je obaveštajna analiza u korporativnoj bezbednosti onaj faktor koji donosi različitost u istom i daje korporacijama prednost ne samo u vremenu, već mnogo više na tržištu i u proizvodu.

Ključne reči: obaveštajna analiza, korporativna bezbednost, korporacija

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POLITIKA SUPROTSTAVLJANJA EKOLOŠKOM KRIMINALITETU U REPUBILI SRBIJI I NJEGOV UTICAJ NA EKOLOŠKU BEZBEDNOST

Ekološko pravo i ekološka bezbednost predstavljau dve srodne oblasti koje su kao naučne discipline u naš pravno bezbednosni okvir uvedene u prvoj deceniji ovoga veka. Uprkos ovoj činjenici, pravne norme koje propisuju zaštitu i bezbednost životne sredine proučavane su u okviru drugih naučnih disciplina, a njihova etimologija ukazuje da su ekološki propisi postojali još u devetom veku, najpre kao prohibitivne odredbe „zabranjeno je". Poznato je da se ekološko pravo u određenoj meri bazira na krivičnopravnim normama, odnosno na normama koje za svoj zaštitni objekt imaju životnu sredinu – ekos. Činjenica normiranja velikog broja krivičnih dela iz ove oblasti ukazuje na značaj kriminalne politike kojom se u oblasti ekološkog prava i ekološke bezbednosti daje krivičnopravna zaštita. U ovom radu se pored opštih uvodnih napomena o ekološkom pravu, ekološkoj bezbednosti i ekološkom deliktu, razmatra oblast suzbijanja ekološkog kriminaliteta, kroz učešće osnovnih i sporednih krivičnoprocesnih subjekata i međunarodne saradnje, naročito u oblasti suzbijanja ekološkog kriminaliteta. Na kraju se razmatra uticaj ekološkog kriminaliteta na ekološku bezbednosti, pojašnjavanjem mogućih oblika ugrožavanja i mere reakcije.

Ključne reči: ekološko pravo, ekološka bezbednost, ekološki kriminalitet, suprotstavljanje.

1. Uvodna razmatranja

Ekološko pravo kao savremena pravna grana predstavlja oblast novijeg datuma, mada su prvi sistematizovani ekološki propisi doneti u drugoj polovini prošloga veka, tačnije 1969. godine u Švedskoj u okviru Zakona o zaštiti životne sredine. Teorijska tumačenja pojma *ekološkog prava* polaze od tumačenja reći *ekologija*, koja potiče od grčke reči *oikos* što u prevodu znači *dom-domaćinstvo-stanište*, i kao termin prvi put je upotrebljen 1866. godine, od strane nemačkog biologa Ernesta Henkela u radu „Istorija prirode" (Historia Naturae)[1]. U kontekstu savremenog tumačenja ekologije, ona podrazumeva „celinu

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[1] Lilić Stevan –Drenovak Marijana: *Ekološko pravo*, Pravni fakultet Univerziteta u Beogradu, Beograd, 2010, 15.

neprekidne interakcije živog i neživog na planeti". Neprekidnu interakciju „živog" na planeti možemo da tumačimo kao permanentno međudejstvo i međuzavisnost svega onoga što je živo u biosferi, odnosno biljni i životinjski svet i mikroorganizme u atmosferi, litosferi i hidrosferi. Interakcija „živog i neživog" podrazumeva međuzavisnost živog u biosferi sa neživim u geosferi (staništa). Za razliku od ekologija, životna sredina, po teorijskim tumačenjima kao uži pojam obuhvata skup fizičkih, sociojalnih i kulturnih faktora i uslova koji imaju uticaja na postojanje i razvoj organizama ili skup organizama[2]. Inače, definisanje i tumačenje pojma „životna sredina" varira, kako u međunarodnim tako i u nacionalnim propisima, mada u suštini njeno ekstenzivno tumačenje podrazumeva „životno okruženje determinisano skupom fizičkih, socijalnih, kulturnih i političkih faktora i uslova", dok se njeno uže-restriktivno tumačenje bazira na „prirodnoj sredini", odnosno „prostorno definisanim prirodnim okruženjem". Nadalje, prema leksičkom tumačenju ekologija podrazumeva biologiju i fiziologiju u užem smislu, nauku o odnosima životinja i biljaka prema svojoj mrtvoj i živoj okolini, kao i jednih prema drugima (u ekologiju spada, na primer: ishranjivanje, stanovanje, mesto stanovanja, rasprostranjenost, porodični i društveni život, negovanje mladunaca, oplođivanje biljki, simbiotički odnosi i dr.[3]). Elokoško pravo obuhvata oblast koja reguliše sve činioce koji utiču na stvaranje i razvoj organizama i očuvanje njihovih staništa, odnosno stvaranje mogućnosti da sva živa bića jednako koriste prirodne resurse.[4] Oblast ekološkog prava u Republici Srbiji bila je najpre propisana odredbama Zakona o vodama (1967), kojim je bilo zabranjeno unošenje otpada i otrovnih materija u vode iznad maksimalno određenih količina, odlaganje industrijskog otpada u površinske vode i obale, kao i izvođenje bilo kakvih radova koji mogu da ugroze biološki minimum u vodotoku, režim podzemnih voda ili kvalitet i izdašnost resursa mineralne, termalne i tekuće vode. Danas u oblasti ekološkog prava postoji niz zakona, podzakonskih akata i administrativnih propisa, među kojima kao najznačajniji jeste Zakon o zaštiti životne sredine (2009).

2. Ekološka bezbednost

Kompleksnost koncepta ekološke bezbednosti potvrđuje činjenica da je potreba njegovog redefinisanja, odnosno integrisanja u koncept globalne bezbednosti inicirana osamdesetih godina prošloga veka od strane Ričarda

[2] The English Institute of America: *International Webster New EncyclopedicDictionary of English Language*, Tabor House, New York 1973, 329.

[3] Vujakllija Milan: *Leksikon stranih reči i izraza*, Prosveta, Beograd, 1980, 260.

[4] Konstantinović-Vilić Stevan, Žunić Nikola: *Ekofeminizam-razmatranje odnosa feminizma i ekologije*, Ekologija i pravo, Zbornik radova, Niš, 20011, 43.

Almana koji je zahtevao da se ekološki faktori integrišu u koncept bezbednosti.[5] Veza između ekologije – životne sredine i bezbednosti jeste višestruka, životna sredina može da predstavlja razlog sukoba koji su motivisani smanjenjem ili degradacijom prirodnih resursa, sa druge strane životna sredina može biti povod za sukobe koji je motivisan eksploatacijom prirodnih resursa, nezavisno od toga da li se radi o obnovljivim ili neobnovljivim resursima. Generalno posmatrano, ekološka bezbednost je po pravilu tretirana kao normativni koncept, uprkos činjenici da je njeno značenje i njen okvir veoma ekstenzivan i kompleksan. Naime, postavlja se sasvim opravdano pitanje: šta je referentni predmet - objekt ekološke bezbednosti?, ako znamo da je država referentni objekt nacionalne bezbednosti, ljudska bića referentni objekt ljudske bezbednosti, privatna imovina referentni objekt privatne bezbednosti,… Sledstveno tom pitanju i datim konstantacijama, može se reći da je referentni objekt ekologije celokupna ekosfera bez obzira na njeno ekstenzivno određenje. Nesporno je dakle, da je ekološka bezbednost jedna od grana bezbednosti, jer je kao pojam izvedena iz opšteg pojma bezbednosti kao savremene naučne discipline. Ekološka bezbednost je po svom predmetu izučavanja multidisciplinarna bezbednosna grana, i po tumačenju pojedinih autora podrazumeva stvaranje uslova u kojima fizičko okruženje zajednice omogućava zadovoljavanje potreba stanovništva bez smanjenja prirodnih rezervi. Složeni okvir ekološke bezbednosti obuhvata biološku bezbednost (bezbednost biološke raznovrsnosti), bezbednost životne sredine (zaštita vode, vazduha i zemljišta) i bezbednost ekosistema.[6]

3. Ekološki delikti

Leksičko tumačenje delikta podrazumeva ukupnost inkriminacija: zločina, prestupa i istupa. Zločin kao pravni termin nije poznat u našem krivičnom zakonodavstvu, ali je poznat u kriminološkoj teoriji[7], i podudaran je sa teminom krivično delo, a prestupi i istupi podrazumevaju lakše oblike inkriminacije, odnosno privredne prestupe i prekršaje. Zločin dakle, gradi osnovu imena naučnih disciplina koje za predmet izučavanja imaju krivično delo, odnosno kriminalitet i učinioca kao njegovog eksponenta.[8] Ekološki

[5] Dimitrijević Dejana: *Trendovi ekološke bezbednosti u XXI veku*, Univerzitet u Beogradu, Fakultet bezbednosti, 2010, 11-22.

[6] Ljuština Aleksandra: *Ekološka bezbednost*, Kriminalističko-policijska akademija, Beograd, 2012, 17-21.

[7] "Zločin je pojedinačno kriminalno ponašanje (činjenje ili nečinjenje). Uobičajeno, zločin se određuje kao akt kojim se krši krivični zakon. Kao posledica tog kršenja, zločin može biti praćen kažnjavanjem. Njegova bitna crta je da je pojedinačna pojava" (Đ. Ignjatović: *Kriminologija*, Dosije, Beograd, 2007, 15).

[8] Jović Vojislav: *Organizovani kriminalitet i njegovo suzbijanje*, Institut za uporedno pravo, Beograd, 2013, 6-14.

delikti, podrazumevaju ukupnost inkriminacija kojima se povređuju (uništenje-oštećenje) ili ugrožavaju (stvaranje opasnosti) vrednosti u oblasti zaštite životne sredine. Oni se razlikuju od drugih delikata po zaštitnom objektu, a njihov *zaštitni objekt* jeste: vazduh, voda, zemljište, flora i fauna. Sistematika ekoloških delikata i njihovo svrstavanje u okviru jedinstvene glave Krivičnog zakonika izvršeno je 2005. godine, mada je u okviru zakonske regulative koja se konkretno odnosi na zaštitu životne sredine u pojedinim zakonima koji su doneti 2009. godine, osim lakših inkriminacija (privredni prestup i prekršaj / pravnog lica, preduzetnika i fizičkog lica/), propisano i krivično delo (Zakon o genetički modifikovanim organizmima, Zakon o sredstvima za zaštitu bilja i Zakon o zdravlju bilja). Krivičnopravna zaštita životne sredine zasnovana je na takozvanoj biocentričnoj koncepciji, koja životnu sredinu posmatra iz stanovišta čovekovog života i njegovih vrednosti, dakle kao zaštićeno dobro *per se*, za razliku od ranijih takozvanih antropocentričnih koncepcija koje su životnu sredinu tretirale kao resurs u funkciji zadovoljavanja ljudskih potreba.[9] Ozbiljnost zakonske regulative i zabrinutost kriminalne politike za oblasti ekološkog prava, odnosno zaštite životne sredine argumentuju se velikim brojem propisanih delikata kojima se životna sredina štiti, koji po broju zauzimaju šesto mesto u strukturi svih krivičnim zakonikom propisanih delikata.

Krivičnopravna teorija ekološke delikte svrstava u četiri grupe: 1) prvu grupu čine takozvana *opšta krivična dela protiv životne sredine* /zagađivanje životne sredine; nepreduzimanje mera zaštite životne sredine; protivpravna izgradnja i stavljanje u pogon postrojenja koja zagađuju životnu sredinu; oštećenje objekata i uređaja za zaštitu životne sredine; oštećenje životne sredine; uništenje, oštećenje i iznošenje u inostranstvo prirodnog dobra; povreda prava na informisanje o stanju životne sredine/; 2) drugu grupu čine *krivična dela u vezi sa opasnim materijama* /unošenje opasnih materija u Srbiju i nedozvoljeno prerađivanje, odlaganje i skladištenje opasnih materija; nedozvoljena izgradnja nuklearnih postrojenja/; 3) treću grupu čine *krivična dela protiv biljnog i životinjskog sveta* /ubijanje i mučenje životinja; prenošenje zaraznih bolesti kod životinja i biljaka; nesavesno pružanje veterinarske pomoći; proizvodnja štetnih sredstava za lečenje životinja; zagađivanje hrane i vode za ishranu, odnosno napajanje životinja; pustošenje šuma; šumska krađa/; 4) u četvrtu grupu čine *krivična dela nezakonitog lova i ribolova* /nezakonit lov; nezakonit ribolov/.[10] Ovde ćemo se bazirati samo na delikte koji su svrstani u opštu grupu, jer se njihovim inkriminacijama u najvećoj meri vrši ili potencijalno može da izvrši povreda ili ugrožavanje životne sredine. Ekološki delikti koji su svrstani u opštu grupu, kao *radnju izvršenja* (činjenjem-*delictum commissivum*, nečinjenjem-*delictum ommissivum*) imaju delatnost koja se manifestuje u vidu: 1) zagađenja vazduha, vode ili zemljišta kršenjem propisa o zaštiti čuvanju i unapređenju životne sredine; 2) ne preduzimanja

[9] Lilić Stevan, Drenovak Marija, 59-68.

[10] Čejović Bora: *Krivično pravo-opšti i posebni deo*, Dosije, Beograd, 2006, 582-592.

propisanih mera zaštite životne sredine ili ne postupanja po odluci nadležnog organa o preduzimanju mera zaštite životne sredine; 3) dozvoljavanja izgradnje, stavljanja u pogon ili upotrebe objekata ili postrojenja ili primene tehnologije kojima se zagađuje životna sredina; 4) oštećenja, uništenja, uklanjanja ili na drugi način dovođenja u stanje neupotrebljivih objekata ili uređaja za zaštitu životne sredine; 5) iskorišćavanja prirodnih bogatstava, izgradnje objekata, izvođenja radova ili kršenja propisa na drugi način kojim se izaziva oštećenje životne sredine; 6) uništenja ili oštećenja posebno zaštićenog prirodnog dobra; 7) uskraćivanja, protivno propisima, podataka ili davanja neistinitih podataka o stanju životne sredine i pojavama koje su neophodne za procenu opasnosti po životnu sredinu. *Posledica* izvršenja navedenih ekoloških delikata manifestuje se u vidu povrede i/ili ugrožavanja životne sredine, odnosno povrede i/ili ugrožavanja zaštitnog objekta kao predmeta krivičnopravne zaštite. Učinilac može da bude svako lice, odnosno u zavisnosti od vrste inkriminacije to može da bude službeno, odgovorno ili fizičko lice (službeno ili odgovorno lice treba tumačiti kako u smislu odredbi člana 112. Krivičnog zakonika, tako i prema internim propisima[11]). U pogledu *vinosti* kod učinioca je moguć kako umišljaj tako i nehat (u zavisnosti od kvalifikacije krivičnog dela), a po pravilu se radi o eventualnom umišljaju, odnosno svesnom ili nesvesnom nehatu. Ekološki delikti spadaju u krivična dela za koja se *gonjenje* preduzima po službenoj dužnosti. Protiv izvršioca navedenih ekoloških delikata *sud može da izrekne* kaznu zatvora od šest meseci do osam godina (osnovni-kvalifikovani oblik dela) ili novčanu kaznu (osnovni oblik dela ili nehat), a ukoliko sud izrekne uslovnu osudu onda učiniocu može da odredi obavezu da u određenom roku preduzme određene propisane mere zaštite očuvanja i unapređenja životne sredine, odnosno mere u cilju otklanjanja štetnih posledica po životnu sredinu ili zaštite od jonuzujućih i nejonizujućih zračenja.

4. Suzbijanje ekološkog kriminaliteta

Kako je svojevremeno pisao i govorio prof. Vladimir Vodinelić: „Rijeđi je slučaj da organ unutrašnjih poslova dozna za nasilan smrtni slučaj vlastitom aktivnošću,…“[12]. Nažalost i danas se suočavamo sa istom činjenicom, sigurno ne u tolikoj meri kao što je to bilo u prošlom veku, ali i dalje u meri koja je zabrinjavajuća, jer nije u dovoljnoj meri i na pravilan način zastupljen obaveštajno – analitički koncept policijskog rada. Ključnu ulogu u istragama

[11] Lazarević Ljubiša: *Komentar krivičnog zakonika Republike Srbije*, Savremena administracija, Beograd, 2006, 681-692.

[12] Vodinelić Vladimir: *Zaprimanje prijave o sumnjivoj i nasilnoj smrti*, Suzbijanje kriminaliteta-decenija posle smrti profesora Vodinelića, zbornik, Pravni fakultet u Kragujevcu, Kragujevac, 2004,7-17.

krivičnih dela imaju dva organa, jedan je iz kategorije glavnih krivičnoprocesnih subjekata – javni tužilac[13] (tužilačka istraga), drugi je iz kategorije sporednih krivičnoprocesnih subjekata – policija (kriminalistička istraga). U skladu sa odredbama Zakonika o krivičnom postupku koji se primenjuje od 01. oktobra 2013. godine[14], suštinski je promenjen koncept istrage njenim prenošenjem sa sudske na tužilačku istragu. Uloga policije u okviru novog zakona zasnovana je na principima subordinacije koja podrazumeva obavezu dostavljanja krivične prijave i drugih obaveštenja javnom tužiocu, odnosno obevezu oročenog postupanja po zahtevu javnog tužioca za pružanje potrebnih obaveštenja. Kriminalističke istrage, u ovom slučaju krivičnih dela protiv životne sredine, gotovo u celosti su zastupljene u fazi predistražnog postupka, odnosno u fazi postojanja skupa činjenica koje posredno ukazuju da je izvršeno krivično delo ili da je određeno lice učinilac krivičnog dela (*osnov sumnje*). Dakle, u slučajevima kada postoji osnov sumnje da je izvršeno krivično delo protiv životne sredine (kao što smo naveli, za sva krivična dela se goni po službenoj dužnosti), policija (po pravilu kriminalistička policija) je *dužna* da preduzme mere na pronalaženju učinioca krivičnog dela, da spreči da se učinilac dela ili saučesnik sakrije ili pobegne, da otkrije i obezbedi tragove krivičnog dela i predmete koji mogu da posluže zao dokaz, kao i da prikupi sva obaveštenja koja mogu da budu od koristi za uspešno vođenje krivičnog postupka. U okviru ispunjenja navedenih dužnosti, policija može: da prikuplja obaveštenja od građana (očevidci – potencijalni svedoci ekološkog delikta), da pregleda prevozna stredstva, putnike i prtljag (pronalaženje tragova i predmeta ekološkog delikta), da za najduže do osam sati ograniči kretanje na određenom prostoru (blokada prostora u cilju sprečavanja bekstva učinioca ili saučesnika),da utvrdi istovetnost lica ili predmeta (istovetnost počinioca, očevidaca, predmeta krivičnog dela), da raspiše potragu za licima i/ili predmetima (policijski raspis o traganju), da u prisustvu odgovornog lica pregleda objekte i prostorije državnih organa, ostvari uvid u dokumentaciju i da je po potrebi privremeno oduzme (obezbeđivanje tragova i predmeta ekološkog krivičnog dela), u sklopu ispunjenja navedenih dužnosti i primene navedenih ovlašćenja, policija može po nalogu javnog tužioca da pribavlja evidenciju ostvarenih telefonskih komunikacija, određivanja baznih stanica i lociranje mesta obavljene komunikacije. Sve navedene aktivnosti koje je policija dužna i ovlašćena da preduzima, spadaju u okvir kriminalističkih istraga koje su procesno legalizovane zahtevom ili nalogom javnog tužioca. U cilju što uspešnijeg sprovođenja navedenih mera, policija može u okviru kriminalističkih istraga krivičnih dela protiv životne sredine da preduzima mere obaveštajno – analitičkog karaktera. Kriminalističko obaveštajna delatnost obuhvata proces prikupljanja, obrade i interpretacije podataka u skladu sa određenom

[13] Bejatović Stranko: *Krivično procesno pravo*, Savremena administracija, Beograd, 2003, 141.

[14] Zakonik o krivičnom postupku, „Službeni glasnik RS", br. 72/2011, 101/2011, 121/2012, 32/2013, 45/2013.

metodologijom uključujući intelektualnu sposobnost izdvajanja principa i značenja u cilju stvaranja obaveštajnog proizvoda kojim se unapređuje pogled na krivično delo i učinioca. Kriminalističko analitički proces kao jedan od ključnih kriminalističkih resursa podrazumeva prognoziranje, predupređenje i praćenje kriminalnih pojava u „sivoj zoni" njihovog nastajanja.[15]

Kriminalističke istrage navedenih krivičnih dela protiv životne sredine fokusiraju se na: 1) istraživanje okolnosti i utvrđivanje činjenica kršenja propisa koje je za posledicu imalo zagađenje vazduha, vode, i zemljišta /prikupljanje obaveštenja od građana, uviđaj, saslušanje osumnjičenog/; 2) istraživanje okolnosti i utvrđivanje činjenica nepreduzimanja propisanih mera zaštite životne sredine od strane službenog ili odgovornog lica /prikupljanje obaveštenja od građana, uviđaj, saslušanje osumnjičenog/; 3) istraživanje i utvrđivanje činjenica protivpravnog dozvoljavanja od strane službenog ili odgovornog lica izgradnje, stavljanje u pogon i upotrebe objekata ili postrojenja ili primene tehnologije kojima se u velikoj meri i na širem prostoru zagađuje životna sredina /prikupljanje obaveštenja od građana, uviđaj, pregled objekata i prostorija državnih organa, pretresanje stana i drugih prostorija, saslušanje osumnjičenog/; 4) istraživanje okolnosti i utvrđivanje činjenica oštećenja, uništenja, uklanjanja ili na drugi način činjenja neupotrebljivim, objekata ili uređaja za zaštitu životne sredine / prikupljanje obaveštenja od građana, uviđaj, pretresanje stana i drugih prostorija, saslušanje osumnjičenog/; 5) istraživanje okolnosti protivpravnog iskorišćavanja prirodnih bogatstava, izgradnje objekata ili izvođenja drugih radova kojima se izaziva oštećenje životne sredine /prikupljanje obaveštenja od građana, uviđaj, pretresanje stana i drugih prostorija, saslušanje osumnjičenog/; 6) istraživanje okolnosti uništenja, oštećenja, iznošenja iz zemlje ili unošenja iz inostranstva zaštićenog prirodnog dobra /prikupljanje obaveštenja, uviđaj mesta, pretresanje stana i drugih prostorija, međunarodna policijska saradnja, privremeno oduzimanje predmeta, saslušanje osumnjičenog/; 7) istraživanje okolnosti protivpravnog uskraćivanja podataka ili davanja neistinitih podataka o stanju životne sredine /prikupljanje obaveštenja, saslušanje osumnjičenog/. Policija može, prema odredbama Zakonika o krivičnom postupku, u predistražnom postupku da preduzima određene *dokazne radnje*, o čemu je dužna da odmah obavesti jasnog tužioca, a dokazi koji su pribavljeni preduzimanjem dokazne radnje koja je preduzeta u skladu sa zakonom, mogu da se koriste u daljem toku krivičnog postupka. Najčešće dokazne radnje koje policija može da preduzme u istraživanju krivičnih dela protiv životne sredine jesu: uviđaj (po pravilu uviđaj mesta), pretresanje stana i drugih prostorija, privremeno oduzimanje predmeta, saslušanje osumnjičenog.

[15] Manojlović Dragan: *Kriminalistička analitika*, Fakultet bezbednosti u Beogradu, Službeni glasnik, Beograd, 2008, 39.

5. Inspekcijski organi

Javni tužilac može u okviru svojih zakonom propisanih ovlašćenja da zahteva od inspekcijskih organi u oblasti zaštite životne sredine (državni ili drugi organi), da mu dostave potrebna obaveštenja na osnovu kojih će u konkretnoj krivičnoj stvari doneti pravičnu odluku. Inspekcijski organi su inače ovlašćeni da na osnovu seta zakona kojima je propisana zaštita životne sredine, vrše inspekcijski nadzor i utvrđuju nepravilnosti koje mogu da budu inkriminisane kao krivično delo, privredni prestup ili prekršaj. Naime, odredbama Zakona o zaštiti životne sredine propisana su prava i dužnosti i ovlašćenja inspektora u oblasti zaštite životne sredine koji može da izdaje naređenja i izriče zabrane. Ono što je veoma važno iz aspekta uloge inspektora u suzbijanju krivičnih dela protiv životne sredine, jeste njegova dužnost da u slučajevima kada tokom vršenja inspekcijskog nadzora oceni da su pored povreda odredaba Zakona o zaštiti životne sredine povređeni i neki drugi zakoni (u ovom slučaju Krivični zakonik), o tome obavesti drugi nadležni organ (policiju, javnog tužioca).

6. Javni tužilac kao organ postupka

Odredbama Zakonika o krivičnom postupku propisano je da javni tužilac između ostalih ovlašćenja, rukovodi predistražnim postupkom i sprovodi istragu. Iz aspekta suzbijanja krivičnih dela protiv životne sredine, javni tužilac može u okviru svojih ovlašćenja da preduzima radnje dokazivanja, odnosno: da izvrši uviđaj; ispita svedoka; sasluša okrivljenog; odredi veštačenje; izvrši rekonstrukciju događaja; dokazuje ispravama; naredi uzimanje uzoraka (biometrijskih uzoraka, uzoraka biološkog porekla, uzoraka za forenzičko-genetičku analizu); privremeno oduzme predmete; izvrši pretresanje. Javni tužilac može u skladu sa odredbama Zakonika o krivičnom postupku kojima je propisano *poveravanje pojedinih dokaznih radnji*, policiji da poveri izvršavanje pojedinih dokaznih radnji u skladu sa zakonom, a to su po pravilu dokazne radnje koje smo prethodno naveli u okviru kriminalističkih istraga. I ovaj put, kao i uvek do sada, osnovano se predpostavlja da se javni tužilac neće lako odreći svoje „kabinetske funkcije" te da će, (umesto da kabinetsku funkciju zameni terenskom, naročito ako se uzme u obzir da je pravni osnov za započinjanje krivičnog gonjenja „osnov sumnje", a da se istraga pokreće i protiv nepoznatog učinioca), bez obzira što je procesnim zakonom propisano da javni „može" sam da prikupi potrebne podatke i da poziva građane, odnosno da „pružanje potrebnih obaveštenja zahteva od državnih i drugih organa i pravnih lica". Uostalom, argumenata za takav pristup uvek ima, a neki su argumenti sasvim opravdani, kao što je nedostatak tehničke opremljenosti i nedostatak kadrova, mada inače, alternativna odredba „može", javnom tužiocu dozvoljava da ne mora

to što može? Dužnost policije da na zahtev javnog tužioca postupi najkasnije u roku od trideset dana od dana dobijanja zahteva, kao i ovlašćenje javnog tužioca da u slučaju nepostupanja policije u propisanom roku, o tome obavesti starešinu koji rukovodi organom, nadležnog ministra, vladu ili nadležno skupštinsko tela, odnosno da zahteva pokretanje disciplinskog postupka protiv lica za koje smatra da je odgovorno za nepostupanje po njegovom zahtevu, stvara dodatnog prostora za pasivnu ulogu javnog tužioca. Sve ovo se naročito odnosi na suzbijanje krivičnih dela protiv životne sredine, zbog same specifičnosti bića krivičnih dela i specifičnosti prikupljanja podataka, tragova i predmeta koji mogu da se koriste kao dokaz u krivičnom postupku.

7. Empirijsko istraživanje krivičnih dela protiv životne sredine u Republici Srbiji

Okvir krivičnopravne zaštite životne sredine ukazuje da krivična dela protiv životne sredine spadaju u grupu dela koja zauzimaju šesto mesto (od ukupno 23 grupe) po broju propisanih dela u Krivičnom zakoniku, što znači da je iz oblasti zaštite životne sredine propisano ukupno osamnaest krivičnih dela[16]. Bez obzira na tu činjenicu, zastupljenost ovih krivičnih dela u ukupnom broju krivičnih dela koja su izvršena na teritoriji Republike Srbije u periodu od 2006-2011 godine iznosi oko 2%.[17]

7.1. Prijavljena lica kao izvršioci krivičnih dela protiv životne sredine

Ukupan broj prijavljenih lica za sva krivična dela na teritoriji Republike Srbije u periodu 2006-2011. godine iznosi 568638, odnosno 11173 lica koja su prijavljena zbog osnova sumnje da su izvršila krivična dela protiv životne sredine, što znači da je učešće lica koja su prijavljena za krivična dela protiv životne sredine u ukupnom broju prijavljenih lica oko 2%. Podaci iz tabele 1. ukazuju da je najveći broj lica za krivična dela protiv životne sredine prijavljen u 2009. i 2006., a najmanji u 2010. godini.

[16] Veći broj krivičnih dela propisan je samo za dela iz grupe krivičnih dela: protiv vojske Srbije (37), protiv čovečnosti i drugih dobra zaštićenih međunarodnim pravom (30), protiv sloboda i prava čoveka i građanina (26), protiv imovine (25) i protiv privrede (24).

[17] Analiza empirijskih pokazatelja oduhvata period 2006-2011 iz razloga što su od 2006 godine sva krivična dela protiv životne sredine svrstana u okviru jedne glave zakona, i od tada se jedinstveno statistički iskazuju. Izvor stat. gov.rs (Republički statistički zavod Srbije) ISSN 0354-3641. Bilten 546, 547, 548.

Tabela 1: *Broj prijavljenih lica kao učinioci krivičnih dela protiv životne sredine*

Broj prijavljenih lica	2006	2007	2008	2009	2010	2011
Ukupan broj prijavljenih lica	105701	98702	101723	100026	74279	88207
Prijavljena lica za krivična dela protiv životne sredine	2009	1831	1895	2081	1568	1789

Činjenica da su 2006. godine sva krivična dela protiv životne sredine svrstana u jedinstvenu glavu Krivičnog zakonika, kao i činjenica da je 2009. godine donet čitav set sistemskih ekoloških zakona, podzakonskih akata i adnimistrativnih dokumenata, možda je u određenoj meri imalo uticaja što je upravo u tim godinama evidentiran najveći broj prijavljenih lica za krivična dela iz ove oblasti.

Tabela 2: *Broj prijavljenih lica po krivičnim delima*

Broj prijavljenih lica po krivičnom delu	2006	2007	2008	2009	2010	2011
Zagađenje životne sredine	16	19	21	16	7	12
Nepreduzimanje mera zaštite životne sredine	9	24	12	8	4	8
Protivpravna izgradnja i stavljanje u pogon objekata i postrojenja koja zagađuju životnu sredinu			3			2
Oštećenje objekata i uređaja za zaštitu životne sredine				2	1	4
Oštećenje životne sredine	4	7	2	16	8	6
Uništenje, oštećenje, iznošenje u inostranstvo i unošenje u Srbiju zaštićenog prirodnog dobra	4	13	1	2	93	8
Unošenje opasnih materija u Srbiju i nedozvoljeno prerađivanje, odlaganje i skladištenje opasnih materija	2	1				2
Nedozvoljena izgradnja nuklearnog postrojenja	1					
Povreda prava na informisanje o stanju životne sredine		1				
Ubijanje i zlostavljanje životinja	32	80	115	116	123	196
Prenošenje zaraznih bolesti kod životinja i biljaka	2		5	5	4	6
Nesavesno pružanje veterinarske pomoći	4	6	4	2	2	1
Proizvodnja štetnih sredstava za lečenje životinja	8	1				1
Zagađivanje hrane i vode za ishranu, odnosno napajanje životinja	5	1	3	12	5	3
Pustošenje šuma	182	142	128	157	69	89
Šumska krađa	1543	1314	1374	1462	1090	1262
Nezakonit lov	134	154	115	172	99	129
Nezakonit ribolov	63	68	112	111	63	60

Analizom podataka iz tabele broj 2. evidentno je da je najveći broj lica prijavljen za krivično delo *šumska krađa*, ukupno 8036 lica, što u odnosu na ukupan broj prijavljenih lica za sva krivična dela iz ove oblasti, iznosi oko 72%, zatim za krivično delo *nrzakonit lov* , ukupno 803 lica ili oko 7.2%, za krivično delo *pustošenje šuma,* ukupno 767 ili oko 7%, za krivično delo *nezakonit ribolov* ukupno 477 ili oko 4.3%, dok je najmanji broj lica prijavljen za krivično delo *povreda prava na informisanje o stanju životne sredine*, samo jedno lice, za krivično delo *nedozvoljena izgradnja nuklearnog postrojenja,* takođe jedno lice, a za krivično delo *protivpravna izgradnja i stavljanje u pogon objekata i postrojenja koja zagađuju životnu sredinu,* i *unošenje opasnih materija u Srbiju i nedozvoljeno prerađivanje, odlaganje i skladištenje opasnih materija,* prijavljeno je po pet lica.

7.2. Optužena lica za krivičnih dela protiv životne sredine

Prema podacima iz tabele broj 3., od ukupnog broja prijavljenih lica za sva krivična dela protiv životne sredine, optuženo je 6336 lica ili oko 57%.

Tabela 3: *Broj optuženih lica za krivična dela protiv životne sredine*

Broj optuženih lica	2006	2007	2008	2009	2010	2011
Optužena lica za krivična dela protiv životne sredine	1430	1203	1083	1068	917	635

Prema podacima iz tabele broj 4., logičkim sledom broja prijavljenih lica, najveći broj lica optuženo je za krivično delo *šumska krađa*, ukupno 4899 lica, ili oko 61% od ukupnog broja prijavljenih lica za ovo krivično delo, zatim za krivično delo nezakonit lov, ukupno 466 lica, ili oko 58%, za krivično delo pustošenje šuma 408 lica, ili oko 53% od ukupnog broja prijavljenih lica za ovo krivično delo.

Tabela 4: *Broj optuženih lioca po krivičnom delu protiv životne sredine*

Broj optuženih lica po krivičnom delu	2006	2007	2008	2009	2010	2011
Zagađenje životne sredine	1	3	5	5		2
Nepreduzimanje mera zaštite životne sredine	5	5	5	2	2	6
Protivpravna izgradnja i stavljanje u pogon objekata i postrojenja koja zagađuju životnu sredinu			3		1	
Oštećenje objekata i uređaja za zaštitu životne sredine		1				
Oštećenje životne sredine			4	2	2	4
Uništenje, oštećenje, iznošenje u inostranstvo i unošenje u Srbiju zaštićenog prirodnog dobra	12	11	7	6	5	2
Unošenje opasnih materija u Srbiju i nedozvoljeno prerađivanje, odlaganje i skladištenje opasnih materija						1
Nedozvoljena izgradnja nuklearnog postrojenja	1					

Povreda prava na informisanje o stanju životne sredine		1				
Ubijanje i zlostavljanje životinja	1	13	34	33	28	38
Prenošenje zaraznih bolesti kod životinja i biljaka	7	2	1	2		2
Nesavesno pružanje veterinarske pomoći			1	4		
Proizvodnja štetnih sredstava za lečenje životinja	3	4	2		1	1
Zagađivanje hrane i vode za ishranu, odnosno napajanje životinja	1	1	3	2		2
Pustošenje šuma	102	70	85	77	38	36
Šumska krađa	1143	974	812	787	766	417
Nezakonit lov	124	73	66	74	23	46
Nezakonit ribolov	39	46	58	74	51	78

7.3. Osuđena lica kao izvršioci krivična dela protiv životne sredine

Prema podacima navedenim u tabeli broj 5., od ukupnog broja optuženih lica za krivična dela protiv životne sredine, osuđeno je 4362 lica, ili oko 69%, odnosno oko 39% od ukupnog broja prijavljenih lica za ova krivična dela. Što se tiče izrečenih krivičnih sankcija, samo je protiv 419 lica izrečena kazna zatvora, što procentualno iznosi oko 4.5%.

Tabela 5: *Ukupan broj lica oglašenih krivim kao izvršioci krivičnih dela protiv životne sredine*

Broj osuđenih lica	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**
Osuđena lica za krivična dela protiv životne sredine	1009	917	819	835	333	449

Takođe po logičkom sledu broja prijavljenih i optuženih, najveći broj lica osuđen je za krivično delo *šumska krađa*, ukupno 3267 lica, ili oko 67%, od ukupnog broja optuženih lica za ovo krivično delo, odnosno oko 41% od ukupnog broja prijavljenih lica za ovo krivično delo (*tabela broj 6*).

Tabela 6: *Ukupan broj osudjenih lica po vrsti krivičnoh dela u Srbiji*

Broj osuđenih lica po krivičnom delu	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**
Zagađenje životne sredine	1		3	1		
Nepreduzimanje mera zaštite životne sredine	2	3	2		1	4
Protivpravna izgradnja i stavljanje						
u pogon objekata i postrojenja koja zagađuju životnu sredinu					1	
Oštećenje objekata i uređaja za zaštitu životne sredine		1				

Oštećenje životne sredine			2	2	2	3
Uništenje, oštećenje, iznošenje u inostranstvo i unošenje u Srbiju zaštićenog prirodnog dobra	6	10	6	6	5	2
Unošenje opasnih materija u Srbiju i nedozvoljeno prerađivanje, odlaganje i skladištenje opasnih materija						1
Nedozvoljena izgradnja nuklearnog postrojenja						
Povreda prava na informisanje o stanju životne sredine						
Ubijanje i zlostavljanje životinja	1	13	27	28	22	27
Prenošenje zaraznih bolesti kod životinja i biljaka	7	1		1		1
Nesavesno pružanje veterinarske pomoći						
Proizvodnja štetnih sredstava za lečenje životinja	2	4	2		1	1
Zagađivanje hrane i vode za ishranu, odnosno napajanje životinja		1	3	2		
Pustošenje šuma	74	61	70	69	19	30
Šumska krađa	813	730	612	616	218	287
Nezakonit lov	71	50	43	45	16	25
Nezakonit ribolov	32	43	49	65	48	68

7.4. Vrsta i visina izrečene krivične sankcije

Prema podacima iz tabele broj 7., od ukupnog broja osuđenih lica za krivična dela protiv životne sredine, kazna zatvora je izrečena protiv 447 lica ili oko 10 % od ukupnog broja osuđenih za ova krivična dela, odnosno oko 7% od ukupnog broja optuženih za ova krivična dela, ili oko 4% od ukupnog broja prijavljenih lica za ova krivična dela.

Tabela 7: *Ukupan broj lica osudjenih na kaznu zatvora*

Izrečene kazne zatvora	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**
Broj lica kojima je izrečena kazna zatvora	133	101	68	66	33	46

Nadalje, prema podacima iz tabela broj 8, u 2006. godini od ukupnog broja izrečenih kazni zatvora, najstrožija je izrečena u trajanju od 6 do 12 meseci i to za svega tri krivična dela, dok je protiv najvećeg broja lica izrečena kazna zatvora u trajanju od 2 do 3 meseca, ukupno protiv 56 lica. Navedimo na kraju da su kao najčešći razlozi zbog kojih prijavljena lica nisu proglašena krivim, *nedostatak dokaza* i *odustanak tužioca* od krivičnog gonjenja.

Tabela 8: *Visina izrecenih kazni*

Krivično delo – 2006. godina	6-12 meseci	3-6 meseci	2-3 meseca	1- 2 meseca	do 30 dana
Zagađenje životne sredine					
Nepreduzimanje mera zaštite životne sredine		1			
Protivpravna izgradnja i stavljanje u pogon objekata i postrojenja koja zagađuju životnu sredinu					
Oštećenje objekata i uređaja za zaštitu životne sredine					
Oštećenje životne sredine					
Uništenje, oštećenje, iznošenje u inostranstvo i unošenje u Srbiju zaštićenog prirodnog dobra					
Unošenje opasnih materija u Srbiju i nedozvoljeno prerađivanje, odlaganje i skladištenje opasnih materija					
Nedozvoljena izgradnja nuklearnog postrojenja					
Povreda prava na informisanje o stanju životne sredine					
Ubijanje i zlostavljanje životinja					
Prenošenje zaraznih bolesti kod životinja i biljaka	1	1	1		1
Nesavesno pružanje veterinarske pomoći					
Proizvodnja štetnih sredstava za lečenje životinja					
Zagađivanje hrane i vode za ishranu, odnosno napajanje životinja					
Pustošenje šuma		3	2		
Šumska krađa	1	24	50	26	12
Nezakonit lov	1	1	3		1
Nezakonit ribolov		4			

Prema podacima iz tabele broj 9, u 2007. godini najteža kazna zatvora takođe je izrečena u trajanju od 6 do 12 meseci i to samo za dva krivična dela, dok je protiv najvećeg broja lica izrečena kazna zatvora u trajanju od 1 do 2 meseca, ukupno protiv 41 lica.

Tabela 9: *Odnos broj osudjenih lica prema visini kazne*

Krivično delo – 2007. godina	**6-12 meseci**	**3-6 meseci**	**2-3 meseca**	**1- 2 meseca**
Zagađenje životne sredine				
Nepreduzimanje mera zaštite životne sredine				
Protivpravna izgradnja i stavljanje u pogon objekata i postrojenja koja zagađuju životnu sredinu				
Oštećenje objekata i uređaja za zaštitu životne sredine			1	
Oštećenje životne sredine				
Uništenje, oštećenje, iznošenje u inostranstvo i unošenje u Srbiju zaštićenog prirodnog dobra		1		3
Unošenje opasnih materija u Srbiju i nedozvoljeno prerađivanje, odlaganje i skladištenje opasnih materija				
Nedozvoljena izgradnja nuklearnog postrojenja				
Povreda prava na informisanje o stanju životne sredine				
Ubijanje i zlostavljanje životinja				
Prenošenje zaraznih bolesti kod životinja i biljaka				
Nesavesno pružanje veterinarske pomoći				
Proizvodnja štetnih sredstava za lečenje životinja				
Zagađivanje hrane i vode za ishranu, odnosno napajanje životinja				
Pustošenje šuma				1
Šumska krađa	2	18	35	34
Nezakonit lov			1	1
Nezakonit ribolov			2	2

Podaci iz tabele 10, takođe slede prethodne tabele po broju izrečenih kazni zatvora, što znači da je najteža kazna zatvora izrečena u trajanju od 6 do 12 meseci i to samo za dva krivična dela, dok je protiv najvećeg broja lica izrečena kazna zatvora u trajanju od 2 do 3 meseca, ukupno protiv 26 lica.

Tabela 10: *Broj izrecenih kazni u toku 2008. god.*

Krivično delo – 2008. godina	6-12 meseci	3-6 meseci	2-3 meseca	1- 2 meseca
Zagađenje životne sredine				
Nepreduzimanje mera zaštite životne sredine				
Protivpravna izgradnja i stavljanje u pogon objekata i postrojenja koja zagađuju životnu sredinu				
Oštećenje objekata i uređaja za zaštitu životne sredine	1			
Oštećenje životne sredine				
Uništenje, oštećenje, iznošenje u inostranstvo i unošenje u Srbiju zaštićenog prirodnog dobra				
Unošenje opasnih materija u Srbiju i nedozvoljeno prerađivanje, odlaganje i skladištenje opasnih materija				
Nedozvoljena izgradnja nuklearnog postrojenja				
Povreda prava na informisanje o stanju životne sredine				
Ubijanje i zlostavljanje životinja			2	2
Prenošenje zaraznih bolesti kod životinja i biljaka				
Nesavesno pružanje veterinarske pomoći				
Proizvodnja štetnih sredstava za lečenje životinja				
Zagađivanje hrane i vode za ishranu, odnosno napajanje životinja				
Pustošenje šuma		1	3	3
Šumska krađa	1	14	19	15
Nezakonit lov		3	2	
Nezakonit ribolov				2

Prema podacima iz tabele broj 11, od ukupnog broja izrečenih kazni zatvora, najteža je izrečena u trajanju od 1 do 2 godine i to samo u tri slučaja, dok je protiv najvećeg broja lica izrečena kazna zatvora u trajanju od 1 do 2 meseca, ukupno protiv 25 lica.

Tabela 11: *Broj izrecenih kaznu u toku 2009. god.*

Krivično delo – 2009. godina	**1-2 godine**	**6-12 meseci**	**3-6 meseci**	**2-3 meseca**	**1- 2 meseca**
Zagađenje životne sredine					
Nepreduzimanje mera zaštite životne sredine					
Protivpravna izgradnja i stavljanje u pogon objekata i postrojenja koja zagađuju životnu sredinu					
Oštećenje objekata i uređaja za zaštitu životne sredine					
Oštećenje životne sredine	1				
Uništenje, oštećenje, iznošenje u inostranstvo i unošenje u Srbiju zaštićenog prirodnog dobra		2			
Unošenje opasnih materija u Srbiju i nedozvoljeno prerađivanje, odlaganje i skladištenje opasnih materija					
Nedozvoljena izgradnja nuklearnog postrojenja					
Povreda prava na informisanje o stanju životne sredine					
Ubijanje i zlostavljanje životinja			1		
Prenošenje zaraznih bolesti kod životinja i biljaka					
Nesavesno pružanje veterinarske pomoći					
Proizvodnja štetnih sredstava za lečenje životinja					
Zagađivanje hrane i vode za ishranu, odnosno napajanje životinja			1		
Pustošenje šuma			1		2
Šumska krađa	2	1	13	18	20
Nezakonit lov					
Nezakonit ribolov				1	3

Na osnovu podataka iz tabele broj 12, od ukupnog broja izrečenih kazni zatvora, najteža je izrečena u trajanju od 2 do 3 godine i to samo u jednom slučaju za krivično delo nezakonit lov, dok je protiv najvećeg broja lica izrečena kazna zatvora u trajanju od 1 do 2 meseca, ukupno protiv 13 lica.

Tabela 12: *Broj izrecenih kazni u 2010. god.*

Krivično delo – 2010. Godina	2-3 godine	1-2 godine	6-12 meseci	3-6 meseci	2-3 meseca	1- 2 meseca
Zagađenje životne sredine						
Nepreduzimanje mera zaštite životne sredine						
Protivpravna izgradnja i stavljanje u pogon objekata i postrojenja koja zagađuju životnu sredinu						1
Oštećenje objekata i uređaja za zaštitu životne sredine						
Oštećenje životne sredine			1			
Uništenje, oštećenje, iznošenje u inostranstvo i unošenje u Srbiju zaštićenog prirodnog dobra						1
Unošenje opasnih materija u Srbiju i nedozvoljeno prerađivanje, odlaganje i skladištenje opasnih materija						
Nedozvoljena izgradnja nuklearnog postrojenja						
Povreda prava na informisanje o stanju životne sredine						
Ubijanje i zlostavljanje životinja						
Prenošenje zaraznih bolesti kod životinja i biljaka						
Nesavesno pružanje veterinarske pomoći						
Proizvodnja štetnih sredstava za lečenje životinja						
Zagađivanje hrane i vode za ishranu, odnosno napajanje životinja						
Pustošenje šuma					1	
Šumska krađa			1	3	5	9
Nezakonit lov	1	1	1			
Nezakonit ribolov				2	3	3

Na kraju, prema podacima iz tabele broj 13, najteža kazna zatvora, kao i u prethodnoj godini izrečena je u trajanju od 2 do 3 godine i to takođe samo u jednom slučaju za krivično delo nepreduzimanje mera zaštite životne sredine, dok je protiv najvećeg broja lica izrečena kazna zatvora u trajanju od 2 do 3 meseca, ukupno protiv 20 lica.

Tabela 13: *Broj osudjenih lica u 2010. god.*

Krivično delo – 2011. godina	**2-3 godine**	**1-2 godine**	**6-12 meseci**	**3-6 meseci**	**2-3 meseca**
Zagađenje životne sredine					
Nepreduzimanje mera zaštite životne sredine	1	1			
Protivpravna izgradnja i stavljanje u pogon objekata i postrojenja koja zagađuju životnu sredinu					
Oštećenje objekata i uređaja za zaštitu životne sredine					
Oštećenje životne sredine		1			
Uništenje, oštećenje, iznošenje u inostranstvo i unošenje u Srbiju zaštićenog prirodnog dobra					1
Unošenje opasnih materija u Srbiju i nedozvoljeno prerađivanje, odlaganje i skladištenje opasnih materija					
Nedozvoljena izgradnja nuklearnog postrojenja					
Povreda prava na informisanje o stanju životne sredine					
Ubijanje i zlostavljanje životinja				1	
Prenošenje zaraznih bolesti kod životinja i biljaka					
Nesavesno pružanje veterinarske pomoći					
Proizvodnja štetnih sredstava za lečenje životinja					
Zagađivanje hrane i vode za ishranu, odnosno napajanje životinja					
Pustošenje šuma			2		
Šumska krađa		2	5	9	14
Nezakonit lov				1	
Nezakonit ribolov			3		5

7. 5. Odbačane krivične prijave podnete protiv lica kao izvršioca krivičnih dela javnom tužilaštvu

Prema podacima iz tabele 14, od ukupnog broja prijavljenih lica, protiv 3320 lica su, od strane nadležnog javnog tužioca odbačene krivične prijave, što čini oko 30% od ukupnog broja prijavljenih lica za ova krivična dela. Najčešći razlozi odbačaja su: nije delo krivično delo i nedostatak dokaza, oportunitet, necelishodnost, poravnanje.

Tabela 14: *Broju odbačenih krivičnih prijava podnetih protiv izvršilaca*

Odbačene krivične prijave	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**
Lica protiv kojih je krivična prijava odbačena	559	506	488	576	568	623

8. Zaključna razmatranja

Rezultati istraživanja upućuje na zaključak, da svaki oblik kriminaliteta iz oblasti ekološke bezbednosti, koji je manifestovan vršenjem krivičnih dela predstavlja bezbednosni problem i bezbednosnu pretnju koja ima različite implikacije, kako na pojedince i/ili grupe, tako i na društvo u celini.

Kompleksnost koncepta ekološke bezbednosti potvrđuje činjenica da je potreba njegovog redefinisanja, odnosno integrisanja u koncept globalne bezbednosti inicirana osamdesetih godina prošloga veka od strane Ričarda Almana (*Richard Alman*) koji je zahtevao da se ekološki faktori integrišu u koncept bezbednosti.

Veza između ekologije – životne sredine i bezbednosti jeste višestruka, životna sredina može da predstavlja razlog sukoba koji su motivisani smanjenjem ili degradacijom prirodnih resursa, sa druge strane životna sredina može biti povod za sukobe koji je motivisan eksploatacijom prirodnih resursa, nezavisno od toga da li se radi o obnovljivim ili neobnovljivim resursima.

Istraživanje ukazuje da je ekološka bezbednost po pravilu tretirana kao normativni koncept, uprkos činjenici da je njeno značenje i njen okvir veoma ekstenzivan i kompleksan. Naime, postavlja se sasvim opravdano pitanje: šta je referentni predmet - objekt ekološke bezbednosti? Ako znamo da je država referentni objekt nacionalne bezbednosti, ljudska bića referentni objekt ljudske bezbednosti, privatna imovina referentni objekt privatne bezbednosti,… Sledstveno tom pitanju i datim konstantacijama, iz rezultata istraživanja može se reći da je referentni objekt ekologije celokupna ekosfera bez obzira na njeno ekstenzivno određenje.

Nadalje, rezultati istraživanja ukazuju da složeni okvir supratstavljanja ekološkom kriminalitetu treba da obuhvati sve segmente kao što su, ekološka bezbednost koja obuhvata biološku bezbednost (bezbednost biološke raznovrsnosti), bezbednost životne sredine (zaštita vode, vazduha i zemljišta) i bezbednost ekosistema.

Nalazi u istraživanje koje je sprovdeno u ovom radu na prostoru Srbije, ukazuje da je otkrivanje krivičnih delikata iz oblasti ekološke bezbednosti na izuzetno niskom nivou i da je gubitrak zločina izražen. Takođe uočavamo da je kapacitet prikupljenih dokaza u optužnom i dokaznom aspektu veoma nizak, čime se ne utiče na generalnu prevenciju svih budućih (potencijalnih) počinilaca delikata iz oblasti ekološke bezbednosti.

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ENVIRONMENTAL POLICY CHALLENGE CRIME IN REPUBILIC SERBIA AND ITS IMPACT ON ENVIRONMENTAL SAFETY

S u m m a r y

Environmental law and ecological security representing nearly two related fields that have a scientific discipline in our legal security framework introduced in the first decade of this century. Despite this fact, the legal norms that regulate the protection and safety of the environment have been studied in the framework of other disciplines, and their etymology suggests that environmental regulations have existed in the ninth century, first as a prohibitive provision „is prohibited". It is known that environmental law to a certain extent based on criminal law norms and the norms of a protective object with the environment - Ekos. The fact of regulation of a large number of offenses in this field indicates the significance of the criminal policy which is in the field of environmental law and environmental security provides criminal protection. In this paper, in addition to general introductory remarks on environmental law, environmental safety and environmental tort, consider the area of combating environmental crime, the share of primary and secondary subjects of criminal procedural and international cooperation, particularly in combating transnational environmental crime. In the end, considering the environmental impact of crime on ecological security, clarifying the possible forms of threats and extent of the reaction.

Key words: environmental law, environmental safety, environmental crime, confrontation

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BEZBEDNOSNA POLITIKA EVROPSKE UNIJE KROZ STRATEŠKU KULTURU

U ovom radu posvetićemo pažnju bezbednosnoj politici Evrposke unije kroz stratešku kulturu, a polazi se od postojećih različitih opcija za saradnju u oblasti bezbednosti i odbrane. Cilj nam je da sagledamo primenu strateške kulture Evropske unije (SK EU), kroz unapređenje međunarodne pozicije Unije, kao i njen uticaj na kreiranje politike saradnje i poverenja sa drugim kolektivitetima. Analizom fleksibilne saradnje Evropske unije, kao i pristup posebnih procedura u oblasti bezbednosne i odbrambene politike, pratićemo ambiciju i kapacitet u sprovođenju iste.

Radom se želi predstaviti ideja Evropske unije, koja omogućava svojim članicama da racionalnije sagledaju i označe okvir raspoloživih opcija za donosioce odluka. S tim u vezi, EU nastoji da izgradi sopstvene oružane snage radi zaštite samog saveza u interesno-investicionom smislu. Sagledavanjem i razumevanjem strateške kulture EU od strane država koje nisu njene članice se mogu sagledati i razlozi za jačanje sposobnosti Unije za ostvarivanje uticaja u globalnoj bezbednosti kao i predviđanje njenih budućih koraka.

Ključne reči: bezbednosna politika, odbrambena politika, Evropska unija, NATO, strateška kultura, kolektivitet, saradnja, politika, međunarodni odnosi

Uvod

Značaj strateške kulture ogleda se u njenoj sposobnost da „(predisponira kolektivitet)" ka određenim aktivnostima i politika umesto ka drugima.[1] Strateška kultura, označava komponente koje oblikuju kolektivne vrednosti, verovanja i stavove nacije - države u pogledu njene uloge u međunarodnoj areni i ukazuje na načine očuvanja ili zadobijanja te uloge. Politički sistemi, vojna struktura i kolektivni identitet nacije države selementi su koji, obično sačinjavanju njenu stratešku kulturu.

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1 John Glenn, Darryl Howlett and Stuarr Poore, „*Introduction*", in:Neorealism Versus Strategic Culture, 10

U ovako veoma složenom strateškom okruženju, kao u slučaju Evropske unije, učesnici (zemlje koje teže članstvu) nikada ne mogu biti sigurni u dugoročni efekat određenog institucionalnog izbora[2] „za" ili „protiv" članstva. Unija od svog nastajanja teži da proklamuje Evropske integracije kao mirovni projekat koji bi obuhvatao političku i ekonomsku saradnju, koja je mnogo kompleksnija unutar Zajedničke bezbednosne i odbrambene politike (ZBOP) Evropske unije[3]. Skoro da nijedan projekat integracije na evropskom nivou nije imao tako trnovit put razvoja i toliko dug inicijalni period kao što ga je imala spoljna i bezbednosna politika Unije. Evropska unija kao uspešan model bezbednosne zajednice poseduje kapacitet za integracijom i saradnjom proklamujuje jedinstvenost, ali i političku, vojnu i ekonomsku međuzavisnost njenih članica. Stvaranjem održive bezbednosne zajednice i usvajanjem niza zajedničkih vrednosti, normi, pravila i načela, predstavljaće njenu osnovu za funkcionisanje. Sama uzdržanost i diskurs u preciziranju normativnih i vrednosnih „kulturoloških" nivoa od strane Unije, utiču da određeni politički entiteti u svetu daju sud o budućem načinu angažovanja i upotrebe sile u toku konfliktnih i postkonfliktnih situacija. EU nastoji da izgradi sopstvene oružane snage radi zaštite samog saveza u interesno-investicionom smislu. Sagledavanjem i razumevanjem strateške kulture EU od strane država koje nisu njene članice se mogu sagledati i razlozi za jačanje sposobnosti Unije za ostvarivanje uticaja u globalnoj bezbednosti kao i predviđanje njenih budućih koraka. Unutrašnja organizaciona struktura, instrumenti i snaga organizacije, kao i prateća regulativa (koncepti, ugovori, sporazumi, procedure i pravila) izneti su u formi preseka trenutnog stanja u vremenskom intervalu od kraja dvadesetog veka pa do danas.

1. Bezbednosna politika EU kroz stratešku kulturu EU

Danas kada se ceo svet i dalje oseća nesigurno zbog razvoja događaja na međunarodnoj sceni, nateralo je Evropsku uniju da jasnije determiniše stavove u nameri da se politički i vojno ojača. Naime, EU su na ovakvo razmišljanje navele

[2] Ovo bi značilo prihvatanje standarda, normi ponašanja, ekonomsko-normativnih mera i obaveza kada se ima u vidu i ekonomija samih članica. Za male zemlje ovo može značiti ispit koji u krajnjem može imati kao rezultat prosperitet ili pad zbog interesnog uticaja velikih sila na njih.

[3] Sistem zajedničke spoljne i bezbednosne politike EU praktično predstavlja proces koji omogućava stalnu razmenu informacija i mišljenja o pitanjima međunarodne politike i bezbednosti. Na taj način dolazi do približavanja nacionalnih i usvajanja zajedničkih staova. Oni se, zatim pretaču u zajedničke akcije, koje bi trebalo da doprinesu izgradnji jasnog spoljnopolitičkog identita EU. Ciljevi zajedničke spoljne i bezbednosne politike (Definisani su članom 11 Ugovora o EU.) pre svega, očuvanje osnovnih spoljnopolitičkih interesa posebno nezavisnosti, bezbednosti, nepovredivost Unije, uključujući u to i postepeno definisane zajedničke odbrambene politike i odbrane, kao i obezbeđenje mira i jačanje demokratije, pravne države i ljudskih prava.

brojne krize u regionima i njihov intezitet kao i nemogućnost u pogledu njihovog budućeg razvoja događaja. Na ovakav sled događaja su uticale i turbulencije u međunarodnim odnosima i oprečnost u stavovima između samih vodećih članica što je prouzrokovalo bitne promene u državnosti nekih država sa jedne, a sa druge strane da pojedine države nestanu (prostor Balkana). Svakako da je i globalizacija uzrok da se u međunarodnim odnosima javlja dilema: „Kako i kuda dalje?", '"Na koji način posledice na regionalnom i globalnom nivou utiču po bezbednost na kraju dvadesetog veka?" i „Da li su regionalne i globalne političko-ekonomske promene uzrok pojava novih izazova, rizika i pretnji koje ugrožavaju svetski mir i bezbednost?" Odgovor verovatno leži u jačanju zajednice država kakva je i sama Evropska unija koja bi na neki način bila pandam ili pak jači partner NATO-u, što je navedeno i u njihovim strateškim dokumentima.

Nove percepcije evropske bezbednosti, jasno ukazuju da je došlo do dubokih promena globalne političko-bezbednosne scene, uključujući i prirodu bezbednosnih pretnji i rizika. Promene u oblasti bezbednosti ispoljene su upravo na evropskom kontinentu, čija je političko-bezbednosna slika za kratko vreme dobila potpuno novi izgled. Suština problema i leži u tome što se sve pretnje ne definišu i ne doživljavaju podjednako uz odsustvo saglasnosti vodećih članica Unije oko klasifikacije pretnji evropskoj bezbednosti. Prema Evropskoj strategiji bezbednosti (2003.) u glavne pretnje evropskoj bezbednosti spadaju: terorizam (nacionalnih i transnacionalnih razmera), proliferacija oružja za masovno uništavanje, regionalni sukobi, pretnje od država nestabilnih režima (naročito iz evropskog okruženja) i organizovani kriminal (lokalne i transnacionalne mreže kriminala, trgovine ljudima, oružjem, opojnim sredstvima)[4]. Proširenje EU i širenje granica Unije prema evroazijskom graničnom prostoru dovelo je navedene pretnje bliže tj nadomak granica same Unije. Danas, ni jedna evropska država nema tako velike sposobnosti da potpuno samostalno garantuje svoju bezbednost. Stoga je gotovo nemoguće samostalno obezbediti svestranu bezbednost i na regionalnom, evropskom i svetskom nivou. Zato se svi subjekti očuvanja bezbednosti moraju usmeriti na zajedničko jačanje regionalne i šire, globalne bezbednosti. Naime, razvoj zajedničke bezbednosne i odbrambene politike je oblik ostvarivanja zajedničkog spoljnopolitičkog stava EU na određene pretpostavljene izazove i pretnje. Globalna i regionalne krize i izazovi, zajedno sa razvojem EU, postavljaju sve više i značajnije zahteve u odnosu na spoljno politički nastup EU.[5]

Međutim, Unija teži da ostvari svoju pragmatičnost primenom strateške kulture sa jedne dok sa druge strane teži da redefiniše sopstvenu moć sa drugim

[4] *Strategija evropske bezbednosti",* Bezbedna Evropa u boljem svetu, Centar za međunarodne i bezbednosne poslove, Decembar 2003, 5-9.

[5] Katarina Štrbac, *"Odnos prema izazovima i komplementarnost pristupa Republike Srbije i EU"*, Zbornik radova Bezbenosni i odbrambeni aspekti priključenja Republike Srbije Evropskoj uniji, ISI, Beograd, 2010, 145

kolektivitetima. U daljem, EU svoj vlastiti političko-bezbednosni potencijal. Mada, nove tendencije u odnosima EU i NATO koje su posebno naglašene u strateškim dokumentima odnose se na jasnije razumevanje aktuelnih procesa koji se dešavaju između dva saveza, s ciljem sagledavanja potreba za jačanjem interesno-ivensticionog potencijala bezbednosti oba saveza. Primenom strateške kulture, EU nastoji da uspostavi i ostvari institucioni i organizacioni kapacitet EU na jačanju zajedničke spoljne i bezbednosne politike (ZSBP). Naime, navodi partnerstva sa NATO su u stvari predstavljeni kao pokušaj EU za uvećanjem seta odbrambenih i bezbednosnih opcija. Svojom unutrašnjom transformacijom EU namerava da preraste u garanta bezbednosti na šta je veliki uticaj bio razvoj evropske odbrambene politike. Stvaranjem evropske armije, EU teži ostvarenju evropskih interesa „drugim sredstvima" i da kroz pragmatičan pristup iskoristi komparativnu prednost u ostvarivanju meke moći u odnosu na NATO i u krajnjem istu kapitalizuje ispoljavajući značajniji vojno-civilni potencijal za očuvanje mira i bezbednosti u regionu i svetu. Istoriografski prikaz geneze zapadnoevropskog i evroatalantskog bezbednosnog zajedništva je u funkciji uočavanja kontinuiteta i lakšeg razumevanja nove evropske bezbednose arhitekture. Sama uzdržanost i diskurs u preciziranju normativnih i vrednosnih „kulturoloških" nivoa, utiču da određeni politički entiteti u EU daju sud o budućem načinu angažovanja i upotrebe sile u toku konfliktnih i postkonfliktnih situacija. Stoga se i namera EU da kroz primenu strateške kulture omogući svojim članicama da racionalnije sagledaju i označe okvir raspoloživih opcija koje imaju donosioci odluka unutar same Unije. Unutrašnja organizaciona struktura, instrumenti i snaga EU kao organizacije, kao i prateća regulativa (koncepti, ugovori, sporazumi, procedure i pravila) izneti su u formi preseka trenutnog stanja u vremenskom intervalu od kraja dvadesetog veka pa do danas.

Posebna pažnja u primeni strateške kulture EU je usmerena na saradnju sa kolektivitetom kakav je NATO i da zajednički predstavljaju garante spoljno bezbednosne politike kako u regionu tako i u svetu. U navodu razloga protiv kooperativnosti dva saveza stoji i hipotetički sagledan diskurs u odnosima EU sa NATO-SAD koji je označavao početak osamostaljivanja svakog saveza ponaosob u bezbednosnom smislu. Samostalan pristup bi se verovatno odrazio i na kredibilitet svakog kolektiviteta ponaosob, što u krajnjem vodi ka smanjenju investicionih potencijala.

Međutim, sama intencija od strane Unije na predstavljanju najznačajnijih sporazuma EU sa NATO je u fokusu za buduće vođenje bezbednosne politike kojom bi se premostio jaz u podeljenosti političkog interesnog opredeljenja njenih vodećih članica (Nemačke, Francuske i Velike Britanije). Odnosom saradnje kroz zajedničku odbrambenu politiku sa NATO-a, EU na artikulisaniji način ističe budući pravac razvoja iste, izbegavajući nesuglasice iz prošlosti. Naime, EU teži predstaviti zaokret u bezbednosnoj odbrambenoj politici Unije i njeno mesto u novom strateškom konceptu NATO-a. Zasigurno, evolucija navedenih odnosa

datira još od Lisabonskog ugovora i uloge najmoćnijih članica EU. Kakva je budućnost odnosa dva kolektiviteta kroz strateško partnerstvo je samo pokušaj uvećanja moći jednog u odnosu na drugi savez. Ovo se može pojednostaviti gledano kroz odnos dva prijatelja ili dva rivala. Navedena dilema u vidu razmatranja nivoa narastanja ili opadanja saradnje je posebno u fokusu nakon sukoba u Libiji. Najnovija dešavanja na prostoru severo-zapadne Afrike su i razlog za prevazilaženje nesuglasica i nedostataka u odnosima saradnje EU i NATO. Samim tim bi se i pojednostavili odgovori na pitanja: „Koji su razlozi EU, da izgradnjom vojnih sposobnosti Unija teži kvalitetnijem kriznom menadžmentu?" i „Na koji način EU sa NATO ostvaruje nedostatak sopstvenih potencijala? " i „Kako bi EU kapitalizovala liderstvo u mekoj moći, prezentujući se za značajnog aktera na međunarodnoj sceni?" Za EU ovakvo jasno determinisanje u razvoju odnosa se karakteriše u tri zahteva: izgradnja političke volje, povećanje kapaciteta koje države članice stavljaju EU na raspolaganje i jačanje odnosa sa SAD[6]. Stoga je imperativ da je za uspostavu saradnje neophodno da NATO mora prihvatiti EU kao ravnopravnog partnera i shvatati jačanje zajedničke bezbednosne i odbrambene politike EU kao sopstveno jačanje Unije. Kao bitan momenat je institucionalizacija saradnje radi jačanja na međunarodnoj sceni i odgovor na druge saveze Šangajska organizacija za saradnju (ŠOS) i Organizacije država za kolektivnu bezbednost (ODKB). Prvi krucijalni koraci su bili vraćanje Francuske u komandnu strukturu NATO-a i promena pravca spoljne politike SAD što je predstavljalo istorijski iskorak u odnosima EU i NATO. Od strane stručnjaka ovakvi potezi protumačeni su kao početak redefinisanja moći dvaju saveza i u krajnjem opštekorisnost za zajedničko delovanje u očuvanju međunarodnog mira i bezbednosti.

Posredno se mogu sagledati i bezbednosne posledice nerazumevanja i neprihvatanja Koncepta strateške kulture EU i to danas u uslovima kada ekonomska kriza problem čini vidljivijim duži niz godina što se u krajnjem odražava na sredstva koja se odvajaju za odbrambene potencijale same Unije. Pronaći optimalno rešenje za tešku ekonomsku situaciju je trenutno najveći izazov za sve nacionalne bezbednosne strukture, pa time i EU i zahteva radikalnije promene u pristupu i načinu rada. Imperativ EU u perspektivi i predstavlja zajednički stav vodećih članica unije da efikasnost mora biti veća, a odnos prema ispunjavanju obaveza mora biti usklađen sa realnim mogućnostima.

Samo naglašavanje mogućih opcija kroz primenu strateške kulture EU i „fino prilagođavanje" se proklamuje potreba za integracijom i da se na pragmatičan i racionalan način prihvati politička i ekonomska realnost u ostvarivanju nacionalnih interesa njenih članica. Ovakvim pristupom sama Unija jasnije naznačava i proklamuje značaj evropskih integracija. Kroz pojmovno određenje strateške kulture, uočava se njena prirodna nemogućnost sagledavanja i saznajna neuhvatlji-

[6] Kenneth Payne: *NATO Research Fellow, The European security and defence policy and NATO*, BBC News Analysis and Research, 2001-2003, 32

vost. Nejasnoća granica i različito akademsko tumačenje, izazivaju podeljenost stavova, čime se i čini da ista bude potpuno marginalizovana. Sama uzdržanost i diskurs u preciziranju normativnih i vrednosnih „kulturoloških" nivoa, utiču da određeni politički entiteti EU daju sud o budućem načinu angažovanja i upotrebe sile u toku konfliktnih i postkonfliktnih situacija. Međutim, fragilitet i nedovršenost Evropske unije (EU) zahteva jasnije terminološko razumevanje sintagme strateška kultura. Kultura kao simbolički prenosnik značenja, uključuje uverenja, rituale, norme, forme i praksu svakodnevnog života, čime se ostvaruje komunikacija o socijalnim aspektima „objektivne stvarnosti"[7].

Primenom strateške kulture stvara se potreba država članica i same organizacije, za unificiranjem zajedničkih stavova i vrednosti koji pomažu u prevazilaženju ozbiljnih prepreka u saradnji prilikom donošenja važnih odluka za rešavanje problema. Kao pojava, strateška kultura i njen razvoj datiraju od kraja blokovske podele sveta, što je čovečanstvu dalo novi okvir standardizacije i razmatranja bezbednosti savremenog sveta. Da je strah bio opravdan po Džozefu Naju, strah od mogućeg nuklearnog rata i brige za stabilnost koja je proisticala iz „ravnoteže moći i ravnoteže straha", predstavljalo je osnov za razmišljanje i preduzimanje novih koraka u bezbednosnoj zaštiti. Ovakav stav potkrepljuje činjenica da je veličinski okvir pretnje postao osnov za nove iskaze bezbednosti. Ravnoteža snaga je definitivno narušena i nastupilo je zatišje u međunarodnim odnosima, što je od strane nekih subjekata protumačeno kao „trenutak unipolarnosti", zatišje pred buru koja se sprema radi novog „istorijskog" razračunavanja velikih i potencijalnog stvaranja novih centara moći[8].

Suštinski se pojmovno određenje strateške kulture (SK) može istaći u, razmatranju odnosa identiteta i normativa koji se ogledaju u mehanizmima standardizacije članica organizacije. Filip Ejdus objašnjava stratešku kulturu, kao različitost shvatanja političkih identiteta koji su suštinski međuzavisni, uz istovremeni diskurs spoljne i bezbednosne politike. Definisanje identiteta i zastupanje ideje da se suprostavi alternativnim mogućnostima, pri čemu se kroz evoluciju razmišljanja u određivanju parametara teži standardizaciji institucionalnih odnosa unutar same države, krećući od vrha ka dole, a dok se za odnose od države ka zajednici teži standardizaciji od dole ka vrhu. Ovakvo razmišljanje se ogleda u tri okvira: prostornom, vremenskom i etičkom pri čemu se ostvareni uticaj prenosi na politički, ekonomski i vojni nivo[9]. S tim u vezi, prostor je razmatran kao model konstituisanja pri čemu se nastojalo definisati njena okvirna dimenzija. S druge strane se politički uticaj ostvaruje jačanjem i proklamovanjem vrednosti koje su normativno-pravno usvojene i standardizovane sa inten-

[7] Katzenstein J. Peter: *„Introduction: Alternative Perspective on National Security"*, y Katzenstein, P. J. (yp.) The Culture of National Security: Norms and Identity in World Politics, Columbia University Press, New York, 1996, 5-6.

[8] Naj S. Džozef: „*Kako razumevati međunarodne odnose*", Stubovi kulture, Beograd, 2006.

[9] Ejdus Filip: „*Bezbednost, kultura i identitet u Srbiji*", Centar za CVO, br.7-8, 2007, 73-74.

cijom prenošenja na države koji nisu članice zajednice. Vremenska odrednica se razmatra kroz analizu prošlosti, procenu sadašnjosti i perspektivu budućnosti.

U skladu sa iznetim, strateška kultura predstavlja specifičan skup uverenja, stavova i navika u vezi sa upotrebom sile i čuva se unutar jedne grupe, otvarajući prostor za razvoj metodološke primene kroz dugotrajan istorijski proces[10].

Bezbednosna politika Unije kroz stratešku kulturu samim tim obuhvata institucionalizaciju pravila, procedura, operacionalizaciju razmišljanja i zajedničke norme koje se sprovode radi sopstvene zaštite bezbednosnih i investicionih potencijala. Strateška kultura poseduje politički, ekonomski i vojni nivo konkretnog ponašanja, koji je regulisan zakonodavno uz obavezujuću primenljivost na sve članice zajednice. Standardizaciju nivoa i matricu ponašanja od pojedinačnog ka kolektivnom, tj. od jedne do zajednice država, obavezuje učesnice da poštuju opšteprihvaćene norme i vrednosti. U tom smislu, SK predstavlja instrument značajan za analitičko sagledavanje nacionalne uloge, a u širem smislu predstavlja jasno poštovanje standarda kolektiviteta**.**

2. Evolucija i jačanje vrednosti Evropske unije – razlog ili potreba

Izuzimajući NATO i njegovo posredstvo za unapređenjem saradnje, pristupilo se determinisanju i razumevanju bezbednosti od strane Evrope što se manifestovalo kroz kontinuirani niz pokušaja za unapređenjem stabilnosti zajednice. Početna inicijativa Evrope za stvaranjem zajednica država datira od Briselskog ugovora (1948.godina), kada je i jasno iskazana namera država potpisnica (Velika Britanija, Francuska, Belgija, Holandija i Luksemburg) za uspostavom zajedničkog štita što je značilo početak unapređenja bezbednosne saradnje. Zatim je 1952.godine, bez značajnijeg uspeha, formirana Evropska odbrambena zajednica (EDC), kao pokušaj stvaranja evropske vojske pod jedinstvenom komandom. Cilj formiranja bio je militarizovanje SR Nemačke i nadogradnja zaštite od SSSR-a. Napokon, Evropa ostvaruje značajnije korake, formiranjem Evropske političke zajednice (EPC) sa osnovnim ciljem uspostavljanja federacije evropskih država. Potpisnicama Briselskog ugovora 1954.godine, uz pridruženje SR Nemačke i Italije, formirana je Zapadnoevropska unija (WEU), radi zaštite i pružanja potpune pomoći u slučaju napada na Evropu i očuvanju mira i bezbednosti. Evropska unija u daljem kroz evoluciju unapređenja sopstvene bezbednosti zadržava osnovne postulate suvereniteta država članica. Evropski identitet, u istorijskom kontekstu, prvi put se pominje u „Dokumentu o Evropskom identitetu", usvojenom 1973.godine. Navedenim dokumentom, tadašnja Evropska zajednica (EZ) je težila da doprinese pravednijim međunarodnim odnosima, jednakosti subjekata, kao i očuvanju i ravnopravnosti u podeli prosperiteta zarad

[10] Longhurst, Kathrin: *„The Concept of strategic Culture*". In Military Sociology, ed. G. Kummel and D. P. Andreas. Baden-Baden: Nomos Verlagsgesellschaft, 2000.

nezavisnosti i jednakosti država[11]. Dalja evolucija EU, donošenjem Evropskog akta iz 1986. godine, razvija sposobnost da jedan u ime svih subjekata u kolektivitetu zastupa demokratske vrednosti savremenog društva.

Evropska unija svoje razloge za primenom strateške kulture usmerava na zajednički pristup, dajući joj integrativnu dimenziju na jednoj strani, dok na drugoj, problemski osvrt koji postavlja u zoni državnog suvereniteta i potrebu za prevazilaženje tradicionalističkog shvatanja bezbednosti. Unija nastoji da jasno determiniše norme (razlozi za) koje se ogledaju u: uobičajnoj komunikaciji i redovnim konsultacijama aktera, respektovanju identiteta kroz zajedničko poverenje, saglasnost svih aktera uz mogućnost blokade bez opravdanja i sposobnosti za uvažavanje i prihvatanje posebnih interesa drugih članica unutar debate. Jačanjem navedenih vrednosti Evropska unija kroz ZBSP predstavlja sadržaj boje i naslikanog, u odnosu na ram, kao normativni mehanizam koji sadrži srateška kultura EU. Da to i jesu vrednosti stoji u činjenici da se ogledaju u zajednički primenjivim idejama, normama i obrascima shvatanja bezbednosti država koje se mogu podešavati ukoliko nacionalni interesi nisu ugroženi. Samim tim, EU nastoji da poveća vlastiti bezbednosni potencijal i uticaj, kako na regionalnom, tako i na globalnom nivou. Značajni faktori (razlozi protiv) koji bi uslovili promenu predhodnog stava strateške kulture EU su: promene u geopolitičkoj strukturi, nedostižna tehnološka nadmoć jedne u odnosu na ostale aktere u vojnoj industriji i interesno ponavljanje grešaka i apsolutna prevlast unutar zajednice. Strateška kultura EU je „upućena" na tri mehanizma učenja, koja možda neće rezultovati korenitom transformacijom nacionalnih bezbednosnih narativa i odbrambenih identiteta u „furioznom tempu", ali će svakako, na duži vremenski rok, učiniti da postanu za nijansu „manje koncentrovani" i manje zatvoreni za nove „opcije" u jednom sukcesivnom procesu menjanja. Strateškom kulturom se operacionalizuje percepcija pretnje što i jeste jedan mehanizam koji se odnosi na činjenicu da međunarodne institucije utiču na sprovođenje normi nacionalnih predstavnika uz primenu socijalnog uticaja i medijskog posredovanja o potencijalnim krizama[12].

Značajnija potreba EU za jačanjem vojnih potencijala i briga za sopstvenu bezbednost proistekla je iz odnosa ravnoteža moći i straha i predstavlja osnov za razmišljanje i preduzimanje novih koraka u bezbednosnoj zaštiti. Potreba Evrope, da sama za sebe uzme učešće i da se zaštiti od američke „imperijalne" moći, transformišući sopstvene sposobnosti uz brzo mobilisanje ekonomskih i tehnoloških potencijala za vojne potrebe, navodi i Bžežinski. Takođe uz to dodaje, kao razlog, da su sve imperije zasnivale svoju moć na hijerarhiji svojih „vazala", potčinjenih zemalja, protektorata i kolonija, dok su svi ostali izvan ovog prostora smatrani „varvarima"[13].

[11] *Document on the European Identity*", Nine Foreign Ministers of the EC, 14. December 1973, 51

[12] Meyer C. Stephen: „*Convergence towards a European strategic culture? A constructivist framework for explaining changing norms*", op. cit., 532-543.

[13] Zbignjev Bžežinski: „*Velika šahovska tabla*", CID Podgorica, 2001, 14.

Neprepoznavanje lutajućih država koje kruže po orbiti, čini te države nemoćnim za ostvarenje sopstvenih interesa dajući im ograničenost u zastupanju interesa. Nove okolnosti većina razmagnetisanih istočnoevropskih zemalja nije ni primetila kao i nastupajuću obnovljenu blokovsku logiku i ponovljeni militarizam najmoćnijih članica EU. Ovakav sled događaja zahtevao je snažnije međunarodno aktivno učešće i jasniju artikulaciju za zajedničkim delovanjem država zajednice pri čemu je težište bilo na razvoju i institualizaciji vojnih kapaciteta EU, u kojoj bi Evropa imala značajniju ulogu u bezbednosnom međunarodnom sistemu. S druge strane nejedinstvo vodećih članica EU, oprečni stavovi o ukrupnjavanju resursa i vojnih sposobnosti, kao i raspolućen stav u implementaciji, diskreditovalo je i osporilo ulogu EU kao vodećeg aktera u međunarodnoj politici i prikazalo je kao svakako nemoćnog političkog aktera koji ima artikulisanu spoljnu politiku[14]. Ovakvim pristupom, Evropska unija nastoji da svojim postupcima detantuje ulogu najmoćnijeg saveza kakav je NATO. Njena liderska pozicija u investiranju meke moći i jeste težnja da kapitalizuje istu kroz stvaranje uslova za respektabilnijijim potencijalima u vojnom smislu. Otuda i potreba za stvaranjem sopstvenih oružanih snaga čime Evropa nastoji da preuzime odgovornost i značajniju ulogu u angažovanju vojnih snaga radi ostvarivanja pragmatične ekvivalentnosti NATO-u. Potreba za uspešnijim kriznim menadžmentom zahtevala je efikasnije, brže, postojanije i održivije donošenje odluka u rešavanju sporova i problema. Pri utvrđivanju potrebnih vrsta snaga, pored ostalog, uzete su u obzir i činjenice da savremene bezbednosne krize nisu uvek vojne ili čisto vojne, odnosno, da njihovo upravljanje nameće potrebu za angažovanjem vojnih ali sve češće i širokog spektra ne vojnih (civilnih) kapaciteta. Značajna pogodnost u tom smislu, bila je činjenica da članice EU raspolažu izuzetnim civilnim potencijalima. Stoga se Unija opredelila za koheretniji pristup rešavanja kriza uz širok spektar civilnih snaga, po principu „sve na jednom mestu", kako bi adekvatno i sveobuhvatno odgovorila na različite tipove kriza u svim fazama njihovog regulisanja. Sa ovakvim pristupom u političkom i vojnom polju delovanja su označeni i problemi od strane same EU. Prvi je različit konceptualni pristup i razmišljanje o kolektivnoj politici, a drugi je parcijalni pristup jačanju uticaja EU u međunarodnoj u navedenom polju. Kada EU deluje u svom okruženju, postavlja se niz pitanja: „U kojoj meri deluju njene najmoćnije članice?, U kojoj meri deluje EU kao celina?, Da li se ta dva nivoa mogu konceptualno razdvojiti i razlikovati?, Da li je spoljni uticaj EU samo puki zbir država članica ili postoji neka dodatna vrednost koja se stvara na nivou EU? i Da li je moguće i obrnuto - da je uticaj EU u određenim domenima (npr. odbrana i bezbednost) manji od prostog zbira njenih delova?"[15]. Pravovremena prom-

[14] Bull Hedley: *„Civilian Power Europe: a Contradiction in Term"*, Journal of Common Market Studies, vol. 21, No. 2, 1982, 149-164

[15] Karen Smith: *„EU Foreign Policy in a Changing World"* (2nd.edn) Polity Press, Cambridge, 2008

ena percepcije pretnje u ZBOP EU, za Francusku je bila oblik autonomnosti u odnosu na NATO, za Veliku Britaniju „poseban relacijski odnos" sa SAD, dok je za Nemačku to bila prava prilika da učini pomak od bezbednosnog oslanjanja i meke politike ka jačanju geostrateškog uticaja.

3. Evolucija shvatanja mogućnosti strateške kulture EU

Globalne finansijke poteškoće su Republiku Srbiju zatekle na putu evropskih integracija. Oružane snage Republike Srbije svakako neće biti u mogućnosti da nastave sa tradicionalnim načinom državnog poslovanja u istoj meri i intezitetu. Jednostavno neće biti mogućnosti za državna ulaganja u količini na koju je MO i VS do sada navikla. To će zahtevati postavljanje novih prioriteta, usklađivanje strukture, redukovanih nabavki i opremanja i u pojedinim segmentima oslanjanje na bezbednosne kapacitete EU i partnera iz regiona. Rešenje koje se prihvati kao nacionalni pristup u razvoju sposobnosti Vojske Srbije mora da ponudi opciju dugoročne efikasnosti i ako će u periodu koji dolazi biti veliki broj kratkoročnih rešenja radi ispunjenja državnih obaveza.

Uspostavljanje ravnoteže između kratkoročnih efekata i dugoročne efikasnosti dodatno će izvršiti pritisak na vojni budžet. Evropske integracije Republike Srbije ne daju Vojsci Srbije mogućnost izbora nego imperativ usaglašavanja kapaciteta odbrane sa prioritetima Zajedniče bezbednosne odbrambene politike EU. Transformacija i prilagođavanje strukture sa onom koja postoji kod država članica EU je najveći izazov. Zahtevaće odricanje od sistema i struktura koje su stvarane za potrebe drugih vrsta bezbednosnih pretnji u odnosu na savremene i pretnje u budućnosti. Vojska Srbije je prepoznata od zemalja EU da ima potencijal lidera sveukupnih društvenih promena u RS, i da se ne bi ugrozila evropska perspektiva, najteži zadatak će biti da se na racionalan način odrekne konformizma, da uskladi trenutne odbrambene obaveze sa zahtevima dugoročnih nacionalnih ciljeva RS kao aktivnog partnera u okviru ZBOP EU i da pronađe optimalan balans i pomiri dve dijemetralno suprotne kategorije - smanjenjem vojnog budžeta ostvariti dugoročnu efikasnost.

Na putu evropskih integracija, Vojsku Srbije očekuju dva glavna izazova:

- da bude neodvojivi deo integrisanog pristupa državnih institucija RS u ostvarenju strategijsko političkih ciljeva usmerenih ka članstvu u EU i zahtevima ZBOP, i
- da transformacijom dosegne nove sposobnosti kojima treba odgovoriti na savremene i pretnje u budućnosti.

Primenom novog pristupa i implementaciji strateškog koncepta, Evropska unija svojim jedinstvenim stavom u primeni i uz jedinstvo najmoćnijih njenih članica iskazuje harmoničan partnerski odnos sa NATO. Razvijanjem meha-

nizama poštovanja uzajamnih pravila u institucionalizovanim telima EU su se ostvarili preduslovi za pravovremeno uzbunjivanje pre početka krize. Ovakav pristup rešavanja problema onemogućava eskalaciju i globalizaciju krize s ciljem međuzavisnog promovisanja dobrosusedskih odnosa integrisanih subjekata regiona. Konkretan razvoj političkih sposobnosti je krunisan formiranjem Političko-vojnog komiteta sa jedne, dok sa druge strane, Vojni komitet EU i Vojni štab su predstavljali deo novoformiranih vojnih sposobnosti (Kelnski i Helsinški samit 1999.). Sasvim je jasno da EU kroz posedovanje diplomatske i ekonomske moći na međunarodnoj sceni želi da preuzme ulogu lidera i da kroz primenu strateške kulture materijalizuje svoju prednost. Druga prednost EU kroz primenu strateške kulture ogleda se u nastojanju da se predstavi kao respektibilan faktor u odgovoru na kompleksne krize i nove bezbednosne izazove[16]. Međunarodno aktivno učešće i jasnoća artikulacije za zajedničkim delovanjem, pored zahteva za percepcijom trećih država, zahtevala je razvoj i institualizaciju strateške kulture EU, u kojoj bi Evropa imala značajniju ulogu u međunarodnom sistemu[17]. Aranžmanom Berlin plus su predviđene mere i sredstva za jačanje Unije u spoljnopolitičkom i vojnom smislu u cilju komplementarnosti sa drugim savezima (NATO). Ta komplementarnost, danas se ogleda u sadržanosti dokumenata i zajedničkom determinisanju saradnje kako bi se izbeglo dupliranje resursa. Objedinjavanjem elemenata saradnje u bezbednosti u jedan praktični okvir dobija se funkcionalno i realno napredniji sistem bezbednosti. Po Ričardu Koenu, prvi prsten bezbednosti se ogleda u unapređenju i zaštiti ljudskih prava građana unutar države i građana država članica saveza (pojedinačna bezbednost), drugi prsten bi predstavljao održavanje mira unutar njihovog zajedničkog prostora (kolektivna bezbednost), dok treći prsten predstavlja uzajamnu vojnu zaštitu članica saveza od agresije ili pretnjama agresijom koja dolazi izvan saveza (kolektivna odbrana) i suštinski najbitniji četvrti prsten bezbednosti nastoji da spreči i preduhitri nestabilnost upotrebom svih diplomatskih sredstava i u krajnjem neizuzima mogućnost za upotrebom sile (unapređenje stabilnosti). Ovakav vid saradnje u bezbednosti predstavlja strateški sistem koga čine državne liberalne demokratije, uvezane u mrežu formalnih i neformalnih saveza i institucija koje prepoznaju zajedničke vrednosti, iskazujući nedvosmislenu nameru da praktično i transparentno ostvaruju saradnju u oblasti ekonomije, politike i odbrane[18]. Novi pristup prstenovanja bezbednosti ima za cilj jačanje kolektiviteta (sateliti) koji prolaze po utvrđeno dogovorenoj orbiti i stvaraju međuzavisan i povezan odnos samih država članica. Aspiracije Evrop-

[16] Gnesotto Nicole: „*The need for a more strategic EU*“, What ambitios for European Defence in 2020, EU Institute for Security Studies, 29

[17] Hill Cristopher: „ *The Capability-Expectations Gap, or Conceptualizing Europe's International Role*“,2006, 309.

[18] Koen Ričard i Mihalka Majkl: „*Saradnja u bezbednosti-Novi horizonti bezbednosti*“, Rasprave Centra Džordž Maršal br. 3, 2005., 8-12.

ske unije da u svoje institucionalno okrilje privuče što više zemalja primenom meke moći, predstavljaju i težnju.

Strateška kultura EU se može tumačiti kao političko i institucionalno poverenje, prihvatanje legitimnih i delotvornih instrumenata politike i procesa za upravljanje i razmeštanje vojne sile u cilju priznavanja EU kao legitimnog aktera sa vojnim sposobnostima[19]. Razumevanjem geostrateških interesa velikih zemalja mogu se izbeći neprilike u vidu konzumiranja bezbednosti od strane zemalja koje su neopredeljene. Ovo navodi na razmatranje političkog kursa država koje nisu članice saveza u cilju sopstvene bezbednosne sigurnosti, čime se u vidu napredka države jasnije perceptuju i konkretizuju ekonomski koraci u budućnosti ogledani u interesno investicionom potencijalu samih saveza.

Naime, sa jedne strane, strateška kultura je sagledana kroz proces razvoja normativno-pravno definisanih normi i stavova ponašanja, a sa druge strane kroz instituciono jačanje mehanizama koji su usklađeni sa novim izazovima i okolnostima u kojima zajednica štiti vlastiti interes, prvenstveno preventivnim delovanjem, a u krajnjem se pribegava angažovanju vojnih kapaciteta u cilju zaštite država članica i saveza u celini. Odlike strateške kulture EU su: (1) norme; (2) ideje i praksa i (3) osporenost identiteta. Realistički pristup i argumentacija navode da se strateška kultura EU može razmatratrati kao shvatanje za preventivnim reagovanjem na određeni bezbednosni izazov.

Strateška kultura se ogleda i u jačanju Zajedničkoj bezbednosno odbrambenoj politici (ZBOP) i predstavlja prelaz da se balansa pretnji koncentriše na balans moći. Ovakav pristup realista zasniva se na želji za autonomijom i potrebom za pariranjem kroz odgovor na velesilu SAD i njen uticaj u svetskoj politici i multipolarnost u Evropi[20]. Upotreba parcijalne strategije mekog balansiranja i neagresivnih sredstava u opiranju svetskoj dominaciji SAD, navelo je EU da preispita jačinu ZBOP. Razlozi za preispitivanje Evropske bezbednosne odbrambene politike su: stalna težnja za dominacijom između Velike Britanije i Francuske, tradicionalno rivalstvo Nemačke i Francuske i potreba za jače vezivanje Nemačke za Evropu. Sa druge strane, konstruktivisti smatraju da ZBOP zavisi od diplomatsko-ekonomskih jačanja, prezentujući političku kulturu EU u krajnjem kao osnov za uključenje i kapitalizovanje sopstvenih aktivnosti kroz angažovanje vojne i civilne komponente. Insistiranje na tradicionalim modalitetima odbrane i stvaranje perspektive moći, označeno je kao angažovanje sile i ispoljavanje snage[21].

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[19] Cornish Paul. и Geoffrey Edwards: „Beyond *the EU/NATO Dichotomy: The Beginnings of a European Strategic Culture*“, International Affairs, 77(3), 2001.

[20] Jones Seth.: „*The Rise of European Security Cooperation*“, Cambridge University Press, Cambridge, 2007.

[21] Giegerich. B.: „*European Security and Strategic Culture*“: NationalResponses to the EU's Security and Defence Policy, Nomos, Baden Baden, 2006.

4. Unapređenje saradnje u bezbednosti

Uloga Evropske unije na međunarodnoj političko-bezbednosnoj sceni i mogući pravci njenog daljeg razvoja sagledani kroz genezu uspostavljanja i razvoja spoljnopolitičkih, bezbednosnih i odbrambenih sposobnosti. U tom smislu navedene sposobnosti na relaciji države članice-organizacija EU čine tri segmenta: institucije, instrumenti i sredstva.

ZSBP predstavlja politički okvir spoljno-političkog i bezbednosnog nastupa EU, u kome ona razvija, usklađuje i sprovodi zajedničku evropsku spoljnu i bezbednosnu politiku u cilju očuvanja evropskih interesa i vrednosti, jačanja opšte evropske bezbednosti i jačanja uloge EU u oblasti međunarodnih odnosa i bezbednosti.

Ciljevi ZSBP (uključujući i ZBOP, kao njen sastavni deo) i akcija Unije prema Lisabonskom ugovoru (tačka 2, član 21, Opšte odredbe o spoljnom delovanju Unije, Glava V), su:

- očuvanje vrednosti, osnovnih interesa, bezbednosti, nezavisnosti i integriteta Unije;
- učvršćivanje i podržavanje demokratije, pravne države, prava čoveka i principa međunarodnog prava;
- očuvanje mira, sprečavanje konflikata i jačanje međunarodne bezbednosti u skladu sa ciljevima i principima sadržanim u Povelji Ujedinjenih nacija;
- davanje podrške dugoročnom razvoju na ekonomskom i socijalnom planu, kao i zaštiti životne sredine u zemljama u razvoju;
- podsticanje integracije svih zemalja u svetsku privredu, koje uključuje i postepeno eliminisanje prepreka u međunarodnoj trgovini;
- doprinos razradi međunarodnih mera za očuvanje i poboljšanje kvaliteta životne sredine i dugoročnog upravljanja svetskim prirodnim resursima, u cilju osiguranja dugoročnog razvoja;
- pružanje pomoći stanovništvu, državama i regionima suočenim sa prirodnim katastrofama ili izazvanim ljudskim faktorom;
- unapređenje međunarodnog sistema zasnovanog na pojačanoj multilateralnoj saradnji i dobrom vođenju svetskih poslova.

Izgradnja vojnih sposobnosti postaje aktuelna tema najviših organa Unije tek posle Francusko-Britanskog Samita u St. Malou (1998.). Deklaracijom sa ovog Samita lideri dve ključne članice EU nedvosmisleno su iskazali jedinstven stav o potrebi da EU „ima na sopstvenom raspolaganju kredibilne vojne kapacitete za regulisanje kriza na evropskom prostoru i adekvatnu ulogu u međunarodnoj bezbednosti“[22]. Značaj Deklaracije iz St. Maloa uvećan je činjenicom da je u

[22] Anglo-French Summit at St-Malo: „*Declaration on European Defence*“, EU Security and Defence Policy: The first five year (1999-2004), ed. by Nicole Gnesotto, IISS EU, Paris, 2004, 261.

njenom kreiranju, kao jedan od inicijatora, učestvovala Velika Britanija, do tada uglavnom indiferentna, pa čak i suprotstavljena idejama o bilo kakvom samostalnom evropskom vojnom projektu. Ovaj zaokret u britanskoj spoljnoj politici, od naglašeno „pro-atlantske" prema „pro-evropskoj" orijentaciji, naročito se pozitivno odrazio na jedinstvo i odlučnost članica EU za dalje jačanje ZSBP i uspostavljanje posebne evropske politike za oblasti bezbednosti i odbrane. Ključni sadržaj Deklaracije čine dva stava: (1) Unija treba da bude u poziciji da igra punu i adekvatnu ulogu na međunarodnoj sceni. U tom smislu, od Evropskog saveta se traži da donese odluku o razvoju zajedničke bezbednosne i odbrambene politike u okviru ZSBP, i (2) Unija mora da ima kapacitete za autonomnu akciju, bazirane na kredibilnim vojnim snagama, sredstvima i spremnosti za njihovu upotrebu, da bi mogla da odgovori na međunarodne krize.

Funkcionisanje EU je instrumentalizovano a sama operacionalizacija se manifestuje kroz: propise, direktive, odluke, preporuke i mišljenja.

Propisima se države članice obavezuju za njihovu primenu i poštovanje.

Direktive obavezuju sve države članice na koje se odnose i koje su učestvovale u njihovom donošenju ali je na nacionalnim vlastima članica izbor formi i metoda realizacije.

Odluke su obavezujuće u potpunosti. U specifičnim slučajevima odlukama može biti regulisano na koga se samo odnose.

Preporuke i mišljenja nemaju obavezujuću snagu, već se odnos i obaveznost ističu kroz njihov sadržaj. Međutim u oblasti ZSBP (uključujući i ZBOP, kao njen sastavni deo) pravna instrumenta koja Savet EU može koristiti razlikuju se od zakonskih akata, odnosno, nemaju snagu pravnih akata.

Zajedničke pozicije (gledišta ili stavovi) definišu poglede i spoljnu politiku EU prema posebnim pitanjima (tematske prirode) u trećim zemljama (na primer, ljudska prava, demokratija), određenim regionima (stabilnost) ili aktivnostima međunarodnih institucija i organa (na primer, prema aktivnostima Međunarodnog suda za ratne zločine). Posle usvajanja zajedničkog stava, od zemalja članica se zahteva da obezbede da njihove državne politike ostanu na spoljnopolitičkoj „liniji" koju je usvojila EU.

Zajedničke odluke se odnose na preduzimanje koordiniranih zajedničkih akcija članica Unije i angažovanje zajedničkih resursa da bi se ostvarili ciljevi zajedničke spoljne, bezbednosne i odbrambene politike. One se donose (usvajaju) u situacijama koje zahtevaju da EU, umesto jednostavnog usvajanja političkog stava, preduzme "operativnu akciju". Odluke o zajedničkoj akciji (operaciji/misiji) usvaja Savet EU u skladu sa procedurama donošenja odluka. U principu, odluke u oblasti ZSBP/ZBOP, naročito ako imaju i odbrambene (vojne) implikacije se donose jednoglasno.

Zajedničke strategije kao instrument EU u oblasti ZSBP uvedene su sa ciljem da se na uređen način prikažu sveobuhvatni srednjoročni i dugoročni pogledi EU u odnosu na najznačajnija spoljnopolitička i bezbednosna pitanja, definišu ciljevi,

prioriteti i resursi za njihovo ostvarivanje. Zajedničke strategije usvaja Evropski savet na preporuke Saveta EU za one oblasti, zemlje i regione u kojima EU ima posebne interese. U oblasti opšteg spoljno političkog nastupa prema okruženju EU, razvijene su tri posebne strategije: Strategija stabilizacije i približavanja, Strategija proširenja i Evropska politika (strategija) odnosa prema susedstvu.

U skladu sa tim Evropska unija je formulisala i usvojila zajedničku, Evropsku strategiju bezbednosti - ESB[23], tek deceniju posle osnivanja, 12. decembra 2003. godine. Donošenje Evropske strategije bezbednosti predstavlja istorijski događaj, ne samo za post-modernu Evropu, nego i uopšte za sistem međunarodnih odnosa. Ona predstavlja najviši izraz samostalne, evropske bezbednosne politike za očuvanje evropske bezbednosti i adekvatan evropski (zajednički) doprinos međunarodnom miru i bezbednosti. Osnovna namena ESB je da omogući Uniji efikasnije suočavanje sa novim regionalnim i globalnim izazovima i pretnjama i veći doprinos stvaranju globalnog multilateralnog sistema. Evropska strategija bezbednosti (ESB) na jasan način afirmiše opravdanost i potrebu jačanja uloge i odgovornosti EU u evropskoj i globalnoj bezbednosti.

Prema ESB, glavne pretnje evropskoj i međunarodnoj bezbednosti dolaze prvenstveno od: (1) terorizma; (2) nekontrolisanog širenja OMU; (3) regionalnih sukoba; (4) nestabilnih državnih režima, tj. slabih država i (5) organizovanog kriminala. Naglasak Strategije na potrebi jačanja vojne moći za odgovor na savremene izazove bezbednosti, ne znači napuštanje generalnog bezbednosnog koncepta EU, prema kome rešenje kompleksnih bezbednosnih pitanja u savremenom svetu mora biti pre svega političko i globalno, predvođeno od OUN, a upotreba sile nije glavni način očuvanja bezbednosti. Bezbednosni koncept koji daje Strategija, potvrđuje široku lepezu aktivnih mera EU, samostalno i u saradnji sa ostalim međunarodnim subjektima, pri čemu je težište izraženo na političkim, diplomatskim i drugim ne vojnim merama. Tek kada takve mere ne daju rezultate, onda se mogu primeniti akcije prinude u skladu sa Poveljom UN (glava VII) i međunarodnim pravom, kao što su sankcije, blokade, do korišćenja sile. Prema tome, u pristupu očuvanja evropske i globalne bezbednosti ESB daje značajnu ulogu i primarnost ne vojnim činiocima i međunarodnim organizacijama, dok je upotreba vojne sile poslednje sredstvo i obavezno zahteva odluku SB OUN[24].

Namera iskazana u Evropskoj bezbednosnoj strategiji bila je aktivnije angažovanje vojnih potencijala kroz značajnije uvećanje uloge u međunarodnim odnosima, čime je kroz oznaku pretnji i izazova krunisana želja da se poveća i nivo bezbednosti šireći je od sebe ka drugim regionima. Kroz kooperativni pristup, EU prevashodno želi da stabilizuje probleme u vlastitom okruženju. Težeći balansu sa strateškim partnerom SAD-NATO i pružanjem pomoći u civilnim resursima (diplomatske aktivnosti, trgovinsko-ekonomske mere, razvojna koop-

[23] „Strategija evropske bezbednosti", Bezbedna Evropa u boljem svetu, Centar za međunarodne i bezbednosne poslove, Decembar 2003,106-109

[24] Ibid.

eracija i humanitarna pomoć), EU želi da poveća i konkretizuje nivo partnerske saradnje. Konkretizacija saradnje između EU i NATO, kao i njen okvir, definisani su 2003. godine, Aranžmanom Berlin plus. Nakon šestogodišnjeg pregovaranja, regulisano je strateško opredeljenje do 2010.godine, korišćenje NATO vojnih potencijala u operacijama pod vođstvom EU, omogućavanje pristupa EU operativnom planiranju NATO-a, dostupnost angažovanja Vrhovne komande savezničkih snaga u Evropi (SHAPE) za potrebe operacija EU i adaptacija sistema planiranja odbrane NATO, na način da NATO snage budu na raspolaganju i za operativne potrebe pod rukovodstvom EU. U konačnom rezultat političkih usaglašavanja bio je nastanak i razvoj borbenih grupa EU koji je manifestovan kroz koncept „brzog odgovora". Sa vojne tačke gledišta „brzi odgovor" se odnosi na specifičnu sposobnost koja omogućava brzo reagovanje na krizne situacije i sprečavanje njene dalje eskalacije. Zaključeno je da je taj način zantno efikasniji jer omogućava sprečavanje eskalacije krize.

Unapređenjem saradnje u oblasti bezbednosti za EU znači da ona uzima aktivniji pristup u razrešavanju problema u njenoj inicijalnoj fazi i promoviše uspešniji krizni menadžment i efikasniji način za rešavanje sporova i problema. Od vitalnog interesa je za sve aktere saveza, a i za one koje to nisu, da razumeju vreme i okolnosti u kojima isti egzistiraju. Evropska unija kroz primenu strateške kulture EU označava međuzavisnost poverenja i interesa u deobi zajedničkih rizika i pretnji, kao i njihovo usklađivanje, shodno uticaju i investiranju uz podelu troškova i benefita od unapređenja stabilnosti.

Jačanjem sopstvenih oružanih snaga kreira i balans moći i nastoji da ozvaniči, determiniše evropski identitet i ostvari uticaj u odnosu na druge saveze kroz institucionalizovanje i strateško opredeljenje. Izbegavanjem dupliranja sa NATO u vojnom smislu, EU teži da obrazuje nove zidove u odnosu na članstvo i nečlanstvo radi bezbednosne i ekonomske zaštite samog saveza. Jačanjem sopstvene vojne komponente kroz Koncept BG, EU promoviše partnerski odnos uz prilagodljivost članica za opšti interes, bez političkog omamljivanja i demagogije uz izuzimanje davanja obećanja unapred, čime želi povećati politički, ekonomski, a prvenstveno vojni uticaj na globalnoj političkoj sceni. Nema dileme da će članice EU i ubuduće nastaviti da jačaju zajedničke kapacitete i sposobnosti za delotvornu realizaciju interesa i ciljeva utvrđenih u okviru ZBOP, prilagođavajući njihovu fizionomiju i kvalitet zahtevima za uspešan odgovor na postojeće i nove bezbednosne izazove, rizike i pretnje, s jedne, i mogućnostima njihove održivosti, s druge strane. U tom smislu, centralizacija postojećih i uspostavljanje novih zajedničkih vojnih i civilnih kapaciteta (na bilateralnoj i multilateralnoj servilnoj osnovi) vidi se kao najracionalniji i najefikasniji put jačanja sposobnosti EU za uspešan odgovor na bezbednosne izazove novog vremena.

Zaključak

Spoljno-politički kredibilitet Unije je u praksi uvećan preko Visokog predstavnika koji joj omogućava da jednim glasom u ime članica saveza učestvuje u rešavanju kriznih sporova. S druge strane, same države članice kroz izbor da ozbiljno investiraju u zajedničku spoljnu politiku kao „odskočnu dasku" za širi globalni uticaj ili da povremeno koriste zajedničke inicijative kada nacionalne ili druge opcije koje nisu moguće ili su manje povoljne.

Nema dileme da će članice EU i ubuduće nastaviti da jačaju zajedničke političlke kapacitete i sposobnosti za delotvornu realizaciju interesa i ciljeva utvrđenih u okviru ZBOP EU, prilagođavajući njihovu fizionomiju i kvalitet zahtevima za uspešan odgovor na postojeće bezbednosne izazove, rizike i pretnje, s jedne, i mogućnostima ekonomske i vojne održivosti, s druge strane. U tom smislu, centralizacija postojećih i uspostavljanje novih zajedničkih vojnih i civilnih kapaciteta (na bilateralnoj i multilateralnoj servilnoj osnovi) vidi se kao najracionalniji i najefikasniji put jačanja sposobnosti EU za uspešan odgovor na bezbednosne izazove novog vremena. Naime, uspostava neposrednih konsultacija oko najvažnijih pitanja koja je u praksi izvedena formiranjem evroatlanskih tela za komunikaciju (Radne grupe za transatlantske odnose). Daljim institucionalnim razvojem, EU teži razvoju mehanizama za rešavanje problema u njenoj inicijalnoj fazi. Stoga, Unija nastoji da onemogući dalju eskalaciju krize po principu „iniciranja i nametanja političkog rešenja, a zatim da kroz institucije obezbedi ekonomsku isplativost."

Formiranjem evropskih snaga, predstavljao je polaznu osnovu za angažovanje iako iste nisu bile u mogućnosti da se angažuju samostalno bez vodeće članice NATO-a (SAD) zbog neposedovanja strateškog vazdušnog transporta. Međutim, Unija se novim strateškim dokumentima i partnerstvom sa NATO, opredelila za značajnije angažovanje vojnnih i civilnih potencijala radi ostvarivanja većeg uticaja na očuvanju mira i bezbednosti u regionu i svetu. Kada se uzmu u obzir vojni potencijali za angažovanje u kriznim područjima koje poseduju najmoćnije države članice Evropske Unije navodi na zaključak da su isti efikasniji i veći u odnosu na deklarisane snage samog saveza.

Početak saradnje EU u bezbednosti sa NATO je bio donekle konfuzan i neko vreme je tekao prilično sporo zbog nedeklarisanja vodećih članica Unije, da EU treba da bude samoostalni subjekt evropske bezbednosti i odbrane. Uspostavom sopstvenog političkog okvira u oblasti zajedničke spoljne i bezbednosne politike (ZSBP) stvari su postale sasvim drugačije. Naime, EU kroz poverilački odnos sa Alijansom je izbegla razgraničenje sa NATO u bezbedonosnom smislu, predstavljajući se za partnera, a ne „vazala". Stoga će i buduća saradnja EU i NATO biti usmerena na razvoj osetljivih, povremeno protivurečnih odnosa sa složenom međuzavisnosti dva kolektiviteta uz stalni nadzor od strane suprematije kakva je NATO. U tom smislu, centralizacija postojećih i uspostavljanje

novih zajedničkih vojnih i civilnih kapaciteta (na bilateralnoj i multilateralnoj servilnoj osnovi) vidi se kao najracionalniji i najefikasniji put jačanja sposobnosti EU za uspešan odgovor na bezbednosne izazove novog vremena.

Kada je u pitanju Republika Srbija, obim učešća u zajedničkoj bezbednosnoj i odbrambenoj politici EU, zavisiće od trenutnih i budućih materijalnih mogućnosti. Svakako da bi bezbednosni prioriteti na nacionalnom, regionalnom i međunarodnom nivou uticali na dalji sled događaja.

Republika Srbija svojim aktivnim angažovanjem snaga sistema odbrane u multinacionalnim operacijama i misijama za upravljanje krizama koje se sprovode pod okriljem EU nastoji da iskoristi ponuđeni okvir za uključenje u zajedničku bezbednosnu i odbrambenu politiku Evropske unije.

Ostali mogući oblici integracije RS u ZBOP EU su:

1) Uključenje sistema odbrane Republike Srbije u institucijalnu i političko-vojnu dimenziju Evropske unije,
2) Učešće u inicijativama za izgradnju (vojnih i civilnih) odbrambenih sposobnosti EU;
3) Učešće Vojske Srbije u snagama za brzo reagovanje (borbenim grupama) EU;
4) Učešće Žandarmerije Ministarstva unutrašnjih poslova RS u Evropskom žandarmerijskom korpusu i
5) Uključenje Republike Srbije u rad Evropske odbrambene agencije (EDA), kome bi trebalo da prethodi potpisivanje odgovarajućeg administrativnog aranžmana.

Vojska Srbije je prva prepoznala značaj uključenja u aktivnosti i saradnju unutar ZBOP EU što je strategijskim dokumentima predstavljeno, a kasnije i u praksi primenjeno angažovanjem npr. dva pripadnika u misiji u Somaliji (EU NAVFOR, ATALANTA) i Ugandi (EUTM). Do sticanja punopravnog članstva u samu EU, Republika Srbija je uzela u obzir i iskustva suseda, a posebno Rumunije koja je već u pretpristupnoj fazi opredelila značajne resurse za učešće u EBOP/ZBOP, kao i iskustva Norveške, Turske, Ukrajine, Hrvatske i Makedonije, koje učestvuju u zajedničkoj bezbednosnoj i odbrambenoj politici EU, iako nisu članice Evropske unije. Stim u vezi se naglašava značaj opredeljenja Republike Srbije da razvija veće mogućnosti za saradnju sa NATO i EU u oblastima bezbednosti i odbrane. Republika Srbija bi na ovaj način kroz razvoj sopstvenih odbrambenih kapaciteta u okviru programa NATO za partnere, dostigla interoperabilnost sa državama-članicama NATO i EU i stvorila realne mogućnosti za učešće u okviru zajedničke bezbednosne i odbrambene politike EU, čime bi poboljšala svoj politički kredibilitet i poziciju u međunarodnom okruženju.

Međutim, kapacitete koje bi Republika Srbija angažovala u ZBOP EU zavisiće od nivoa njene ambicije, trenutnih i budućih materijalnih mogućnosti i bezbednosnih prioriteta na nacionalnom, regionalnom i međunarodnom nivou. Aktivno uključenje Republike Srbije u ZBOP EU, može unaprediti trenutne

spoljnopolitičke pozicije države, pozitivno uticati na njen položaj u opštim i bezbednosnim međunarodnim integracijama i doprineti da u međunarodnoj zajednici bude prepoznata kao subjekat, a ne pretežno objekat uspostavljanja bezbednijeg regionalnog i globalnog okruženja.[25] Veće angažovanje Vojske Srbije u multinacionalnim operacijama pod vođstvom EU bi omogućilo njenu modernizaciju i efikasnije ispunjenja zadataka propisanih Ustavom bez izazivanja bezbednosne dileme kod najuticajnijih država-saveza.

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EUROPEAN UNION SECURITU POLICU THROUGH STRATEGIC CULTURE

S u m m a r y

In this paper, we shall pay attention to the security policy of the European Union, through the strategic culture, starting from the existing various options for cooperation in the field of security and defense. Our goal is to look at the implementation of the Strategic Culture of the European Union (EU SK), research ways to improve the international position of the Union and its impact on policy cooperation and trust with other collectives. Analysis of flexible cooperation between the European Union, as well as access to special procedures in the field of security and defense policy, we will follow the ambition and capacity in implementing the same.

Paper aims to introduce the idea of the European Union, which allows its members to rationally consider and check the box of options available to decision makers. In this regard, the EU seeks to build its own armed forces to protect the association of interests-investment terms. Reviewing and understanding the strategic culture of the EU by countries that are not its members can be seen as reasons for strengthening the capacity of the Union for the realization of the impact of the global security as well as predicting its future steps.

Key words: security and defense policy, European Union, NATO, strategic culture, collectivity, collaboration, politics, international relations

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Original scientific paper

COST MANAGEMENT IN THE INTERNAL VALUE CHAIN OF INTEGRATED APPLICATION OF ACTIVITY-BASED COSTING, KAIZEN CONCEPT AND TARGET COSTING

The objective of this paper is an effort to view the possibilities of integrated use of target costing, activity based costing and Kaizen concept in the internal value chain as the central link of the entire chain. The idea is to stimulate the company management to think about the costs, position they take in the structure of price cost and their influence on forming the sales price since it is very important to produce right product for the consumer, of desired quality and functionality but along with as low production costs as possible. It is therefore needed to construct the right design of a product and provide its production at the shortest possible time along with as low costs as possible which will impact the efficiency of the entire value chain.

Key words: integrated application, Activity Based Costing, Kaizen Costin, Target Costing, internal value chain

Introduction

In business environment characterized by uncertainty and turbulence, cost management becomes the crucial factor of a company's success and keeping and upgrading of its competitiveness. In an effort to create a successful business strategy that might respond to all challenges of modern environment, company management has to possess a quality database that could generate various information upon request.

Michael Porter, creator of the concept of generic strategies emphasizes that the competitive advantage is the essence of all strategies and the selection of a strategy is actually the selection of type and size of competitiveness that a company wants to achieve.[1] Among generic strategies, costs leadership strategy deserves special attention; by selecting it a company aspires to achieve the

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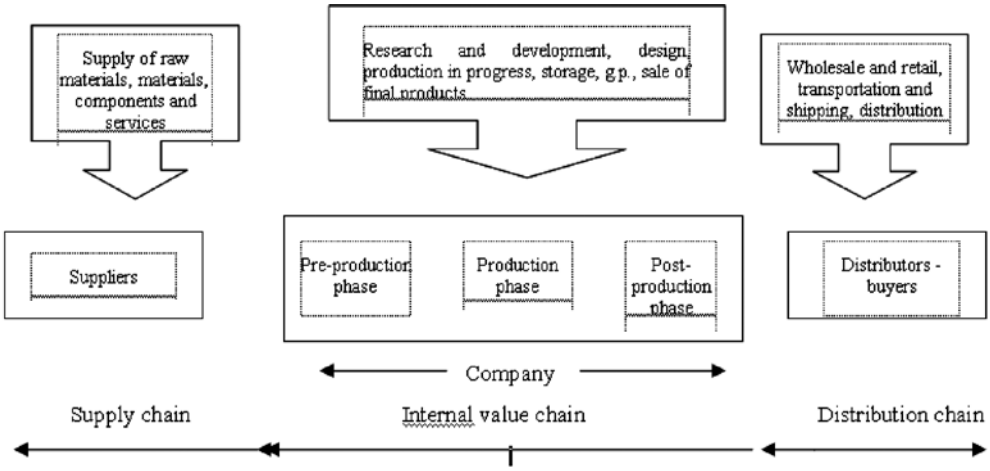
[1] M. Porter, 1996 „What is Strategy", Harvard Business Review, November December, p. 68

most favorable costs position in an industry which enables it to achieve price competition.

Competitive advantage, and therefore generating value for stakeholders, is possible to achieve by efficient application of well-formulated business strategy, adequate value chain analysis directed towards identification of activities creating value and establishing relations between them, which should contribute to the increased product competitiveness – either by reduction of costs or improvement of quality and functionality.

However, with the change in business conditions, where the change is the only constant, there appears a new strategy being more compatible to new business conditions and is called confrontation strategy. Radical changes in modern business environment forced companies to realize that generating value is no longer the question of one company but the entire value chain since today it is no longer enough to be the best in an industry but it is necessary to be part of the most successful value chain.[2] In other words, an internal value chain of a company is part of the total value chain including supply chain and distribution chain. (Figure 1)

Figure 1: *Integrated value chain of a company* [3]



Therefore, companies, in today's business conditions, must strategically manage costs in the entire value chain which creates the need for integrated

2 V. Sekerez "Virtual Supply Chains as a Framework for Integrated Costs Management in Supply Chain" Available on the Internet

3 S.Malinic, D. Jovanovic, 2011., Implementation of Integrated Concepts of Cost Management in Value Chain – Strategic Approach TC and ABC, *Accounting 11-12,* Association of Auditors and Accountants of Serbia, Belgrade, p. 31

application of two or more systems and concepts of costing throughout the entire value chain. Aspiration of a company to achieve competitive position at the segmented market through efficient production, cost management and successful implementation of costs leadership strategy within the value chain, and, above all within internal chain, is a stimulus for integrated application of modern concepts of cost management.

The objective of this paper is an effort to view the possibilities of integrated use of target costing, activity based costing and Kaizen concept in the internal value chain as the central link of the entire chain. The idea is to stimulate the company management to think about the costs, position they take in the structure of price cost and their influence on forming the sales price since it is very important to produce right product for the consumer, of desired quality and functionality but along with as low production costs as possible. It is therefore needed to construct the right design of a product and provide its production at the shortest possible time along with as low costs as possible which will impact the efficiency of the entire value chain.

The need to consider costs incurred in the process of design and development of the product, as well as the costs in post-production phases requires finding new concepts of calculation and management of costs such as, among others, activity-based costing, target costing and Kaizen costing. Application of modern systems of costing and their integration in the process of cost management would provide a quality database that would be the basis for making business decisions.

Researches in the area of management accounting confirmed that the greatest savings in costs can be achieved in pre-production phase, i.e. in product design phase and target costing as market-oriented system of costing is characteristic for pre-production phase and is directed towards achieving of the target costing of product production.

Activity based costing is characteristic for production phase and part of pre-production phase related to the phase of achieving of target cost. Significance of application of ABC lies in providing precise information on the product price cost and on global costs that take over 60% in the structure of product costs.

Kaizen costing is a modern concept of cost management located in the production phase and is the upgrading of Target costing. The essence of Kaizen costing is small but constant incremental improvements contributing to the desired cost reduction.

We think that the integrated application of the mentioned systems of cost accounting in the internal value chain can have a synergy effect on operating costs.

2. The need for strategic cost management

Classic method of costs management having taken into account only one phase of product life cycle was questioned in what way one observed the tendency of increasing the costs generated before the production process began, while, in the other hand, the phase of product maturity showed the tendency of shortening. All these brought about the need to expand the scope of cost management over the entire product life cycle.[4] Product life cycle becomes shorter so the focus of costs management moves from production phase to the phases of research, planning and design of product. Therefore there appeared the need to revise the traditional systems of costing that pointed to the need to create new modern systems of calculation characterized by significantly wider horizon of the scope and vision of achievement.[5]

Modern business conditions have shown that the information collected by using traditional cost accounting systems is not adequate for business decision making. The first to show the weaknesses of traditional cost accounting systems in their works were Robin Cooper and Robert Kaplan.The main objection to traditional cost accounting systems is the allocation of overhead costs based on direct labour costs.[6] At a time when traditional cost accounting systems were developed, companies operated in stable conditions with a narrow range of products so that cost accounting gave accurate information since the participation of overhead costs in total costs was small and the error probability was negligible. However, over time, business conditions have intensified, competition has grown stronger, buyers and their satisfaction have become the focus of company interest, and so strategic cost management has become an imperative for the company. Under such operating conditions, the use of traditional cost accounting systems provided information which helped managers bring wrong decisions that cost the company's survival.

The emergence and implementation of new cost accounting systems have enabled the company to manage costs more easily because they are able to perceive the behavior of the costs from the strategic perspective which allows them to take steps to reduce these costs if they want not to gain a competitive position, but to preserve their survival on the market. Strategic cost management

[4] Novicevic B., Antic LJ., 2000, "New Concept of Cost Management – Target Costing Calculation", Accounting 9, Association of Accountants of Serbia, Belgrade, ps. 13-20

[5] Lalevic-Filipovic A., 2012, Possibility of Information Support to Target Costing by Generic Strategies of the Company", Accounting 1-2, Association of Accountants of Serbia, Belgrade, ps. 21-30

[6] Cooper Robin , Caplan S. Robert., (1988),"How Cost Accounting Distors Products Cost", *Management Accounting*, April, pp.20-27., Cited according Vlade Milićević (2008) Conventional management accounting - strategic issues", *Economics of Enterprise,* vol.56, br.3-4, Serbian Association of Economists,ps. 144-154

brings a completely new strategic dimension in the process of planning and cost control, which contributes to cost reduction and better company performance.

As Porter noticed a long time ago, a company seeks the basis ofcompetition in providing a greater value to customers at the same costs or in delivering an equivalent value at lower costs. Regardless of the chosen strategy, reducing costs at an optimal level for every individual activity or process is the foundation for delivering superior value of the final goods and services on the market. The application of the strategic cost analysis in this context is intended to help detect the processes and activities whose value can be increased and costs decreased.

Regardless of the chosen strategy,cost management must be done intelligently and carefully as the choice of any strategy does not eliminate the problem of cost effectiveness. Having all these in mind, the managers of a company need the support of strategic accounting management that is facing the future and highlighting the company's competitive position. It establishes a connection with other departments in the company and uses their knowledge to obtain relevant information for making strategic decisions.

Together with the managers, it goes beyond the company, trying to act proactively and anticipate the competition's cost structure, measuring in relative terms the amounts and changes in their costs and revealing the ways to cut costs through a partnership link with suppliers, distributers and buyers. From this perspective, cost management has a completely new dimension – strategic cost analysis.[7]

The objective of strategic cost analysis is to highlight the position of the company in relation to its competition and to use the information obtained through the analysis for gaining a sustainable competitive advantage. In order for the obtained cost information to be relevant for making strategic decisions, the strategic cost analysis must be conducted continuously over a long period of time, because it tracks costs in individual phases along the whole length of the value chain in which a company represents only one part of the entire value chain.

[7] More on strategic cost analysis look at the book Milićević Vlade (2003), *Strategic Management Accounting,* Faculty of Economics, Belgrade, p. 130

Table.1: *Main characteristics of strategic management accounting and strategic cost analysis* [8]

Characteristics of strategic management accounting	Characteristicof strategic cost analysis	
Focused on the future	Focus	External
Follow the relations between companies	The main objective	Create a competitive advantage
Deflection of the period	Timeline	Long term
Directed to the more activity	The kay concept	The concept of the industrial value chain
Openly	frequency	Ongoing
Focused on competition	Cost drivers	Multiple and single drivers of cost for every value activity
Includes possible activities Proactive Unprogrammed	The philosophy of cost accounting	The function estimates the relative cost position of enterprises diagnose drivers of the cost value of each activity, and discusses the effects of internal and external links connecting companies with customers and suppliers
Establish relationships with others Oriented to Information Do not depend on the existing system Ignore conventions	Illuminating strategic decisions	Directly to the adoption of superior strategies through the development of a sustainable competitive advantage through better control of costs drivers and reconfiguration of the value chain.

3. Integrateed application of modern costing systems

In steady conditionsof business operations, information was not given great importance because the costs of its gathering and processing were higher than its total contribution to business operation.

In a business environment characterized by uncertainty and volatility, cost management becomes a critical factor of a company's success, preservation and competitiveness. In an effort to create a successful business strategy that will be able to respond to all the challenges of the modern environment, the management of the company must have a quality database which will be able to generate a variety of information at their request. It is with the changing business conditions that the power of information grows rapidly and, today, it

[8] Milićević Vlade (2004),. ps.120-132

is the foundation on which the companies build their competitiveness. That is why modern companies point out the need to build and implement modern cost accounting management techniques because they are aware that their competitive strength lies in their information offer.

Radical changes in modern business environment have forced companies to realize that generating value is no longer a question of one company but of the entire value chain, because today it is no longer enough to be the best in the industry but it is necessary to be part of the most successful value chain.[9] In other words, the internal value chain of the company is part of the entire value chain which includes the supply chain and distribution chain..

The internal value chain consists of the company with its internal processes and logistics. The internal logistics of the company consists of all the internal activities starting from the procurement of materials and parts from the supplier, through production, up to product and service delivery to the customers. The objective of internal logistics management is amore efficient and more effective performance of the mentioned activities so as to deliver the products to the customers in time without compromising the required performances.[10]

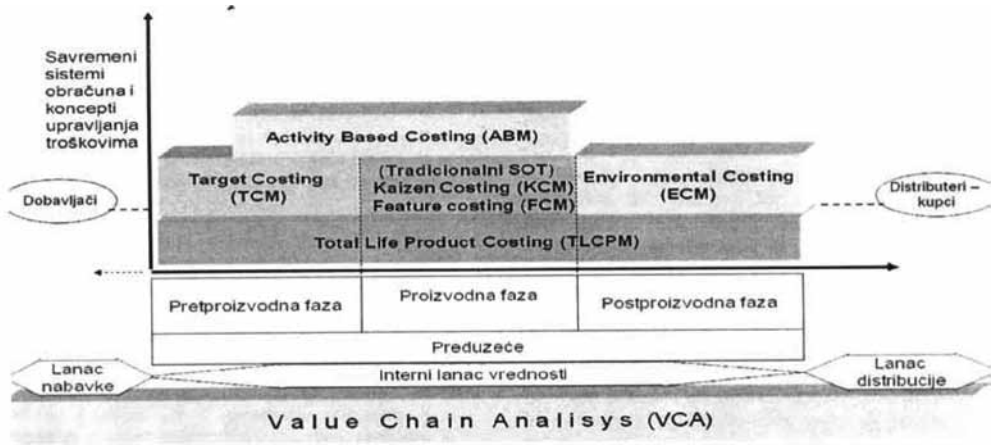
Internal value chain is the central link of the total value chain whose functioning is impossible without it. Classical costing systems included only production phase of internal value chain which, with the change of business conditions created the problem for managers when making business decisions since classical costing systems did not provide the adequate accounting-information support to the decision-making system. In other words, managers and management accountants timely observed that the basic characteristic of classical costing systems was that accounting monitoring and informing "*start too late and end too early*".[11] New solutions in terms of achieving and keeping of the costs competitiveness were sought for in conceptualizing new organizational-accounting solutions compatible with the information requirements of the modern concepts of costs management that extend their focus from production to both pre-production and post-production phase, which, graphically can be illustrated in the following manner:

[9] Sekerez Vojislav (2011).

[10] More on internal logistics companies read the paper Sekerez Vojislav (2007) „The concept of cost management through the supply chain „, Proceedings of Symposium 38 Accounting and Business Finance in contemporary business conditions; Association of Auditors and Accountants of Serbia ps. 65-80.

[11] S. Malinic, 2008, "Management Accounting", Faculty of Economics, Kragujevac, p. 239.

Figure 2: *Modern concepts of costing systems classified by stages of the production cycle at the company level*[12]



However, application of a single costing concept and cost management does not enable identification of the main costs drivers in the internal value chain or the effective measurement and control of costs out the limits of internal value chain. Achieving of synergy effects, not only of internal but the entire value chain, requires integrated use of different concepts that would certainly advance the process of costs evaluation and contribute to the increase of their visibility in the chain.[13]

In this sense, a new step in managing costs is the deepening of cooperation with suppliers, customers, and other organizations from the region, which as an integral part of the entire value chain involved in the creation and distribution of products to the final consumer. Today, the scientific literature prevalent opinion, a practice confirms that the competitive struggle going on between companies but between their value chains.

The companies which compete with costs on the market should focus their attention on the implementation of the integrated cost management program which will cover the entire life cycle of products along with a large number of links in the value chain. This means that efficient functioning of the entire value chain needs proper management and control of not only the internal value chain, but also the supply and distribution chains which are equally important for achieving the ultimate goal – satisfying consumer demands.

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12 S. Malinic, M. Jankovic, 2011, Integrated Costs Management in Distribution Chain – Strategic Approach and Managing –Accounting Information Support, *Accounting 7-8*, Association of Auditors and Accountants of Serbia, Belgrade, ps. 11-24

13 S. Malinic, D. Jovanovic, 2011, Implementation of Integrated Concepts of Costs Management in Distribution Chain – Strategic Approach TC and ABC, *Accounting 11-12*, Association of Auditors and Accountants of Serbia, Belgrade, ps. 29-44.

However, without denying the importance of all the links of the entire value chain, in this paper we focus our attention on the company's internal value chain, and bearing in mind the mentioned characteristics of ABC, TC and Kaizen Costing and the company's tendency to reduce costs, the process of integration of the three concepts follows. The tendency of the paper is to study the possibility of integrated application of modern cost accounting systems in the internal value chain in order to make a product that will give the entire value chain a foundation for creating a competitive product.

The price at which the final product is offered to the end consumer is not created solely within the company but it also depends on the efficiency of the distribution channels. In other words, the end users of a product on the market pay the total amount of costs and profit margins of all the participating organisations.[14] Since it cannot influence the efficiency of the distribution channels, the company tends to, through an integrated application of cost accounting systems, to enable the final product to be cost competitive without compromising the desired characteristics and attributes.

We think that the visible results will be achieved in the domain of costs reduction in the production phase by integrated application of ABC, TC and Kaizen concept that would provide synergy effect on the reduction of production costs. Such integration provides file management on ways of resource consumption through an internal chain. It requires cooperation between enterprises of all departments in terms of the exchange of financial information to integrated control costs give visible results.

TC, in the field of integration, should serve as a means of involving market-related information into the internal value chain. This primarily refers to the information on concrete products and their prices, suppliers, perception of consumers related to the product. TC, taking into account all the circumstances that prevail at the market, tries to find the optimal difference between the target selling price and target profit to define the target cost on the basis of which the product must be manufactured for the company to achieve the target profit.

The most effective application of TC is in the earliest stages of product development, when there is only the product design and its simultaneous development. At this stage, the cooperation and exchange of experience and knowledge among the design engineers involved in the product development create opportunities for the reduction of costs to the required level. This will enable the company to achieve a satisfactory level of profit and to keep the required characteristics of the product. The efficiency of TC application is higher if the methodology of ABC cost accounting system,a key tool in the field of production costs optimization, is built into the internal value chain.

[14] Shank K. John., Govindarajan Vijay., (1992) „Strategic Cost Management: the Value Chain Perspectie" *Journal of Management Accounting Research*, Fall, 180.

The purpose of integrated application of ABC concept is to provide accurate information on individual costs based on the activities of consumers and suppliers so that the managers could eliminate the activities not creating value and redesign operational processes aimed at achieving or reducing total target costs. In the production process of the concrete product, application of ABC is also directed towards identification of the costs activities generated in the production process and costs drivers by which accurate allocation of costs to products is provided. It is also very important to make proper differentiation of the activities into the ones that add value and the ones that do not add value to the product so that the management can make proper assessment of the activities generating value in the internal value chain and the ones not generating value. [15]Eliminating activities that do not contribute to creating value product can achieve significant savings in the consumption of limited resources, improving the quality of the internal value chain. In this way one gets insight into areas where it creates the greatest value for customers or field whose performance must improve.[16]

Unlike the traditional global costs allocation methods that proved as disadvantageous for financial result of the company, ABC system proved very efficient when allocating global costs, which is very significant from the point of view of cost management having in mind that under modern business conditions indirect costs participate in the product cost structure with over 60%.

The significance of the integrated application of Kaizen costing in the internal value chain derives from the very essence of Kaizen concept. It is evident that Kaizen is directed towards the activities identified in the internal value chain. By application of Kaizen concept on such identified and differentiated activities by incremental changes, i.e. small savings in costs, in the long-term, significant effect in the cost reduction process[17] would be provided.

Determining Kaizen costs per activity, particularly the activities not adding value and application of Kaizen concept per activity by applying techniques for continuous cost reduction, costs of internal value chain would gradually reduce which would enable achievement and reduction of the target costs. The technique that should be mentioned and, which is particularly significant for the internal value chain, is Quality Control, since, by application of this technique there are savings in costs occurring due to keeping in mind that deviation of quality and testing are minimized. Beside savings in costs this technique provides quality control of each activity performed in operations of the internal value chain.

15 More about add-value activiteise look Ljilja A. (2005) „Company Management Based on Activities", XXXVI Symposium, Zlatibor, Zbornik radova, Association of Accountants and Auditors of Serbia, Belgrade, p.p.133-150.

16 Sekerez Vojislav (2011)

17 S. Malinic, M. Jankovic, 2011., Integrated Costs Management in Distribution Chain – Strategic Approach and Management – Accounting Information Support, *Accounting 7-8*, Association of Auditors and Accountants of Serbia, Belgrade, ps. 11-24

Application of this technique requires to create an environment in which both management and employees tend to perfection. This is achieved by introducing quality standards, adequate staff training and testing products to determine how much deviation from the adopted standards. Thus achieving significant savings of time and money invested in production.

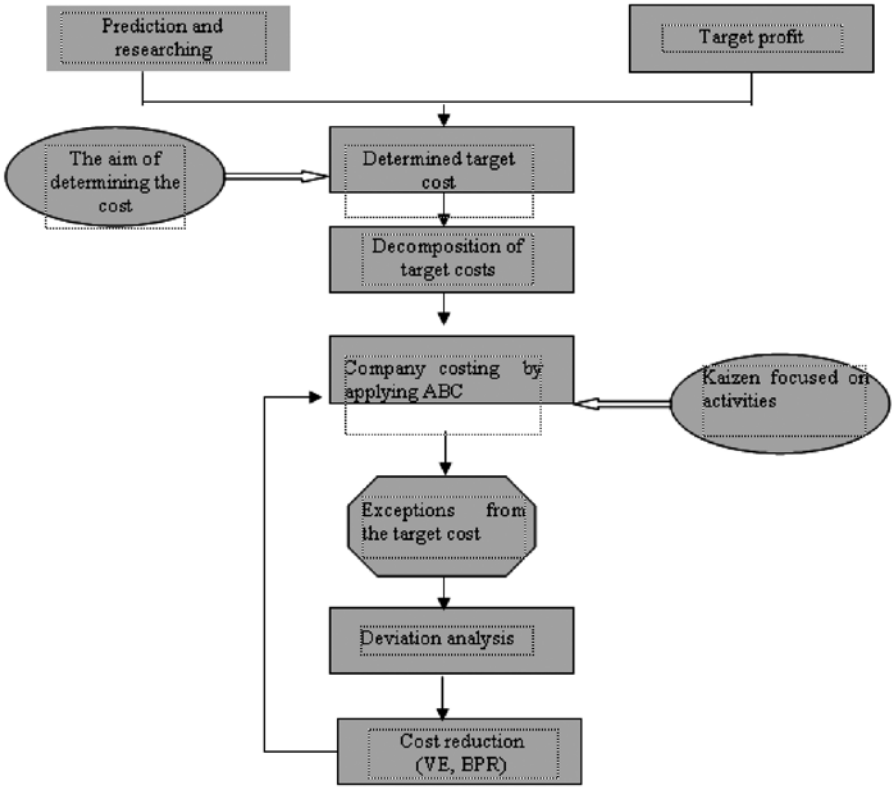
Integrated application of TC, KC and ABC provides the company management with information on possible sources of cost reduction. To get theses information one needs the analysis and evaluation of performances of each activity separately since only in this way one can achieve reduction and achievement of the desired costs.

This means that the initiating step of the integrated application of ABC, TC and KC, is defining the target selling price through information obtained by market research. The next step is defining the target cost which is, later on, decomposed to cost of material, components and business processes. It is followed by application of ABC method for costs calculation whereby the real costs of activities, material, components, functions and suppliers should be within previously defined target costs. Within this step, Kaizen concept is applied on the activities identified when applying ABC concept to observe the activities that spend too much resources and that represent potential field of cost reduction. If it is observed that there is a current cost gap the company management has to take steps to eliminate differences between current and target costs having in mind that if the company wants to keep to the idea of achieving profit the target costs must be achieved. Therefore, it is needed to do the analysis of all activities in the internal value chain, discover the causes of deviation and take the necessary steps for reducing costs to the desired level. The measures available to the company in this stage are the following: Value Engineering – VE, Business Process Reengineering – BRP, functional analysis, etc. In this way, one forms the model of feedback costs control in the closed loop form that enables better costs management along the entire value chain.[18]

The process of integrated application of TC, ABC and KC in the internal value chain can be represented as in Figure 3.

[18] MA Fei, YANG Hua, SUN Bao-feng 2008., WU Meng-na Remanufacturing System Cost Management Based on Integration of Target Costing and Activity-Based Costing, International Conference on Information Management, Innovation Management and Industrial Engineering, p.164.

Figure 3: *Integration of TC, ABC i KC*[19]



The objectives that a company wants to achieve with the integration of these three modern concepts of cost management are primarily:

- A more efficient use of the advantages that each system offers,
- A more efficient cost management since it provides greater cost savings,
- The creation of adequate accounting and information base which will help managers in their decision making.

Finally, we should say that despite great significance of integrated application of modern systems of costing in achieving of the synergy effect in the domain of reduction of operating costs, it is not "ideal" but, in terms of information it is better than individual application of some of the modern costing systems. These systems are not equally suitable for use in all companies and in all condit6i-ons. Therefore companies having the conditions and knowledge should use its advantages and also work on its further improvement and development and, at the same time, elimination of the observed deficiencies.

[19] Adapted from Malinić Slobodan, Jovanović Dejan, (2011), 29-44.

Conclusion

Key to integrated cost management is achievement of synergy effect, i.e. achievement of higher value than the value of simple sum of parts. To achieve competitive advantage generating value for the key stakeholders it is necessary to have cooperation between all links in the value chain since each link individually is very important for successful operation of the value chain. Therefore it is needed to have cooperation and exchange of information between all links in the value chain.

Without denying the value and importance of other links in the entire chain, internal value chain is yet the central link of the entire chain since, without it, it is not possible to create the product of the desired quality and functionality that will be competitive at the market. This means that the basic objective of the internal value chain is to find the optimal balance between costs and quality, i.e. to find the way to create superior value for consumer but with the lowest possible costs.

Application of TC, ABC and Kaizen concept, individually and particularly integrated can provide adequate results in achieving of more competitive internal chain which will create conditions for achievement of competitive advantage of the entire value chain and create value for all stakeholders. By integrated application of all three concepts cost management and more efficient control in the entire value chain are achieved. Detailed analysis of all costs of activities enables observing material, components and employees that are not efficient, i.e. it increases the transparency of costs so that the managers have clearer picture on what activities should be more efficiently managed and what activities should be eliminated with the purpose to achieve the target product costs. Application of Kaizen activities increases motivation of all participants in the internal value chain and their interactive cooperation which influences creation of creative ideas as the result of integration of different expertise. Application of Kaizen techniques for reduction of costs for each identified activity would provide savings in production costs without violation of the desired quality and functionality of the product and delays in the finalization of production.

Finally, a conclusion can be made that integrated application of TC, ABC and KC integrate strategic advantages of TC and operative advantages of ABC that, together with the techniques for the costs reduction and quality control create synergy effect in the area of cost management, and the managers are provided with the information basis for proper decision-making.

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UPRAVLJANJE TROŠKOVIMA U INTERNOM LANCU VREDNOSTI INTEGRISANOM PRIMENOM ABC, KAIZEN KONCEPTA I TARGET COSTINGA

S a ž e t a k

CIlj ovog rada jeste pokušaj da se sagledaju mogućnosti integrisane upotrebe Target Costing-a, Activity Based Costing-a i Kaizen koncepta u internom lancu vrednosti kao centralnoj karici ukupnog lanca. Ideja je podsticanje menadžmenta preduzeća na razmišljanje o troškovima, mestu koje zauzimaju u strukturi cene koštanja i njihovom uticaju na formiranje prodajne cene jer je veoma bitno proizvoditi pravi proizvod za kupca, željenog kvaliteta i funkcionalnosti ali uz što niže troškove proizvodnje. Zato je potrebno konstruisati pravi dizajn proizvoda i obezbediti da se proizvod proizvede u što kraćem roku i uz što niže troškove što će uticati na efikasnost ukupnog lanca vrednosti.

Ključne reči: integrisana primena, obračun troškova na bazi aktivnosti, kajzen obračun troškova, obračun ciljnog troška, interni lanac vrednosti

Milija Cvijović*

UDK005:352(497.11)
Originalni naučni rad

STRATEŠKO PLANIRANJE I UPRAVLJANJE NA LOKALNOM NIVOU U SRBIJI

Cilj ovog rada usmeren je ka analizi reformskih procesa u Srbiji na osnovu teorijskog koncepta novog javnog menadžmenta koji se pokazao kao uspešan u praktičnom smislu u većini razvijenih zemalja sveta. Novi pristup upravljanju, kako na centralnom, tako i na lokalnom nivou, zahteva izradu i primenu strateških dokumenata koji predstavljaju važan proizvod u savremenim aspektima upravljanja. Primena strategija u Srbiji nije do sada pokazala adekvatne i očekivane rezultate jer se nedostaci ispoljavaju u pogledu kvalitetnih i obrazovanih ljudskih resursa, manjku novca, vremenskim aspektima realizacije, jasnijim akcionim planovima koji služe za sprovođenje strateških dokumenata i nedovoljnoj pažnji na efekte, merenje i evaluaciju onoga što je sprovedeno. Zaključak se odnosi na to da je potrebna konstantna i permanentna edukacija zaposlenih na svim nivoima vlasti kako bi se strategije značajnije primenjivale u praksi, kao i na programsko budžetiranje i stavljanje naglaska na rezultate koji su postignuti, uz istovremene korekcije grešaka u realizaciji strategija.

Ključne reči: novi javni menadžment, dobro upravljanje, strateško planiranje, strateško upravljanje

Uvod

Osamdesete godine prošlog veka bile su ključne za nastanak preduzetničkih država, a sa tim i preduzetničkih lokalnih vlasti. Posle pada i rušenja komunizma u Evropi, došlo je do ubrzanog tehničkog i tehnološkog razvoja koji su uzrokovali intenzivno kretanje ljudi, robe i kapitala, kao i ubrzani proces globalizacije. Usled međusobnog povezivanja između različitih društava, nacija i kultura, svet se sve više približio stvaranju globalnog društva.Usled ubrzanog razvoja i globalizacije, centralna država je postala preuzak, a sa druge strane i prešir ambijent za rešavanje mnogobrojnih, ranije tradicionalnih pitanja. Pitanja kao što su globalno zagađenje, svemirska istraživanja i nuklearna energija, preneta su na nadnacionalne integracije (Evropska unija, Američki region). Promene koje su zahvatile nacionalnu državu odnose se na gubitak suvereniteta, relativ-

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izaciju državnih granica, prenošenje nadležnosti sa višeg na niže nivoe vlasti. U ovakvim okolnostima i procesima, savremena država odustaje od koncepta "jake" države i monopolskog obezbeđivanja javnih usluga. Nova, preduzetnička država uvodi konkurenciju, privatizuje javne usluge, uvodi standarde kvaliteta usluga, meri stepen zadovoljstva građana kvalitetom pruženih usluga, uvodi javan i transparentan rad. Procesi reformi omogućili su da se najbolja i uspešna rešenja iz biznisa počinju primenjivati u javnom sektoru, kao što su fleksibilna organizacija i veća pokretljivost prema potrebama tržišta radi obezbeđivanja što boljeg kvaliteta, efikasnosti i efektivnosti pružanja usluga i proizvodnje robe. Država razvija partnerske odnose sa svim nivoima vlasti, civilnim društvom, javnim i privatnim organizacijama, sa ciljem da se svi aktivno uključe u kreiranje strategija razvoja i realizaciju projekata. Suštinski, pred savremenom državom i vlastima nametnulo je se pitanje kako da se pronađu putevi za rešavanje nagomilanih problema, šta treba da se radi da kako bi usluge postale jeftinije, kvalitetnije i brže isporučene. U novom savremenom dobu najvažnije resurse modernog upravljanja zauzimaju informacije i stručnjaci koji znaju da ih prepoznaju, obrade i adekvatno primene. Informacije nemaju granice, dolaze spolja i iz unutra, a istovremeno su bitan segment moći i vlasti. Sve ove promene dovele su do razvijanja modernog sistema upravljanja celinom kvaliteta (Total Quality Management, TQM), koji je preuzet iz privatnog sektora i koji se oslanja na aktivnu participaciju zaposlenih, obuhvata sve procese rada, povratnu reakciju klijenata i pronalaženje mehanizama za poboljšanje kvaliteta usluga i rada.

Uzroke pojave neminovnih promena možemo pronaći još tokom 70-tih godina prošlog veka kada je došlo do velike naftne krize koja je prouzrokovala dramatično visok porast cena i visoke deficite u budžetima, kako ekonomski razvijenih zemalja, tako i siromašnih. Bilo je neophodno izvršiti reformu javnog sektora, pre svega sniziti troškove javne administracije ali i povećati efikasnost i efektivnost javnih usluga.

Zadovoljavanje konkretnih potreba građana spada u najznačajnije zahteve ovih reformi. Način upravljanja se menja u skladu sa promenjenim ambijentom i postavljenim zahtevima. Konkurencija privatnog i javnog sektora, kao i pojedinaca, kao jedan od najpodsticajnijih principa tržišta, postaje sve bitniji činilac u sferi organizacije i funkcionisanja vlasti.[1]

1. Uticaj novog javnog menadžmenta na upravljanje državom

Novi sistem javnog upravljanja doživeo je i praktičnu primenu kroz različite modele reformi koji se mogu grupisati u tri veće grupe modela: vestminsterski (Velika Britanija, Novi Zeland), američki (SAD) i nordijski (Danska, Švedska,

[1] Kettl F. Donald: *The Global Public Management Revolution,* Brookings Institution Press, Washington, D.C. 2000, 12.

Finska) tip reformi. Naravno, reforme su izvođene u većini zapadnoevropskih zemljama, kao i na Dalekom istoku. Aktivnost vlasti u pogledu reformi bile su usmerene na privatizaciju, tržišne mehanizme, decentralizaciju, orijentaciju na efekte i rezultate, promenu organizacije rada i transformaciju birokratije, upravljanje realizacijom javnih politika i programa, primenu informacionih tehnologija, promene u sistemu javnih finansija i budžetskoj politici. Efekti primene reformi bili su različiti. Najbolje rezultate zabeležile su Irska, Holandija i Novi Zeland, a najveće povećanje troškova javnog servisa imale su Švajcarska, Japan i Južna Koreja.[2]

Promene koje su se desile na nacionalnom nivou, reflektovale su se i na lokalnu samoupravu. Nacionalna država postala je preširok okvir za rešavanje problema građana koji se mogu rešiti samo kroz aktivnu saradnju i učešće lokalne samouprave, građana, privatnog i civilnog sektora na lokalnom nivou. Važna socijalna pitanja, u koja spadaju nezaposlenost, otvaranje novih radnih mesta, kreiranje privatno-javnih partnerstava radi sprovođenja projekata kojim se rešavaju lokalni problemi, privlačenje kapitala i podsticanje ekonomskog razvoja, preneta su na lokalne vlasti. Reforma sistema nametnula je lokalnim vlastima da svoje poslovanje zasnivaju na tržišnim principima, a redistribucija sredstava zasnivala se na praćenju efekata rada, na nagrađivanju prema uspehu, korekcijama nesupeha i učenju na sopstvenim greškama. Iz ovakvih odnosa došlo je do novih, partnerskih odnosa između centralne i lokalnih vlasti koji je doveo do postepenog poboljšanja u efikasnosti i kvalitetu pruženih usluga. Promene su podstakle i razvile i konkurenciju između lokalnih vlasti sa ciljem da se privuku kapital i ljudski resursi. Lokalne vlasti u Sjedinjenim Američkim Državama i Evropi počele su da se ponašaju upravo onako kako su se ponašale i centralne vlasti koje su krenule u proces reformi javnog upravljanja koji je doveo do stvaranja preduzetničke države. Sledeći ekonomske principe preduzetničkog upravljanja na državnom nivou, lokalne zajednice postale su daleko aktivnije u kreiranju ambijenta koji je privlačan za investitore, kao i u pokretanju biznisa, pri čemu su pokrenule veliki broj projekata sa vladinim, nevladinim sektorom i građanima da bi im obezbedile bolji kvalitet života.

Promene koje su zahvatile lokalne samouprave u Evropi dobile su i svoje političko utemeljenje kroz usvajanje Evropske povelje o lokalnoj samoupravi u Strazburu, 1985. godine, od strane Kongresa lokalnih i regionalnih vlasti, u kojoj je jasno određeno da lokalna samouprava predstavlja temelj demokratski uređene Evrope i važan integrativni faktor. Povelja je napravila ključni iskorak i definisala je suštinske principe na kojima se zasniva moderno javno upravljanje i autonomija lokalnih vlasti: demokratski obrazovani organi za donošenje odluka (lokalni izbori, princip podele, ravnoteže i kontrole vlasti, transparentan rad); raspolaganje visokim stepenom autonomije u skladu sa svojim odgovornostima (podela nadležnosti, princip subsidijariteta, obim odgovornosti); raspolaganje sa

[2] Kettl F. Donald, 34-55.

odgovarajućim načinima da se realizuju ove odgovornosti (modeli organizacije vlasti, menadžment, profesionalizam) i finansijska sredstva potrebna za njihovu realizaciju (finansijska autonomija). Evropskom poveljom o lokalnoj samoupravi uveden je princip subsidijariteta kojim se regulišu odnosi između svih nivoa vlasti (opština, gradova, okruga, regiona, centralne vlasti) i koji je uspostavio odnose "odozdo na gore". Ovaj temeljni princip objedinio je dva osnovna principa na kojima su zasnovani sistemi lokalne samouprave na evropskom kontinentu: a) demokratičnost; b) ekonomičnost i efikasnost. Demokratičnost podrazumeva da se odluke o ekonomskom razvoju, kvalitetu i ceni usluga spuštaju do građana, uz ohrabrivanje njihovog učešća i participacije. Ekonomičnost i efikasnost znače da se nadležnosti u realizaciji određenih poslova poveravaju onom nivou lokalne vlasti koji može najkvalitetnije, najefikasnije i najjeftinije realizovati te poslove.

Reformski procesi, uz snažan uticaj globalizacije, uticali su na ulogu moderne države tokom 90-tih godina, kao i u prvoj deceniji XXI veka. Demokratske vrednosti današnjih država su sloboda formiranja i pridruživanja organizacija, sloboda izražavanja, pravo glasanja, dostupnost javnih poslova, pravo političkih lidera na takmičenje za podršku glasača, alternativni izvori informisanja (era interneta), slobodni i pošteni izbori, legitimitet i legalitet državnih institucija. Savremeno doba uvelo je i fenomen „dobrog upravljanja" (good governance) državom, koji uključuje postojanje konsesualne strategije održivog razvoja jedne države, realnu vladavinu prava, funkcionalnu i slobodnu tržišnu ekonomiju. Sprovođenje politika deetatizacije, debirokratizacije, devolucije, dekoncentracije i decentralizacije su takođe obeležja dobrog vladanja u globalnom vremenu. Današnje funkcije država su: odbrana, vlasnička prava, zaštita siromašnih, pravo i poredak, makroekonomsko upravljanje, javno zdravstvo, obrazovanje, finansijska regulativa, redistributivna davanja, osiguranje nezaposlenih, jačanje tržišta, itd. Došlo je do preobražaja državnih formi i sadržaja koji postoje u modernim i savremenim državama ovog veka, naspram „nacija država". Obim i snaga državnog kapaciteta donose najbolje rezultate u dobroj vladavini kroz ograničen obim državnih funkcija sa jakom institucionalnom efektivnošću. Ipak, skeptici globalnog društva smatraju da globalna svetska ekonomija i globalna država još uvek ne postoje i da vladaju pravila nacionalnih država, u kojima danas dolazi do renesanse nacionalizma i nacionalnog identiteta, a da u ekonomskom smislu dominiraju tri vodeća regionalna centra u svetu (Evropa, Amerika i pacifička Azija) koji podstiču dalji razvoj regionalnih blokova. Skeptici smatraju i da dalje postoji međunarodna zajednica država oličena kroz postojeće međunarodne organizacije formirane posle II svetskog rata. Za razliku od njih, globalisti smatraju da danas postoje višeslojna globalna vlast i politika, kao i globalno civilno društvo, u kojima dominira globalni informacioni kapitalizam, transnacionalna ekonomija i nova globalna podela rada. Uloga savremenih lokalnih vlasti u globalnom dobu ispoljava se kroz preuzimanje razvojnih funkcija i instrumenata globalnog društva

u kojima se uspostavljaju partnerski odnosi sa državom i regionalnim institucijama. Lokalne samouprave u Evropi i SAD-u stvaraju mrežu kooperacija između sebe i podstiču što tešnju saradnju sa ciljem da se dođe do pozitivnih rezultata u radu. Istovremeno, prisutna je i konkurencija između istih, sa ciljem da se privuku potencijalni investitori, kapital i stanovnici. Današnje vreme predstavlja vrhunac mobilizacije kapaciteta lokalnih zajednica u kojima su postale veoma aktivni razvojni subjekti i u kojima su napravile značajne izmene u načinu funkcionisanja ustanova i organizacija koje su u njihovoj nadležnosti, u odnosu sa drugim nivoima vlasti, socijalnim subjektima i građanima.

Na reformske procese javne administracije u zemljama razvijenog sveta veliki uticaj, pogotovo u SAD-u, imali su Ted Gebler (Ted Gaebler) i Dejvid Ozborn (David Osborne). Prema njima, posao države nije „da vesla već da kormilari", a upravljanje mora biti deregulirano na taj način da se menadžerima dodeli mnogo više slobode u pitanjima upravljanja ljudskim resursima, izradi i donošenju budžeta, raspodeli sredstava, polaganju računa. Na taj način će menadžeri pod pritiskom konkurencije i odgovornosti za rezultate na najbolji mogući način koristiti osoblje i budžet. Zaposlenima treba omogućiti da koriste svoju kreativnost u obavljanju poslova i u služenju kupcima, a sa druge strane to poboljšava efekte timskog rada. Javna uprava treba da postane inovativna, preduzetnička, usmerena na rešavanje problema, a ne vezana pravilima. Administracija treba da bude orijentisana na postizanje rezultata, a ne samo na inpute. Da bi se postigli što bolji rezultati treba efikasno koristiti tržišnu utakmicu u opsluživanju građana uslugama i dobrima kroz privatizaciju službi, izvršiti reorganizaciju agencija po ugledu na privatne korporacije, gledati na javnost i klijente kao na kupce. Država mora da osigura snabdevanje dobrima i uslugama ali njihovu proizvodnju i pružanje usluga treba da prepusti privatnim i neprofitnim organizacijama, ali i da sprovede decentralizaciju ovlašćenja na niže nivoe vlasti.[3]

Dakle, neophodno je bilo uneti duh preduzetništva u savremeno upravljanje državama koje je karakteristično za privatni sektor. Ipak, upravljanje privatnom kompanijom i državom nije isto jer se lideri u biznisu rukovode profitom, a lideri u upravi da budu ponovo izabrani. Zatim, preduzeća najveći deo novca dobijaju od svojih kupaca ili potrošača, a država od poreskih obveznika. Takođe, ključno pitanje za rukovodioce u državnim institucijama nije da li one stvaraju profit ili isporučuju kvalitetan proizvod, već da li zadovoljavaju potrebe i da li su po ukusu političara i interesnih grupa koji stoje iza njih. Ne može se reći da su uzroci krize upravljanja svugde isti ali se može reći da je u većini razvijenih zemalja sveta izostala adekvatna reakcija na promene u ekonomskoj sferi koje su se ispoljile kroz rast javnog sektora koji je usporio ekonomski razvoj zemalja. Države su sve manje imale prihoda od poreza, a rashodi za administraciju su se stavlno povećavali i bilo je neophodno stvoriti upravu koja će biti ekonomičnija i efikasnija.

[3] Osborne David, Gaebler Ted: *Reinventing Goverment*, Adisson-Wesley, Reading, 1992, 161-194.

Naravno, to nije jedini uzrok. Kao mogući uzrok sasvim osnovano se navodi i demografska promena. Populacija gotovo svih industrijalizovanih demokratskih država je sve starija. To znači da su izdaci za penzije, zdravstveno i socijalno osiguranje i sl. sve veći, a moraju da budu finansirani novcem koji se sakuplja od sve manjeg broja zaposlenih. Dakle, sve veći javni troškovi, a sve manji prihodi prirodno su izazvali krizu upravljanja i potrebu za reformama. Postoji još jedan fenomen koji opterećuje rad administracije: odluke o trošenju novca iz državnog budžeta donosi relativno mali broj ljudi-vodeći političari u vlasti. Sa druge strane, ljudi koji namete moraju da plate državi uglavnom ih doživljavaju kao obavezu i opterećenje, a mali broj njih je svestan budućih koristi od toga. Zato postoji tendencija da se vrše takve promene u javnom sektoru kako bi se postigao što manji otpor među građanima. Kao posledica toga dolazi do smanjenja javnih troškova i smanjenja regulacije gde god je to moguće.[4]

Suštinski, nametnulo se pitanje kako stvoriti bolje upravljanje državom i na taj način napraviti efikasniju i efektivniju administraciju koja će rukovoditi tim procesom. Neophodne reforme bile su uslov za stvaranje tzv. „dobrog upravljanja" (Good Governance) koji predstavlja proces kojim se kolektivno rešavaju problemi i zadovoljaju potrebe građana u jednom društvu.

Dobro upravljanje je ono koje se može opisati sa 8 ključnih karakteristika:

1) Participacija-uključenost građana i različitih interesnih grupa u proces upravljanja. Svi interesi određenih grupa nikada nisu u prvom planu i zbog toga je važno da u zemlji postoji sloboda izražavanja i udruživanja, odnosno neophodno je organizovano civilno društvo.
2) Vladavina prava-objektivno sprovođenje zakona koje uključuje nezavisno sudstvo, nepristrasnu i nekorumpiranu policiju, poštovanje ljudskih i manjinskih prava.
3) Transparentnost-kreiranje i sprovođenje odluka u skadu sa važećim pravilima i regulativama. Transparentnost takođe znači slobodne i dostupne informacije o tom procesu za sve na koje će se odluka odnositi. Bitan preduslov je postojanje slobodnih medija za emitovanje informacija.
4) Pouzdanost-sprovođenje odluka kojima treba da budu uslužene zainteresovane strane treba da bude obavljeno u određenom vremenskom periodu.
5) Orijentisanost ka postizanju konsenzusa-dobro upravljanje zahteva posredovanje između različitih aktera koji čine civilno društvo i njihovih različitih gledišta na stvari, kako bi se pronašao konsenzus o interesu društva kao celine i načina da se on postigne. Kao uslov da bi se interes realizovao bitno je dobro poznavanje istorijskog, kulturnog i socijalnog ambijenta zajednice i društva.

[4] Stančetić Veran: *Reforma upravljanja u savremenoj državi: Razvojni i demokratski potencijali decentralizovane*
države, Službeni glasnik, Beograd, 2012, 32-33.

6) Jednakost i uključenost-dobro upravljanje treba da obezbedi da se svi članovi zajednice osećaju da su deo jedne celine i da nisu isključeni iz mogućnosti da postižu svoje interese i unapređuju svoje dobro.
7) Efektivnost i ekonomičnost-uspešno rešavanje problema uz istovremeno optimalno korišćenje raspoloživih resursa.
8) Odgovornost-ključna karakteristika dobrog upravljanja koja podrazumeva odgovornost svih faktora: vladinih institucija, organizacija civilnog društva, privatnog sektora. Ko je kome odgovoran zavisi od toga da li su odluke ili akcije u nekoj instituciji interne ili eksterne. Načelno, organizacija ili institucija je odgovorna onima na koje će se akcija ili odluka koju sprovode odnositi.[5]

Ovaj model predstavlja idealno stanje i veoma mali broj zemalja je uspeo da ga primeni do sada u praksi. Koncept je napravljen od strane Svetske Banke, finansijskih i donatorskih organizacija koje pri davanju kredita ili zajmova zemljama zahtevaju da se te zemlje pridržavaju karakteristika „dobrog upravljanja".

Takođe, toga se moraju pridržavati i zemlje koje žele priključenje u Evropsku uniju, mada je i sama Evropska komisija napravila dokument pod nazivom „Evropsko upravljanje" (European governance) tokom 2001. godine, koji se temelji na sličnim karakteristikama: otvorenost, participacija, odgovornost, efektivnost i koherentnost. Novina je samo koherentnost koja podrazumeva usklađenost politika i akcija na svim nivoima vlasti i njihovu razumljivost.[6]

Kao posledica unapređenja merit sistema promenjeno je stanovište da je uprava zadužena samo za sprovođenje zakona i da je njena uloga sada u kreiranju konkretnih politika, donošenju odluka o istim, nadgledanju, merenju efekata i rezultata primenjenih politika.

Drugi deo promena je vezivanje ne samo za državni sektor i državna tela kako je ranije bilo, već i za druge nedržavne subjekte. Na primer, država često osniva „paradržavna" tela ili agencije za obavljanje nekog posla. To su tela koja su nezavisna u svom funkcionisanju ali za njihov rad je država politički odgovorna (npr. obaveštajna služba, autonomna privredna preduzeća i sl.) Pored njih značajnu ulogu imaju i privatni subjekti koji svojom delatnošću zadiru u javni interes (privatne organizacije za socijalnu zaštitu ili zdravstveno osiguranje, privatne škole). Tu je i veliki broj međunarodnih i lokalnih organizacija nedržavnog karaktera. Svi ovi subjekti konceptualno su smešteni u javni sektor-područje koje obuhvata organe i organizacije državne uprave, ali ne samo njih, već i niz drugih organizacija koje obavljaju društvene poslove bez stabilne međusobne

[5] United Nations, Economic and Social Commission for Asia and the Pacific: *What is Good Governance?*,1-3, http://www.unescap.org/sites/default/files/good-governance.pdf (24.07.2014)

[6] European Governance:, *A White paper*, Commission of theEuropean Communities, Brussels, 25.07.2001, COM(2001) 418 final, http://europa.eu/legislation_summaries/institutional_affairs/decisionmaking_process/l10109_en.htm (24.07.2014)

podele dužnosti i ovlašćenja, a nalaze se pod posebnim režimom pravne regulacije i javnog finansiranja.[7] Kako i na koji način odrediti „pravila igre" u javnom sektoru postala je glavna preokupacija. Sa jedne strane, radi se tome kako da se spreči preterana regulacija i koordinacija koja bi zasigurno smanjila motivisanost i stimulaciju svake autonomne jedinice u javnom sektoru, a sa druge strane da se spreči povećanje troškova koje može da nastane usred preklapanja nadležnosti, ponavljanjem ili sukobljavanjem. Zbog toga u centar upravne nauke dolazi proučavanje javnih praktičnih politika (public policy analysis), mehanizam donošenja odluka (decision making), sprovođenje odluka (implementation) i merenje efekata (evaluation). Izgradnja kapaciteta (snage) države je jako bitna za efektivno funkcionisanje i sprovođenje odluka.[8]

U vezi ovoga treba napraviti razliku između delokruga države i jačine državne vlasti ili sposobnosti države da planira i sprovodi u delo politiku, primenjujući jasno i nedvosmisleno zakone. Upravo to se naziva državnim ili institucionalnim kapacitetom. Nije dakle, jaka država ona koja ima mnogo nadležnosti, tada se radi samo o širokom državnom delokrugu već je jaka država koja ima mogućnost da svoje nadležnosti zaista sprovodi u delo. Tako, na primer SAD po svom delokrugu poslova je „manja" država od Švedske ili Rusije, ali je izuzetno jaka kada je u pitanju vršenje vlasti i legitimna upotreba sile. Logično je da ovo bude kriterijum snage države-mogućnost primene nadležnosti, a ne širina delokruga nadležnosti per se, jer suština državnosti jeste primena sile.[9] Reforma javnog sektora podrazumevala je, dakle, i neopodnu decentralizaciju poslova ukoliko centralna vlast nije u stanju da ih kvalitetno obavi, na one nivoe ili subjekte koji su to u stanju da urade. Sve zajedno, to su procesi koji su neminovno doveli do razvoja novog javnog menadžmenta (new public management).

Razvoj preduzetničkih država i sve promene koje su se desile na tom polju tokom 80-tih godina, zaobišle su Srbiju. Socijalistički samoupravni sistem koji je u to vreme funkcionisao u SFRJ pokazao je niz slabosti u političkom, ekonomskom, i uopšte društvenom smislu. Međutim, raspad zemlje, krvavi ratni sukobi, agresija NATO pakta, sankcije međunarodne zajednice i strahovite ekonomske posledice od toga po Srbiju i njene građane, sprečile su da se nametne pitanje reforme političkog i ekonomskog sistema na državnom nivou. Pitanje ovih reformi otvoreno je tek posle promene vlasti 2000. godine. Političke reforme odnosile su se na utemeljenje pravne države i vladavine prava, vraćanje poverenja građana u političke institucije, garantovanje i zaštitu ljudskih prava, dekoncentraciju, decentralizaciju, regionalizaciju, profesionalizaciju. Suštinski, stvaranje jedne moderne, ideološki neutralne, objektivne, jeftine, racionalne i efikasne države. Reforma ekonomskog sistema podrazumevala je sprovođenje

[7] Pusić Eugen: *Upravna znanost*, Naklada "Naprijed", Zagreb,1995, 35.

[8] Dye R. Thomas: *Understanding public policy*, Upper Saddle River, Prenticehall, New Yersey, Florida state University, 2000, 32-54.

[9] Fukujama Frensis: *Građenje države*, Filip Višnjić, Beograd, 2007, 35.

privatizacije, smanjenje državne intervencije i prepuštanje važnih regulatornih tela tržištu. Nažalost, promene su započele, nisu još sprovedene do kraja, pri čemu efekti velikog broja reformi imaju negativan predznak. Obim i snaga državnog kapaciteta u Srbiji odlikuje se sa ekstenzivnim obimom državnih funkcija koje imaju slabu institucionalnu efektivnost. Pored toga, izraženo je odsustvo strategijske vizije, nesklonosti ka suštinskim promenama i nepripremljenost za modernizaciju organizacije države, privrede i društva. Tranziciono srpsko društvo već 20-tak godina ispoljava nesposobnost utemeljenja sopstvenog samoodrživog puta koje je uslovljeno ograničenim i nekonsolidovanim državotvornim i državodelatnim iskustvom. I danas je umereno dominantna filozofija statičnosti, nefleksibilnosti, zatvorenosti i neadaptibilnosti. Izrazito je izražena hegemonija političkih partija u celini javnog života, kao i prenaglašeno jačanje formalnih, a naročito neformalnih prerogativa izvršne vlasti.

Javne usluge predstavljaju suštinu savremenog funkcionisanja sistema lokalnih samouprava svugde u razvijenom svetu. Tekovine toga potiču još od promene uloge države i shvatanja da je njena najvažnija uloga pružanje usluga građanima kroz javne službe. To se vremenom reflektovalo i na lokalnom nivou, a naročito posle uticaja novog javnog menadžmenta, i to na poljima strateškog planiranja i upravljanja, sklapanja privatno-javnih partnerstava i značajnije participacije i uticaja građana na efikasnije pružanje usluga od strane izvršne vlasti.

2. Strateško planiranje i upravljanje (opšte odrednice)

Strateško planiranje je sistematski način da se upravlja i izgradi društvo na osnovama širokog konsenzusa i zajedničke vizije o boljoj ekonomskoj budućnosti. To je kreativan proces utvrđivanja ključnih oblasti i usaglašavanja oko najvažnijih ciljeva i strategija. Kroz strateško planiranje lideri lokalne poslovne zajednice i predstavnici lokalne samouprave zajedno planiraju kako da unaprede lokalnu ekonomiju i poslovnu klimu u svojoj zajednici.[10] Strateški menadžment izvorno se razvio i koristio u privatnom sektoru. Ranih 1920-ih godina Harvardska poslovna škola (Harvard Business School) razvila je harvardski model javnih politika (Harvard Policy Model), jednu od prvih metodologija strateškog planiranja za privatni sektor.[11] Koncept menadžmenta ili upravljanja nastao je u privatnom sektoru u velikim firmama. Njime se daje prostor za odlučivanje po slobodnom nahođenju najvišim ešalonima privatnih firmi, i smešten je između akcionara, s jedne strane, i radnika, s druge strane. Odluke koje donose najviši rukovodioci po svojoj orijentaciji su strateške jer se tiču opštih ciljeva i odabira glavnih

[10] The Urban Institute:*Strateški plan lokalnog ekonomskog razvoja sa planom implementacije*, The Urban Institute, Beograd, 2006, 2.

[11] Blackerby Phillip:"History of strategic planning", *Strategic Planning (Armed Forces Comptroller),* 1/1994, 23.

alternativa delovanja sa pogledom u budućnost.[12] Strategija je bila osnovna podloga za poslovanje preduzeća koja je određivala strukturu organizacije sa ciljem da se postigne što bolji poslovni rezultat. Istovremeno, strategija je povezivala resurse kompanije, vrh menadžmenta, tržišne informacije i društvenu odgovornost i obaveze preduzeća. Međutim, već krajem 1950-ih godina uloga strateškog planiranja u preduzećima bila je usmerena na upravljanje menadžmentom rizika, rast industrijske proizvodnje i podelu tržišta. Naredna faza u oblasti strateškog planiranja odnosila se na analizu suparničkih odnosa moći (competitive power relationship) koja se zasnivala na određivanju moći kupaca i dobavljača, na analizama opasnosti od štetnih proizvoda i usluga, efektima koje može da izazove ulazak novih industrija i tržišnih suparničkih kompanija.

Tokom 1960-ih u SAD-u strateško planiranje je postalo standardni instrument gotovo svih 500 velikih kompanija, a i mnogih manjih. Sve do sredine 1980-ih godina strateško planiranje je ostalo najvećim delom u polju privatnog sektora.[13] Dinamična promena ekonomskih uslova, promena vrednosti, tehnološki razvoj, pojačana konkurencija i sve složenija regulativa naglašavaju značaj anticipacije i prilagođavanja promenama, kao i potrebu za pronalaženjem novih oblika upravljanja razvojem i u javnoj sferi. Osnove strateškog planiranja u javnom upravljanju uglavnom se pronalaze u delu DŽ.M. Brisona (John. M. Bryson) koji ga definiše kao skup koncepata, procedura i sredstava koja su oblikovana da pomognu rukovodiocima, menadžerima i planerima da razmišljaju i deluju strateški u cilju poboljšanja rezultata i uspostavljanja efektivnog planiranja. Strateško planiranje uključuje istraživanje, razmatranje strateških alternativa i procenu uticaja odluka na razvoj u budućnosti, odnosno definisanje svrhe planiranja, razumevanje okruženja, pre svega snaga koje utiču na, ili ograničavaju ispunjenje svrhe planiranja i kreativnost u razvijanju efektivnog odgovora na delovanje tih snaga.[14]

Ova vrsta planiranja uključuje strateško mišljenje i strateški menadžment (upravljanje). Ovakav menadžment je potreban kako bi se lakše donosile značajne odluke kojima se predviđa razvoj organizacije, a ujedno i obezbedio sistematičan pristup planiranju budućeg razvoja, kao i obezbeđivanju potrebnih sredstava za njihovu realizaciju. Suština ove vrste planiranja jeste u odlučivanju i implementaciji šta da se uradi, kako i zašto.

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12 Brown K., Osborne S.P.: *Managing Change and Innovation in Public Service Organizations*, Routledge, London, 2005, 51.

13 Šeparović Perko Inge: *Izazovi javnog menadžmenta-dileme javne uprave*, Golden marketing, Zagreb, 2006, 101.

14 Lazarević Bajec Nada:"Lokalno strateško planiranje u Srbiji: evaluacija rezultata", *Regionalni razvoj, prostorno planiranje i strateško upravljanje*, Institut za arhitekturu i urbanizam Srbije, Beograd, 2009, 127.

3. Modeli strateškog planiranja i upravljanja

Proces strateškog planiranja u javnom sektoru trebao bi da započne usvajanjem nacionalne vizije, koja predstavlja iskaz o budućnosti države, zasnovan na širokom političkom i socijalnom konsenzusu, i pruža okvir, smernice i prioritete za sve druge resorne strategije i politike. Na osnovu te vizije donosili bi se strateški ciljevi za sve segmente javnog sektora.[15] Većina autora smatra da je prvi korak u strateškom planiranju utvrđivanje SWOT analize i analize stejholdera (zainteresovanih strana). SWOT analiza potiče od engleskih reči strength (snaga), weakness (slabost), opportunity (mogućnost) i threat (pretnja). Snagu čine oni parametri kojim se jedna lokalna zajednica, pokrajina, država ističu, a pronalaze se u tri ključne dimenzije: okruženje, organizaciona struktura i kultura. Slabosti onemogućavaju realizaciju ciljeva, a šanse čine sva pozitivna kretanja i dešavanja koja mogu da budu od koristi. Pretnje čine faktori koji mogu u celosti ili delimično da onemoguće ostvarivanje ciljeva.

Gradske i regionalne vlasti su među prvima počele da koriste SWOT analizu u javnom sektoru tokom 1980-ih. Cilj ove analize je da se na osnovu sistematizacije prikupljenih informacija sagleda situacija i u skladu sa prethodno definisanom vizijom identifikuju strateška pitanja. Strateška pitanja se definišu kao faktori ili tendencije za koje postoji relativno velika verovatnoća da će uticati na ekonomske performanse regije (ili opštine) i na ostvarenje vizije. Nalaze se najčešće na negativnoj strani SWOT matrice-interne slabosti koje usporavaju regionalni ili lokalni privredni razvoj i eksterne opasnosti koje mogu imati negativan uticaj na regionalnu (lokalnu) privredu. Strateška pitanja se klasifikuju i izdvajaju se kritični elementi-ona strateška pitanja koja su najvažnija za ostvarenje vizije i koja se u najvećoj meri mogu kontrolisati od strane vlasti. Ova dva kriterijuma su neophodna za fokusiranje na prioritete i na probleme na koje regionalne/lokalne vlasti mogu uticati.[16] Analiza zainteresovanih strana je neophodna jer se strateško planiranje teško može zamisliti bez toga, bez obzira na nivo obrazovanja zaposlenih ili njihovog radnog iskustva. Naredni korak, posle ovih analiza jeste definisanje strateških dugoročnih ciljeva koji treba da budu realni, dostižni, vremenski ograničeni i merljivi. Sledeća faza jeste određivanje i definisanje određenog broja srednjoročnih ciljeva u okviru kojih se određuju jedan ili više programa koji vode njihovom dostizanju. U okviru tih programa potrebno je definisati i određeni broj projekata u kojem svaki ima svoj pojedinačni cilj (srednjoročni ili kratkoročni, i treba da doprinesu ostvarivanju opšteg programskog cilja).

[15] Obradović Vladimir: „Strateško planiranje i program menadžment u javnom sektoru", *Projektno upravljanje organizacijama-novi pristupi,* Udruženje za upravljanje projektima Srbije i Crne Gore-YUPMA, Beograd, 2006, 91.

[16] Lazarević Marija, Jandrić Maja: „Swot analiza i planiranje regionalnog razvoja", *Projektno upravljanje organizacijama-novi pristupi,* Udruženje za upravljanje projektima Srbije i Crne Gore-YUPMA, Beograd, 2006, 97-98.

Sa druge strane, jedan projekat može biti deo dva ili više različitih programa. Projekti od interesa za širu društvenu zajednicu veoma često doprinose većem broju programa iz različitih sektora, tj. resora javne uprave. Ovo je najčešće odlika velikih infrastrukturnih projekata koji, npr. mogu biti komponenta različitih turističkih, saobraćajnih, razvojnih i drugih programa.[17] Kao naredni korak određuje se funkcionalni pristup upravljanju projektima (jasnost ciljeva, obuhvat, rezultati, kvalitet, budžet, rizici, kadrovi, celina, aktivnosti). Nakon toga sledi određivanje prioriteta za čije određivanje kriterijumi moraju biti javno i jasno određeni.

Američka agencija za međudržavni razvoj (USAID) definiše osam faza u strateškom planiranju u lokalnim samoupravama kod nas. Prvi korak jeste formiranje Komisije za strateško planiranje (javni i privatni sektor), zatim sledi snimanje situacije (lična karta grada koja predstavlja sveobuhvatnu informaciju o konkurentnosti grada i lokalnoj privredi, kao i sprovođenje ankete o stavu poslovnih ljudi), a kao treći korak određuje se identifikacija ključnih pitanja (razvoj malih i srednjih preduzeća, životna okolina, javni prevoz, životni standard, imidž grada, turizam, kultura, itd) i definisanje vizije strategije (sažeta izjava koja sadrži očekivane rezultate razvoja i implementaciju akcionog plana). Četvrta faza jeste izrada SWOT analize, a peti izrada akcionih planova (utvrđivanje ciljeva, projekata, aktivnosti, određivanje prioritenih zadataka).

Šesti korak je izrada finalnog dokumenta: Strateškog plana. Strateški plan je dokument u skladu sa kojim se vrši implementacija i zapravo razlog za proces strateškog planiranja. Strateški plan sadrži sve dogovore do kojih se došlo, utvrđene resurse i podelu odgovornosti. Strateški plan treba da sadrži: hronologiju procesa strateškog planiranja; opšte ciljeve, zadatke i strategije za sva najvažnija pitanja; akcione planove; utvrđene prioritete; implementaciju plana upravljanja; ostale informacije (dodaci). Komisija nakon donošenja treba plan da dostavi skupštini opštine na usvajanje kao deo opštinske politike.[18] Sedma, najvažnija faza, jeste implementacija strateškog plana kojim se prepoznaje potreba onoga što je realizovano u odnosu na ono što je napisano u planu. Poslednja faza jeste nadzor i ažuriranje plana (određivanje lica koja će se baviti praćenjem realizacije programa kroz osnivanje komisije ili saveta).

Filip Blekerbi (Phillip Blackerby) određuje ciklus strateškog planiranja kroz sledeće elemente: planiranje izrade strateškog plana; određivanje misije, ciljeva i vrednosti; utvrđivanje trendova, podrške i otpora u okruženju; utvrđivanje strateških ciljeva; strateški prioriteti; strategija konkretne politike i prosleđivanje informacije o izvođenju strategije.[19] Navedeni modeli prikazuju, samo donekle, pojedine razlike u redosledu faza u ciklusu strateškog planiranja. Model strateškog planiranja je postao odgovor bilo kog nivoa vlasti na turbulencije i

[17] Obradović Vladimir, 93.

[18] The Urban Institute, 3.

[19] Blackerby Phillip, 24.

neizvesnosti u društvu i njihova sposobnost da kreiraju novi kvalitet i promenu. Ono treba da pomogne vlastima da se opredele između dobitnika i gubitnika i da svoju pažnju fokusiraju na kritičke izbore i ishode.

4. Strateško planiranje i upravljanje u razvijenim zemljama sveta

U evropskim zemljama tendencije uvođenja strateškog planiranja i upravljanja krenulo je još krajem 80-ih godina prošlog veka. Tokom 1995. godine Irska je donela Inicijativu za strateški menadžment (Strategic Management Initiative) sa ciljem da se ojača državna uprava i odluke vlasti postanu bliže i vidljivije građanima.

Velika Britanija, Kanada i Nemačka uvele su u javni sektor koncepciju strateškog menadžmenta s naglaskom na akciji, razmatranju širokog i diversifikovanog skupa zainteresovanih grupa, uz obraćanje pažnje na spoljne opasnosti i slabosti.[20] Australijska država Viktorija razvila je Integrisani ciklus upravljanja (Integrated Management Cycle-IMC) kojim se ustanovljava vremenski raspored za planiranje, dodelu sredstava, isporuku i praćenje izvođenja, izveštavanje i reviziju (kritičku ocenu). Cilj je da vlada ima mogućnost strateškog usmeravanja u promenljivoj okolini, određujući jasnu odgovornost ministara i ministarstava, tako da nije nužna detaljna kontrola središnje agencije. IMC povezuje strategiju sa budžetskim procesom i to čini osnovu za ukupni i poslovni plan ministarstva. Rezultati se ocenjuju i deo su ulaznih segmenata za idući ciklus. IMC je predvidljiv kalendar koji povezuje odluke Vlade o širokim politikama i strategijama s odlukama o dodeli sredstava i isporuci kvalitetnih usluga zajednici u kontekstu rigoroznih finansijskih ograničenja.[21]

U SAD-u značajne rezultate su postigle savezne države Oregon i Teksas. U Oregonu je početkom 90-ih napravljena radna grupa (predstavnici izvršne vlasti, univerziteta, privatnog sektora, nevladinih organizacija) koja je imala zadatak da za svaku organizaciju odredi njenu misiju i poveže je sa pokazateljima napretka u ostvarivanju vizije strategije. Nakon toga aktivnost grupe bila je usmerena na mere izvođenja kako bi se mogla utvrditi efikasnost i efektivnost svakog parametra. U Teksasu je donesen tokom 1993. godine Zakon o delovanju i rezultatima Vlade (Government Performance and Result Act) koji podrazumeva da svaka savezna agencija izradi svoj strateški plan koji treba da sadrži sledeće segmente: određenje misije; definisanje ciljeva i zadataka zasnovanih na ishodu; opisivanje načina ostvarivanja ciljeva; potrebna sredstva; povezivanje ciljeva sa opera-

[20] Goldsmith Arthur:"Private-sector experience with strategic management:cautionary tales for public Administration", *International Review of Administrative Science*, Sage Publications, 1/1997, 25.

[21] Kaul Mohan: *Management reforms in government (a review of international practices and strategies),* International Institute of Administrative sciences, Commonwealth Association for Public Administration Management, Bruxelles, 2000, 165.

tivnim planovima; popisivanje spoljnih uticaja; raspored evaluacije programa. Pored toga, zakonom je definisana obaveza svake agencije da mora da donese godišnji plan izvođenja strateškog plana, uz istovremeno donošenje izveštaja o izvođenju kako bi se mogla ustanoviti razlika između realizovanih i planiranih ciljeva i zadataka.

Različita iskustva u različitim zemljama pokazuju da su one implementirale najvažnije segmente novog javnog menadžmenta kroz rad organa izvršne vlasti, kao i kroz usvajanje ili primenu zakona i strateških dokumenata. U suštini, svaka od navedenih rešenja, sa specifičnostima svake zemlje, sadrži temeljne principe, načela i ciljeve na kojima se zasnivaju strateško planiranje i upravljanje.

5. Strateško planiranje i upravljanje u Srbiji (centralni i lokalni nivo)

Od početka devedesetih godina u Srbiji je generalno zapostavljena praksa planiranja razvoja iz razloga što se smatralo da je to odlika prethodnog socijalističkog sistema sa kojim se želelo što pre prekinuti. Dokumenti koji sadrže vizije budućnosti države, grada ili opštine i dugoročne ciljeve razvoja (društveni, ekonomski, infrastrukturni, institucionalni) su u potpunosti zanemareni, a samim tim nestalo je i usklađivanje planova i programa na srednjoročnom i godišnjem nivou.

Savremene tendencije u upravljanju dugo su zaobilazile ove prostore. Primena modernih upravljačkih koncepcija bila je skoro u potpunosti odsutna u Srbiji u poslednjih 15-tak godina, pa i više. Čak i ukoliko je bilo nekih svetlih primera, oni su bili toliko retki da se mogu smatrati izuzetkom od pravila.[22] Međutim, od promena vlasti 2000. godine, strateško planiranje postaje nezaobilazan segment razvoja društva. Različite Vlade Republike Srbije, kao i Narodna skupština Republike Srbije, usvojile su preko 120 strateških dokumenata i njihovih akcionih planova do polovine 2014. godine, praktično u svim društvenim oblastima i sektorima javnih politika. U pogledu ispunjenosti metodologije i izrade strategija ne može se reći da postoje neki nedostaci, ali zato nema preciznih podataka dokle i u kojoj meri je izvršena njihova primena u praktičnom smislu.

Većina strateških dokumenata pripremana je u veoma uskom krugu stručnjaka i zaposlenih u ministarstvima. U njima obično nisu definisani mehanizmi za njihovu efikasnu primenu niti principi međusobne podele odgovornosti i nadležnosti u sprovođenju i praćenju sprovođenja zacrtanih ciljeva. Iako je u realizaciji razvojnih i ekonomskih ciljeva skoro uvek potrebno ostvariti zajedničko delovanje više državnih organa i službi, od kojih neposredno zavisi da li će se i kako strateški ciljevi ostvariti-nisu uopšte bili uključeni u proces njihove pripreme. Uz to, širok krug onih koji bi trebalo da realizuju ciljeve Strategije, nije dobio priliku da se izjasni o predloženim rešenjima niti o predviđenim efek-

[22] Obradović Vladimir, 90.

tima primene. U tom smislu, najveći broj strategija predstavlja veoma korektno napisane stručne analize ekonomskih, razvojnih, pravnih i institucionalnih prepreka koje bi na putu ka razvijenoj tržišnoj privredi trebalo prevazići-problem obično nastaje u procesu njihove primene. Najveći broj definisanih i na Vladi usaglašenih strateških ciljeva uopšte nije ostvariv, ili nije ostvariv u definisanim i usaglašenim rokovima.[23] Od 2005. godine do danas Vlade Republike Srbije donele su veći broj strateških dokumenata, u kojima su navedeni ciljevi, mere i prioriteti Republike Srbije u oblasti razvoja i načini njihovog ostvarivanja, a koji se odnose na razvoj lokalnih samouprava. U te strateške dokumente ubrajaju se: Strategija reforme javne uprave u Republici Srbiji, Strategija reforme državne uprave u Republici Srbiji, Strategija razvoja socijalne zaštite, Strategija razvoja turizma, Strategija razvoja poljoprivrede Srbije, Strategija razvoja stručnog obrazovanja u Republici Srbiji, Strategija regionalnog razvoja Srbije za period od 2007. do 2012. godine, Nacionalna strategija održivog razvoja, Strategija razvoja sporta u Republici Srbiji za period od 2009. do 2013. godine, Strategija podsticanja i razvoja stranih ulaganja, Strategija javnog zdravlja Republike Srbije, Nacionalna strategija zapošljavanja za period od 2011-2020. godine, itd.

Kada je u pitanju zakonska regulativa, strateško planiranje na lokalnom nivou povezano je sa nekoliko zakona: Zakonom o budžetskom sistemu (2010)[24], Zakonom o lokalnoj samoupravi (2007)[25], Zakonom o regionalnom razvoju (2009).[26]

Prema Zakonu o budžetskom sistemu, strateško planiranje i izrada programskog budžeta moraju da budu povezani u jedan proces. U procesu izrade programskog budžeta vrši se višegodišnja raspodela resursa, kako bi se obezbedilo optimalno funkcionisanje lokalne samouprave. Ovaj vid planiranja, koji povezuje planske ciljeve i aktivnosti sa sredstvima potrebnim za njihovu realizaciju utvrđuju se osnovni razvojni pravci opštine i pomaže u optimalnoj alokaciji uvek nedostajućih sredstava. Obaveza uvođenja programskog budžetiranja, podrazumeva donošenje budžeta za period od tri fiskalne godine. Na lokalne samouprave se, prema odredbama koje se nalaze u prelaznom i završnom delu Zakona, ova odredba primenjuje od 2015. godine.[27] Zakonom o lokalnoj samoupravi (član 20. stav.1. tačka 9) omogućeno je da lokalne samouprave imaju nadležnosti u oblasti obezbeđivanja uslova i okvira za privređivanje, kao i donošenje programa i planova lokalnog razvoja. Na ovaj način je omogućeno svim jedinicama lokalne samouprave da za ove namene izdvajaju značajna budžetska sredstva (kroz programe podrške zapoljšavanju, davanje subvencija privredi, obuka i

[23] Pavlović Križanić Tatijana: *Priručnik za strateško planiranje i upravljanje lokalnim razvojem u Srbiji*, Centar za regionalizam, Friedrich Ebert Stiftung, Beograd, 2010, 11.

[24] Zakon o budžetskom sistemu, *Službeni glasnik Republike Srbije*, 101/2010.

[25] Zakon o lokalnoj samoupravi, *Službeni glasnik Republike Srbije,* 129/07.

[26] Zakon o regionalnom razvoju, *Službeni glasnik Republike Srbije*, 51/2009.

[27] Pavlović Križanić Tatijana, 16.

prekvalifikacija nezaposlenih lica, itd). Zakon o regionalnom razvoju trebalo bi da se pomogne učvršćivanju i jačanju institucionalnih struktura koje su osnova međuopštinske saradnje (prvenstveno regionalnih razvojnih agencija), kao i da se podstakne finansiranje kvalitetnih međuopštinskih projekata i usvajanje paketa mera i podsticaja za realizaciju projekata u oblasti regionalnog razvoja od nacionalnog, regionalnog i lokalnog interesa za Republiku Srbiju, unapređenje privrednih grana, tehnološkog nivoa, pristupa novim tehnologijama, promociji istraživanja i razvoja, podizanje regionalne konkurentnosti, unapređenje infrastrukture na republičkom, regionalnom i lokalnom nivou i unapređenje međuopštinske i međuregionalne saradnje u pitanjima od zajedničkog interesa.[28]

Tokom 2007. i 2008. godine sprovedeno je Mapiranje postojećih lokalnih strategija i tela za njihovu primenu u opštinama na teritoriji Srbije (Strategic plus Group). Utvrđeno je da je u Srbiji do 2007. godine, 140 opština razvilo nekakav strateški plan, dok je ukupan broj lokalnih strateških dokumenata, strateških i akcionih planova 396, od čega oko 20% spada u sveobuhvatne socio-ekonomske razvojne planove, još oko 14% u strategije održivog razvoja (koje bi se takođe mogle tretirati kao integralni dokumenti), dok ostale predstavljaju sektorske strategije (lokalnog ekonomskog razvoja, zaštite životne sredine, strategije za mlade, decu, Rome, itd). Analiza koja je rađena na bazi ankete je bila usmerena na utvrđivanje veze nacionalnih sa lokalnim strategijama te se konstatuje usklađenost oko 1/3 prioriteta i ciljeva sa Strategijom za smanjenje siromaštva (2002) i Nacionalnom strategijom privrednom razvoja (2006), značajna usaglašenost sa Strategijom regionalnog razvoja (2007), Nacionalnom strategijom zapošljavanja (2005) i drugim nacionalnim strateškim dokumentima.[29] Pored toga, u pomenutom istraživanju, ustanovljeno je da su značajna sredstva za izradu strategija obezbeđenja iz budžeta opština (72-73%), kao i od donatora (41%), od kojih su najznačanije međunarodne organizacije: USAID, UNDP, UNICEF, DFID, SDC, GTZ, EAR, UN-HABITAT, itd. Njihova uloga je bila da pruže materijalnu i stručnu pomoć u izradi strategija i realizaciji programa, obezbede metod rada i veoma često učestvuju u vođenju procesa.

U istraživanju koje je uradilo Ministarstvo za državnu upravu i lokalnu samoupravu zajedno sa naučnim radnicima kroz projekat „Kapaciteti lokalnih administracija za dobro upravljanje" (iz 2009. godine), na pitanje da li ima strategiju razvoja nije odgovorilo 4,5%. Većina lokalnih jedinica u Srbiji ima strategiju razvoja-njih 59, tj. 69%. Na pitanje o inicijatorima i kreatorima strategije nije odgovorilo 37,8%. Inicijatori donošenja strategija razvoja lokalnih jedinica vlasti su češće opštinski organi (56%), ređe razne domaće i strane agencije (44%), kao što su SKGO, USAID, GTZ, itd. Lokalne jedinice vlasti koje imaju strategiju po pravilu imaju (u 84% slučajeva) pojedince ili timove koji su odgovorni za njihovo sprovođenje, a takođe i uključenost građana u proces njihovog donošenja

[28] Pavlović Križanić Tatijana, 22.

[29] Lazarević Bajec Nada,132.

je bila izuzetna velika (91%). Na pitanje o sprovođenju strategije nije odgovorilo 18%. Ukupno 50% jedinica lokalne samouprave je odgovorilo da je ispunjen deo ciljeva, 27% da su razrađeni operativni programi i da se delimično primenjuju, 15% da ništa nije urađeno, 4% da su zadovoljavajući rezultati, 4% da su razrađeni operativni programi i da se pravovremeno primenjuju. Nekako se kroz odgovore na pitanja o strategiji, njenom donošenju i sprovođenju, provlači utisak da se strategije više prave reda radi ili zato što se pojavio donator da se ona napravi, a ne zato što je to stvarna potreba. Iz ovog istraživanja se ne vidi, ali inače je poznato, da donatori kao uslov angažovanja i davanja donacija u lokalnim jedinicama vlasti, po bilo kom osnovu, traže da one imaju strategije. Tako su verovatno mnoge strategije nastale zbog donatora, a ne potreba lokalnih vlasti. [30] Prema najnovijim podacima Stalne konferencije gradova i opština, danas postoji ukupno 817 strategija i planova na nivou lokalnih samouprava u Srbiji.[31]

Ukoliko se bliže analiziraju metodologije pripreme do sada usvojenih strategija lokalnog razvoja, može se doći do izvesnih zaključaka: 1) Većina jedinica lokalnih samouprava najveći akcenat strategija stavlja na programski deo, na analizu trenutnog stanja u određenim oblastima, definisanje vizija i misija, kao i veliki broj projekata sa okvirnim rokom njihovog izvršavanja i sprovođenja. Međutim, problem kod projekata jeste što oni često nemaju budžetsku i prostornu dimenziju i ne mogu tek tako da se uvrste u urbanistički i prostorni plan jedinice lokalne samouprave; 2) Stepen horizontalne i vertikalne usaglašenosti između strateških dokumenata jedinica lokalne samouprave nije na zadovoljavajućem nivou. Praksa je da se u strategijama na lokalnom nivou često naglašava usaglašenost sa nacionalnim ili međunarodnim strateškim dokumentima ali ne i između opština, ili na nivou opštine (grada). Sektorski pristup dokumentima pokazuje da oni nisu toliko međusobno povezani na lokalnom nivou, a da se problemi često preklapaju i da su slični. Kada je u pitanju vertikalna usaglašenost, nju odlikuje jednosmerna komunikacija i nedostatak dvosmerne saradnje sa institucijama na nacionalnom nivou kako bi se unapredio razvoj jedinica lokalne samouprave; 3) Kod većine strateških dokumenata ne postoji jasno određen organ, javno preduzeće, ustanova koja je nadležna za sprovođenje strateških ciljeva, niti jasno utvrđena mreža koordinacije i subordinacije između lokalnih izvršnih organa vlasti i ostalih subjekata koji su zaduženi za njihovu primenu; 4) Pri definisanju prioriteta postoji problem kod usaglašavanja prioriteta između republičkih strategija i lokalnih projektnih prioriteta, kao i kod granica delovanja (događa se da je za realizaciju prioriteta potrebna međuopštinska saradnja i saradnja sa centralnim vlastima); 5) Strategije sadrže veliki broj

[30] Prokopijević Miroslav:" Kapaciteti lokalnih vlasti u oblasti podsticanja lokalnog ekonomskog razvoja", *Lokalna uprava-stanje i potencijali,* Fakultet političkih nauka, Ministarstvo za državnu upravu i lokalnu samoupravu, Beograd, 2009, 5-7.

[31] Stalna konferencija gradova i opština: *Mapiranje opština*, http://strategije.skgo.org/ (25.07.2014)

uopštenih teza i generalizacija, preklapanja tema između različitih sektorskih politika, neusaglašenost sadržaja između istih, nedovoljnu konkretizaciju problema, nedovoljnu preciznost pri definisanju sredstava za realizaciju programa iz opštinskog budžeta; 6) Strateški ciljevi nisu vremenski usaglašeni, a nije ni definisan strateški proces kroz potrebna i uložena sredstva i dobijene rezultate; 7) Iako je istaknuto veliko učešće građana pri kreiranju strategija u pomenutom istraživanju, taj podatak ipak treba uzeti sa rezervom. Isto tako čini se da ne postoje ni jasno definisani mehanizmi za učešće građana u sprovođenju strategija kao vida kontrolnog instrumenta lokalnih vlasti.

Iz uvida u strateške dokumente se može zaključiti da implementacija strategija, izbor instrumenata kojima će se strategije realizovati, organizacija procesa praćenja i adaptacija, predstavljaju glavni problem u integralnim strateškim dokumentima. Nepovezanost strateškog planiranja sa drugim oblicima planiranja i odlučivanja u opštinama, nemogućnost preciznog planiranja opštinskog budžeta, kao i nedostatak strateškog menadžmenta u opštinama je uzrok nedovoljno razrađene implementacije koja snižava nivo strateških dokumenata. Umesto da se grade na adekvatnoj proceni kreativnih lokalnih potencijala, kao na pr. reorganizaciji rada opštinske uprave ili javnih preduzeća, čest je slučaj da se strategije definišu ugledanjem na praksu u drugim sredinama, na bazi internacionalnih iskustava glavnih učesnika, eksperata, organizatora i donatora. Realizacija planova međutim zahteva dobro poznavanje lokalnih uslova te internacionalni modeli ne mogu biti od veće koristi.[32] U strategijama nisu razvijeni indikatori i merila za praćenje uspeha u sprovođenju strategije (monitoring, evaluacija). Lokalne razvojne strategije moraju da budu koncipirane tako da sadrže jasno definisan i konkretizovan operativni deo, koji jasno definiše veoma konkretne ciljeve koji svaki od organa, tela, preduzeća i ustanova mora da ostvari u određenom vremenskom periodu, i o kome mora da detaljno izvesti u svom godišnjem, odnosno kvartalnom izveštaju o poslovanju, koji razmatra Skupština grada, odnosno opštine.[33]

Jedan od značajnih uzroka zbog čega se ne implementiraju strategije jeste nedovoljan stepen odgovarajućeg obrazovanja subjekata koji su zaduženi za primenu. Obzirom da se radi o složenim problemima, tako ni edukacija ne može da bude brza i da se sprovodi „reda radi" jer se radi o znanjima koja zahtevaju duži vremenski period da se nauče i počnu sa primenom (funkcionisanje tržišta, troškovi i koristi, podela nadležnosti i odgovornosti, definisanje prava i obaveza). U tome značajnu ulogu bi trebalo da ima menadžment u lokalnoj samoupravi.

Džon Kingdon (John Kingdon) daje sažet prikaz javnih preduzetnika: raspolaganje pravom ili moći da bude slušan i prepoznat u javnosti, koja može da ima tri moguća izvora: 1) stručnost; 2) pravo i sposobnost da se govori u ime i za

[32] Lazarević Bajec Nada,132-133.

[33] Pavlović Križanić Tatijana,10.

druge; 3) nositelji moćnih formalnih položaja u političkom sastavu.[34] Rešavanje problema kroz integralno strateško planiranje i odlučivanje zahteva pre svega sveobuhvatnu reformu obrazaca upravljanja, odnosno strateško javno upravljanje.[35] Javni menadžment se oslanja na ekspertska znanja koja se stiču dugim radom u tržišnom okviru. U svakodnevnom javnom upravljanju obezbeđuju se nova kreativna znanja koja su relevantna za odlučivanje. To se odražava u svim aspektima rada javnog sektora. Od izbora kadrova, menadžera i ekonomista do izbora vrste strategija koja rešavaju određene probleme i instrumenata njihove implementacije i obezbeđenja usluga (ugovori, partnerstva, tenderi). To je uslov za primenu znanja u odlučivanju o različitim ekonomskim, društvenim ili pitanjima iz domena okruženja.[36] Nažalost, čini se da odsustvo kvalitetnog menadžmenta, pre svega stručnjaka za strateško upravljanje u jedinicama lokalne samouprave iziskuje potrebu da se ovakva stručna lica za edukaciju pronalaze u privatnom sektoru. Pored toga, nedostaju i istraživanja koja pokazuju koliko su lokalne zajednice sposobne da prate i upravljaju primenom strategija. Takođe, jedan od značajnih aspekata unapređenja strateškog upravljanja i planiranja jeste kreiranje plana i izbora strategije koja treba da reši probleme i da vodi ka željenim rezultatima, a isto tako bitno mesto ima i analiza i izbor ključnih problema u razvoju lokalnih samouprava. To sve zajedno treba da vodi do merljivih rezultata koji su krajnji cilj implementacije strateških dokumenata kroz maksimalizaciju profita i smanjenje troškova realizacije.

Poboljšanje vertikalne usaglašenosti trebalo bi da bude jedan od značajnih prioriteta i lokalnih i centralnih nivoa vlasti. Značajna pitanja (na primer, zemljišna politika, prostorno planiranje, građevinski sektor) i problemi koji se zbog toga dešavaju najlakše se ustanove na lokalnom nivou. Međutim, rešavanje ovih problema jeste sistemske prirode i u nadležnosti su centralnih vlasti. Vertikalna usaglašenost podrazumeva donošenje novih zakonskih rešenja i nacionalnih politika koji će unaprediti čitav sistem upravljanja (integracija politika, usaglašavanje rada između ministarstava, učešće nadležnih sa centralnog nivoa kao partnera u definisanju strategija i rešavanju problema). U tom smislu, važno je i da lokalne samouprave ustanove kriterijume koje treba dostići u poboljšanju efikasnosti i efektivnosti poslovanja, ali i uspostavljanje sistema merenja za praćenje realizacije strateških ciljeva na transparentan način.

Koncept strateškog upravljanja javim uslugama relevantan je za sprovođenje aktivnosti javnih agencija ili službi. Međutim, tom prilikom se moraju uzeti u

[34] Kingdon John: "Britain", *Comparative public administration*, Chandler J.A (ed), Routledge, London, 2000, 32.

[35] Steurer Reinhard: *Strategic Public Management as Holistic Approach to Policy Integration*, Vienna University of Economics and Business Administration, Vienna, 2005, 69.

[36] Adams David, Hess Michael: "Inovation in Public Management: The role and function of community Knowledge",*The Inovation Journal: The Public Sector Inovation Journal*, 1/2007, 3-6, http://www.innovation.cc/volumes-issues/hess_adams_innovate_public_manage8final.pdf (25.07.2014)

obzir specifičnosti javnog sektora, kao i potreba za integrisanjem implikacija vladavine prava. Strateško upravljanje u javnom sektoru može da počne svoj razvoj samo na osnovu mera ishoda. Ključne odluke vezane za proizvodnju tima se odnose na korišćenje tih mera ishoda i u smislu monitoringa stvarnih aktivnosti i reforme tih aktivnosti. Kada „nova javna organizacija" bude zamenila birokratiju, javna organizacija će imati još više potrebe za strateškim upravljanjem.[37]

6. Zaključak

Savremeni i razvijeni svet doživeo je krajem prošlog veka nekoliko revolucionarnih promena u tehničkom, tehnološkom i globalnom aspektu. Informaciono društvo u kome dominira upotreba savremenih tehnoloških dostignuća (era interneta) zamenila je do tada sva raspoloživa oruđa i sredstva kojima se čovek služio. Informacije postaju glavni izvor po kome se razvijaju uspešne akcije i proizvode kvalitetni rezultati u bilo kom aspektu javnog upravljanja. Razvijene zemlje sveta su iskoristile sva dostignuća u teorijskom i praktičnom smislu (kroz privatni sektor) da novi javni menadžment prilagode specifičnostima u svojim nacionalnim sredinama i sprovedu reformske procese, sa različitim i promenljivim rezultatima.

Srbiju je tehnološka i tehnička revolucija na neki način zaobišla, a ni aspekti globalizacije u to vreme se nikako nisu mogli osetiti kod nas jer je zemlja bila izolovana zbog decenijskog uvođenja sankcija od strane zemalja EU i SAD. Refomski procesi imali su svoj početak tek nakon promena 2000. godine, ali ni do današnjih dana nije sproveden proces reformi u javnom sektoru kojim bi se napravili zdraviji temelji za sveobuhvatniji razvoj srpskog društva.

Strateško planiranje i upravljanje predstavljaju značajne produkte novog javnog menadžmenta čiji su se uspešni rezultati mogli dijagnostifikovati u privatnim kompanijama, mnogo godina ranije pre nego što su postavljeni i teorijski aspekti ovog reformskog načina upravljanja svim nivoima vlasti.

Uvidevši da većina savremenih društava koristi strategije kako bi se jasnije odredili svi segmenti razvoja država i odredili ciljevi i sredstva kako ih sprovesti, različite vlasti na centralnom i lokalnom nivou u Srbiji su za poslednjih 10-tak godina donele preko 900 strateških dokumenata koji danas postoje na nacionalnom nivou i na nivou lokalnih samouprava. Iako je većina tih strateških dokumenata napisana u skladu sa savremenim postulatima naučno istraživačkog procesa, izostala je njihova adekvatna implementacija jer se nije dovoljno obraćala pažnja na ljudske resurse za njihovo sprovođenje, vremensku, budžetsku i prostornu dimenziju, zbog neadekvatnosti sistema koordinacije i podele nadležnosti i zadataka, kao i nedovoljnom naglasku na merenju efekata sprovođenja strateških dokumenata.

[37] Lane Jan-Erik: *Državno upravljanje (Razmatranje modela javne uprave i javnog upravljanja),* Megatrend Univerzitet, Službeni glasnik, Beograd, 2012, 213.

Kao ono što je važno da se u budućnosti uradi odnosi se angažovanje stručnih kadrova ili edukaciju već postojećih ljudskih resursa kako i na koji način sprovoditi strateške dokumente i to u svim njihovim segmentima, staviti naglasak na rezultate i ono što su oni izazvali, kao i napraviti efikasan model saradnje, koordinacije i subordinacije.

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STRATEGIC PLANNING AND MANAGEMENT AT THE LOCAL LEVEL IN SERBIA

S u m m a r y

The aim of this paper is focused at the analysis of the Serbian reform processes, based on the theoretical concept of new public management that has proven to be successful in practical terms in most developed countries. New approach to management, both at the central and local level, requires the development and implementation of strategic documents that are an important product in the modern aspects of management. Implementation strategies in Serbia, so far, has not proved adequate and expected results, because of the defects and shortcomings which are manifested in the aspects of the insufficient number of quality and skilled human resources, lack of money, timeframes for implementation, clearer and more concrete action plans which are used for the implementation of strategic documents and insufficient attention to the effects, measurement and evaluation of what was done. Conclusion emphasizes the need for constant and permanent training of employees at all levels, with the aim of better and more concrete application of strategies in everyday practice; but also the need for program budgeting and an highlighting of the results that have been achieved, along with simultaneous correction of errors in the process of the strategy implementation.

Key words: new public management, good governance, strategic planning, strategic management

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DESUVERENIZACIJA NACIONALNE DRŽAVE, EKONOMIJE I BEZBEDNOSTI U USLOVIMA GLOBALIZACIJE[**]

U savremenim uslovima globalizacije i globalizma u svetu desuverenizacija nacionalne države i ekonomije je opšti proces. Nacionalna država suočena je sa mnogobrojnim izazovima i permanentno se nalazi u stanju krize. Bogate enklave nacionalnih država u procesu globalizacije najčešće nastoje da se integrišu u neoliberalni kapitalistički sistem, dok se zaostale i siromašne enklave odbacuju, a nacionalne države dezintergišu. Uzroke etno-religioznih konflikata i anacionalnih separatizama prevashodno treba tražiti u ekonomiji. Stari entiteti, nacionalna država, nacionalna ekonomija i nacionalna bezbednost, u uslovima globalizacije dobijaju potpuno nova značenja.

Metodom uporedne analize sadržaja dokumenata, ustavne i političke prakse došlo se do zaključka da se danas veliki broj nacionalnih država, među koje se svrstala i Republika Srbija, nalazi u stanju permanentne krize, a državna kriza je pre svega kriza državne suverenosti. Država se razara iznutra i spolja na raličite načine. Kvalitativnom analizom je potvrđeno da u državi dolazi do prekoračenja ustavnih odredbi koja se odnose, pre svega, na pitanja nacionalne ekonomije i nacionalne bezbednosti, a posebno oduzimanjem ekonomske suverenosti.

Ključne reči: nacionalna država, nacionalna ekonomija, suverenost, bezbednost, globalizacija, globalizam, integracija, asimilacija i dezintegracija

Na kraju XX i početku XXI veka desile su se velike geopolitičke, političke, državne, nacionalne, ekonomske i kulturne promene u svetu. S jedne strane, uočljiv je trend kvantitativnog povećanja broja država, tako da je 2012. godine OUN imala 193 države članice, da bi uporedo funkcionisalo čak preko 40 samoproglašenih, ali nepriznatih ili delimično priznatih državolikih tvorevina.[1] Drugo, uporedo sa svetskim procesima globalizacije i globalizma dolazi do desuverenizacije nacionalnih država i nacionalnih ekonomija, pa samim tim i do promena u položaju i karakteru nacionalne bezbednosti. I kao treće, postaje već

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[1] Dušan Proroković, *Geopolitika Srbije – Položaj i perspektive na početku 21. veka*, JP Službeni glasnik, Geopolitika, Beograd, 2012..

javan proces, razvijaju se aktivnosti centara svetske moći, centara za strateško planiranje i upravljanje planetom: Savet za spoljne poslove osnovan 1921. godine; Bilderberg grupa formirana 1954. godine; i Trilateralna komisija konstituisana 1972. godine. Mnoge poznate i uticajne ličnosti su bile u pojedinim periodima ili danas jesu članovi ovih organizacija: Dejvid Rokfeler, Zbignjev Bžežinski, lord Karington, Bil Klinton, lord Oven, Sajrus Vens, Ričard Holbruk, Sadako Ogata, Đerđ Soroš i drugi. Pojedine prepoznajemo kao članove međunarodnih misija u procesu dezintegracije SFRJ devedesetih godina prošlog veka. Glavne institucije kojima ova strateška tela i ličnosti vladaju svetom su: Svetska banka i MMF, Haški sud za ratne zločine, veoma poznate svetske naučne institucije među kojima su Rimski klub, Harvardov institut za psihologiju, Huverova biblioteka u Palo Altu, Masačusetski institut za tehnologiju, Hodsonski institut u Engleskoj, Kraljevski institut za međunarodne poslove, NATO kao vojna egzekutiva. Nema sumnje, da ovi najznačajniji centri svetske moći nastoje da ostvare kontrolu i dominaciju nad svim značajnijim svetskim prirodnim resursima, političkim, ekonomskim i kulturnim medijskim procesima, individualnim i kolektivnim različitim subjektima na mikro, midl i makro nivou. Pomenute i druge sa njima u sprezi naučne institucije, vrše sistematske analize i projekcije planiranih projekata, vrše sistematsko planiranje kadrova, posebno stipendiranje i indoktrinaciju mladih ljudi, koji se kasnije prate u obrazovanju i životu, podstiču, promovišu i usmeravaju, naravno, da bi se u budućnosti od njih u određenom trenutku i svrsishodnim povodom očekivalo vraćanje usluga kad ovi mladi ljudi budu došli na visoke i značajne položaje, a njihovim sponzorima to bude trebalo i značilo.

Nema sumnje, da je savremena globalizacija sveobuhvatan, kompleksan, dugoročan i planiran proces u kojem učestvuje veliki broj različitih i ne samo ekonomskih subjekata. U društvenoj naučnoj teoriji, pogotovo politikologiji često se još uvek ne pravi prava i dovoljna razlika između trenda globalizacije i tendencija globalizma. Globalizacija se kao istorijsko zakonomeran proces ekonomskog, finansijskog, informatičkog, tehnološkog, itd., povezivanja ljudi i država se povezuje i zloupotrebljava za propagiranje i nametanje doktrine i ideologije globalizma. Za razliku od globalizma, globalizacija je pozitivan društveni proces koji vodi zbližavanju ljudi i naroda, generalno, boljem životu i prosperitetnijem društvu, dok je globalizam, smatra Vladislav Jovanović[2] , u stvari samo drugo ime za novu destruktivnu svetsku stvarnost, za novi totalitarizam i hegemonizam. Jer, tendencije globalizma ne dovode samo u pitanje mnoga osnovna prava i slobode čoveka, već i osnovna prava država članica OUN, posebno principe suvereniteta i nezavisnosti i to ne samo politički, već najčešće i fizički. Po logici stvari i univerzalnosti ciljeva isto tako, zaključuje Vladislav Jovanović, da bi pravo i novi svetski poredak morali da budu sinonimi, a oni u njihovoj stvarnoj suštini ne samo da nisu u priželjkivanoj harmoniji, već se nalaze u suštinskom moralnom

[2] Vladislav Jovanović, „*Diplomatija i šah – Ni konfrontacija ni kapitulacija*“, JP Službeni glasnik, Beograd, 2011.

i filozofskom suprotstavljanju i sukobu.[3] Ukoliko posmatramo svet u celini, ima mnogo znakova koji ukazuju da se razlike između bogatih i siromašnih zemalja i ljudi stalno povećavaju. Zato postoji i stalno se širi sve veći protest kod naučnog i političkog javnog mnjenja zbog same upotrebe termina globalizacija, jer se njime pod plaštom moderne prikrivaju međunarodni, a eksploatatorski odnosi.

1. Desuverenizacija države

Veliki broj nacionalnih država se danas nalazi u uslovima permanentne krize, a državna kriza je pre svega kriza državne suverenosti. „Nacionalne države su izgubile moć, jer se pojavio novi igrač - transnacionalne korporacije (polu) tajna društva i (zatvoreni) klubovi i međunarodna birokratija".[4]

Savremena nacionalna država ima svoju dugu istoriju, sistem država – nacija rođen je 1648. godine potpisivanjem Vestfalskog mira, da bi samo nešto manje od četiri veka kasnije na početku XXI veka nacionalna država manifestovala svoju nemoć, tako da se danas govori o njenom preoblikovanju i izopačavanju.[5] U antičkoj Grčkoj nije postojala nacija, prema tome ni nacionalna država, već samo gradovi-države koji su čuvali svoj suverenitet. Država utemeljena na naciji kao subjektu istorije naziva se i postaje nacionalna država. Osim ekonomskih pretpostavki, posebno prelaska na tržišnu privredu i kulturne pretpostavke su bile posebno značajne za formiranje nacija u Evropi. „Nacionalizam u politici značio je njenu demokratizaciju. Ideja nacije značila je kraj epohe u kojoj je politika bila stvar dinastija, crkve i feudalnog plemstva, dok je sam narod držan za objekt bez ikakve političke volje. Svaki član nacije postao je sudeonikom nacionalne političke volje, a to je značilo demokratizaciju politike, uvođenje opšteg prava glasa i parlamentarizma i uopšte do nove strukture državnog, nacionalnog i političkog života." [6]

Danas na početku XXI veka došlo je drugo vreme, vreme globalizacije i globalizma, vreme kad finansijske oligarhije i transnacionalne kompanije ne biraju sredstva i sve su agresivnije u njihovim planovima da ostvare svoje ekonomske interese, razarujući nacionalne države i spolja i iznutra, vršeći njihovu desuverenizaciju. Na scenu je stupio evroatlantski transnacionalni korporacijski imperijalizam.

Istorija sveta je i dosada bila istorija različitih imperija. Imperije su postojale u Starom, Srednjem i Novom veku i sve su one imale period prosperiteta, razdo-

[3] Vladislav Jovanović, navedeno delo,

[4] Zoran Milošević, „*Transnacionalne korporacije država*", u Zoran Milošević, Živojin Đurić, (priredili) (*Dez)integracija država i nacionalni identitet na početku 21. veka*, Institut za političke studije,Beograd,2014, str.101.

[5] Dušan Proroković, nav. delo,

[6] Đuro Bodrožić, „*Globalizacija i nacionalni suverenitet*", u Zoran Milošević, Živojin Đurić (priredili) „(*Dez)integracija država i nacionalni identitet*" navedeno delo, str. 17.

blje stabilizacije i fazu propadanja. Posebno je značajno ukazati da koreni savremenog globalizma dosežu u daleku prošlost još u vremena pre nastanka Svetog rimskog i Franačkog carstva, Mongolskog, Turskog, Habzburškog, Britanskog, Francuskog, danas američkog imperijalizma. Među njima postoje značajne razlike kad je reč o istorijskim i društvenim okolnostima u kojima su nastajale, vremenskom periodu imperijalne dominacije i hegemonije, tehnološkom nivou i raznovrsnosti sredstava koja su koristili za ostvarivanje svojih imperijalnih ciljeva, ali pored svega vrednosti koje su zagovarale i nametale imaju nešto duboko i suštinski zajedničko i destruktivno. Kad je reč o strateškim planovima i ciljevima zajednička im je težnja ka ekspanziji i osvajanju, kao i strast za što dužim vremenskim periodom dominacije. Kada govorimo o metodama i sredstvima za ostvarivanje imperijalnih interesa, kao da se tu ništa nije promenilo, radi se o primeni tehnoloških dostignutih najsurovijih sredstava sile, pljačke i ubijanja. Stolećima su uništavana deca, žene, ljudi, narodi, države, regioni, kontinenti, cele civilizacije, planeta Zemlja, sam život. Na personalnom planu sve ove imperije imale su svoje gospodare – vođe.

Novim svetskim finansijskim oligarhijama smetaju barijere kao što su nacije i nacionalne države, zato što njima smetaju sve prepreke koje stoje na putu transnacionalnih korporacija. Procesi desuverenizacije savremenih država nisu pravolinijski ni simplifikovani, i oni se ostvaruju putem različitih modela i metoda i širenjem i sužavanjem državnih prostora. Naučnik istraživač dr Vladan Stanković smatra da procesi desuverenizacije savremenih država mogu da se odvijaju putem dezintegracije države, ali i kroz integraciju u nove naddržavne tvorevine.[7] U procesima dezintegracije i nacionalna i višenacionalna država se dezintegrišu i raspadaju. Nasuprot ovakvim i sličnim političkim i državnim pojavama, u stvarnosti postoje tendencije integrisanja u naddržavne forme regionalnog i šireg karaktera.

Nezavisno od toga da li se radi o dezintegracili ili integraciji, razaranju države iznutra ili spolja, da li se radi samo o njenom političkom, pravnom ili ekonomskom razaranju, uvek je u pitanju glavni atribut svake ne samo nacionalne države, njena suverenost. I zbog toga, mada fenomenološka analiza može da izrazi stav da su osnovni potencijali nacionalne države istrošeni, pa je zbog toga ubuduće sve više treba tražiti u istorijskom muzeju, kao i da je državna suverenost izgubila potencijale i šanse sa tendencijama globalizacije, posebno globalizma. Objektivna svetska realnost takvo naučno razmišljanje smatra neprihvatljivim, neutemeljenim i ne daje mu za pravo. Nema sumnje da mnogi indikatori ukazuju da nacionalnu državu i u budućnosti očekuju mnoga iskušenja i izazovi, globalistička ideja o svetskoj državi je malo ostvarljiva. Na taj aspekt procesa integracija ukazao je još Karl Šmit (Karl Schmidt) kada je upo-

[7] Vladan Stanković, *„Načini desuverenizacije savremenih država/nacija – politički, pravni, ekonomski i društveni pristupi"*, u Zoran Milošević Ž. Đurić,*(Dez)integracija država i identitet*,nav. delo

zorio da kada bi se neka svetska država, koja bi obuhvatala čitavu Zemlju mogla uspostaviti, ona ne bi predstavljala političko jedinstvo, što znači da ne bi bila legitimna država.[8] Globalizacija, posebno globalizam, vodi podrivanju suvereniteta države, koji proističe iz suvereniteta naroda, samo što danas odluke koje se tiču života naroda i stanovništva države, sve se manje donose na izborima i njih ne donose izabrani predstavnici, već se političke odluke donose spolja, donose ih otuđeni centri finansijske i političke moći.

Etničke i religiozne razlike ne proizvode uvek separatizam, ali se degradiranje državnog suvereniteta povratno manifestuje kroz etno-religiozne konflikte. Međuetničke tenzije često postoje i u stabilnim zapadnoevropskim državama. U osnovi, etnoreligijski faktor je sekundaran ako se uzmu u obzir ekonomski aspekti i uzroci problema. Najčešći uzrok separatizma je nastojanje lokalne elite da direktno mimo sopstvene države kontaktira sa globalnom ekonomijom. U tom slučaju na teritoriji države se rađa kriminalizovana i separatne enklava. Stabilna i snažna država će odmah preduzeti sve mere da uništi tu enklavu, ali slaba, globalizmom iscrpljena država, nesposobna je za takav zadatak. Postoje dokumenta koja potvrđuju da je prvobitni cilj Dž. Dudajeva (Dzohar Dudaev) bila izgradnja svetovne čečenske države.[9] Ustavom Čečenije iz 1992. godine bile su zagarantovane verske slobode, a od posebnog je značaja bilo odvajanje religijske organizacije od države. Prema tome, uzroke čečenskom secesionizmu ne treba tražiti u religiji i etnifikaciji, već u ekonomiji.

U nauci postoje dva osnovna pristupa analizi uzroka državne dezintegracije. Pojedini autori smatraju da integracija u svetsku kapitalističku privredu i usvajanje, rekao bih više nametanje recepata i kriterijuma međunarodnih organizacija, utiče i proizvodi masovno osiromašenje stanovništva, koje se u procesu zaštite nacionalnog identiteta okreće etnosu i veri. Suprotno prethodnom shvatanju, druga grupa autora zastupa mišljenje da glavni uzroci dezintegracije nisu nastali zbog socijalnog siromaštva, tj. da ih ne treba tražiti u najsiromašnijim regionima države, već tamo gde se nalazi bogatstvo i gde bogati regioni raspolažu finansijski vrednim resursima za integraciju u svetsku privredu.

Poznati naučnik i istraživač Mišel Čosudovski (Michel Chossudovsky) potpuno negira tezu popularnu na Zapadu da je građanski rat u Jugoslaviji na kraju XX veka proistekao iz etno-kulturnih različitosti duboko ukorenjenih u tradiciji pojedinih naroda i smatra da je dezintegracija jugoslovenske države prevashodno prouzrokovana ekonomskim faktorom. U vezi s tim, on podseća da je na ove konflikte suštinski uticao spoljni faktor programom makroekonomskog

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[8] Karl Šmit, „*Pojam političkog*", u Slobodan Samardžić (ur.) *Norma i odluka:Karla Šmita i njegovi kritičari*, „Filip Višnjić",Beograd, 2001. str. 38 – 39.

[9] Anastasija Mitrofanova Vladimirovna, „*Kriza nacionalne države u epohi globalizacije*", Nacionalni interes godina VIII, vol.13, No. 1/2012,Institut za političke studije, Beograd, 2012,str. 18.

restruktuiranja nametnutog od stranih zajmodavaca, koji je doveo do dezintegracije industrijskog sektora i gubljenja socijalne sigurnosti i garancija.

Istim metodom kvalitativne analize on istražuje uzroke genocida u Ruandi 1994. godine. Njegovi rezultati istraživanja pokazuju da je krajnje simplifikovano i u osnovi netačno kad na Zapadu taj događaj hoće da objasne međuplemenskom mržnjom, t5j. unutrašnjim uzrocima. Sama po sebi etnička napetost u stepenu u kojem je postojala ne bi izazvala tako katastrofalne posledice.[10]

Druga grupa autora kojima pripada i francuski politikolog Paskal Bonifas (Pasqual Boniface) zastupa stav da osnovne uzroke dezintegracije države, ipak, pre svega, treba tražiti u regionima i enklavama koji su resursima najbogatiji.[11]

Pored, generalno, različitih stavova u analizi uzroka dezintegracije nacionalnih država, neosporna je činjenica da na početku XXI veka ni globalizacija ni globalizam nisu se ostvarili kao planetarni projekat. Vrednost ovakvog zaključivanja se ne umanjuje ako se ima u vidu da se desio raspad velikog broja suverenih država u svetu i smanjila uloga malih i srfednje razvijenih država u međunarodnim odnosima.

2. Desuverenizacija nacionalne ekonomije

Globalizacija je prevashodno ekonomski proces, a tek onda politički, kulturni, itd., iz čega jasno proističe da je glavna meta globalističke ekspanzije nacionalne ekonomije. I sam pojam „nacionalna ekonomija" gubi svoj osnovni smisao i značenje, jer je tendencija da nacionalna ekonomija bude sve manje povezana sa državom – nacijom i osnovnim potrebama njenih građana. Glavni ekonomski subjekat postaju transnacionalne kompanije (TNK), kojima na putu stoji sve manje međunarodnih prepreka, koje razmeštaju njihovu proivodnju i plasiraju njihove proizvode isključivo gde je za njih najpogodnije i najprofitabilnije.

Međunarodna podela rada sve više poprima intezivan karakter, što proizvodi duboku socijalnu i političku diferencijaciju. U ovim procesima veliki delovi društva, čak i cele nacije, ostaju na rubu ekonomskog razvoja i socijalnog beznađa bez ikakvih mogućnosti da se samostalno, tj. uz pomoć sopstvene države ikako izvuku iz nastale katastrofalne situacije, pogotovo ne u neko blisko vreme u budućnosti. Makroekonomska politika se fundira po volji i interesima centara moći na Zapadu. Potpuno je slobodno kretanje roba iz razvijenih zemalja u zemlje u razvoju, čime se guši sopstvena nacionalna proizvodnja i zemlje dovode u finansijsku prezaduženost i u neokolonijalno ropstvo. Globalno uzev, rascep između bogatih i siromašnih zemalja se stalno rapidno uvećava, tako da

[10] Michel Chossudovsky, *The Globalization of Poverty: Impacts of IMF and World Bank Reforms*, London: Zed Books, 1997, p. 243-244.

[11] Pasqual Boniface, *"The Proliferation of States",* The Washington Quarterly, 1998, Summer, p.117.

u dokumentima UN još od 90-ih godina pojavio termin „veoma nerazvijene zemlje", što znači da u svetu postoje zemlje koje više ne treba uvršćavati čak ni među zemlje u razvoju, a čije stanovništvo živi ispod svakog praga predvidljivog siromaštva.[12]

Podsetimo se da globalizacija ekonomije još nije bila moguća kada su uporedo i nezavisno funkcionisala dva sektora svetske privrede, socijalistički i kapitalistički. Tada je kapitalistički sistem funkcionisao sa centralom i periferijom, da bi u socijalističkom sistemu svaka država ponaosob pokušavala da izgradi i stvori samodovoljnu zatvorenu ekonomiju. Krajem prošlog veka kapitalistička privreda je postala dominantna, proces globalizacije je uzeo maha i nisu birana sredstva i metode da se nastavi ovaj proces ekspanzije, da se obezbedi dalji protok kapitala. Globalizacija menja karakter nacionalnih ekonomija, tako da se one transformišu od relativno zatvorenih sistema u podređene elemente neoliberalnog svetskog poretka. Ovakvi ekonomski tokovi nikako ne doprinose razvoju slabijih, pogotovo ne slobodnih nacionalnih ekonomija. Globalizacija vodi ka pretvaranju država u „'šahovska polja', gde su 'polja' bogate i siromašne oblasti".[13] U uslovima kada se bogati krajevi uglavnom opredeljuju za globalnu ekonomiju i nastoje da zaobiđu sopstvenu državu, nacionalna država se dezintegriše ili čak potpuno raspada kao ekonomska jedinica. Ovi procesi nemaju mnogo veze sa modernizacijom, jer je prava modernizacija jedino bila moguća dok je za osnovnog subjekta međunarodne ekonomije funkcionisala suverena nacionalna država. Nema sumnje, da savremeni procesi globalizacije oduzimaju suverenost i nacionalnim državama i nacionalnim ekonomijama. Jedino zastupnici i zagovornici neoliberalnog projekta današnje stanje u svetskoj ekonomiji gledaju sa optimizmom, iako su odnosi objektivno takvi da oni koji su bogati i ekonomski razvijeni postaju još bogatiji, dok siromašni i zaostali regioni propadaju i bivaju zaboravljeni. Danas u svetu postoje čak celi regioni i nacionalne države, koji nemaju ni najmanje šanse da u bliskoj perspektivi privuku strane investicije i naprave radikalniji iskorak iz teške ekonomske situacije u kojoj se nalaze. Kao retka, eventualna alternativa izlaza iz globalističkog ćorsokaka pominje se objedinjavanje teritorijalno bliskih i relativno slično razvijenih suverenih država, ali ovaj proces sporo teče i nailazi na mnogobrojne blokade.

Ne predstavlja nikakvu utehu, pogotovo putokaz izlaska iz krize, činjenica da globalizacija i globalizam nisu uvek i potpuno pod kontrolom njamoćnijih finansijskih centara na Zapadu, već da se tamo u određenim okolnostima javljju depresivni regioni, koji vremenom postaju mesta političke nestabilnosti. Istorija globalizacije pokazuje se ne samo na tragičnom primeru latinoameričkog kontinenta, primećuje dr Momir Bulatović, kao hronologija užasnog besmisla, surovosti i pljački, a tim povodom zaključuje „Kada se sazna koliko je ljudi moralo

[12] Anastasija Mitrofanova Vladimirovna, „*Kriza nacionalne države u epohi globalizacije*", nav. delo str. 11 - 13

[13] Anastasija Mitrofanova Vladimirovna, isto, str. 12

da bude u zatvoru da bi cijene bile slobodne. Koliko je otmica, mučenja i ubistava izvršeno kako bi kapital imao nesmetan protok".[14]

Noam Čomski (Noam Chomsky) godinama u svetu jedan od vodećih intelektualaca nije slučajno poručio političkom i javnom mnjenju Srbije: „Srbija treba da uči od Latinske Amerike i da se okrene svojoj istoriji."[15] Nemerljiva je i nezaustavljiva volja naroda koji živi na ovom kontinentu da prekine pljačku njihovih država i da rašćisti sa siromaštvom „koje ga prati kao neko davno prokletsvo".[16] Eto zbog čega je Noam Čomski optimista.

Kolika je mera desuverenizacije jedne nacionalne države danas pokazuje i opažanje Momira Bulatovića da mada je MMF potpuno obesmislio izborni proces i volju građana, još uvek nije dostavio i spisak zabranjenih pitanja, pitanja o kojima birači nemaju prava da odlučuju.[17]

Starim entitetima država, nacionalna ekonomija, kultura, itd., u svaremenim uslovima, u uslovima globalizacije ne oduzimaju se samo atributi suverenosti, već gube svoja izvorna osnovna značenja i smisao. Tendencije prodora multinacionalnih kompanija danas u svetu uzele su u toj meri maha da nikakav pandan ni prepreku ne predstavljaju vlade pojedinih, čak najbogatijih i najmoćnijih država sveta. U asvremnim procesima globalizacije oduzima se pravo svakoj nacionalnoj državi da unosi restrikcije i ograničenja na svom tržištu. Ukoliko bi ona po svojoj volji ipak pokušala to da radi, prekršila bi Vašingtonski konzus i posebne sporazume u okviru STO-a.

3. Nacionalna bezbednost

Sposobnost svake države da se zaštiti od spoljnjeg i unutrašnjeg neprijatelja, pre svega, zavisi od njene moći, da bi njena moć prevashodno bila limitirana nivoom i vrstama njene suverenosti. Nacionalna bezbednost, jedan je od najznačajnijih uslova opstanka svake države, ali u savremenim uslovima svetske globalizacije nacionalna bezbednost nije i dovoljan uslov njenog opstanka. Nedostatak realne moći države stvara stanje i uslove za anarhiju i opštu kriminalizaciju društva, samim tim za razaranje države iznutra.

U osnovne vrednosti svake moderne države, pa tako i Republike Srbije, spadaju: suverenost, teritorijalna celokupnost, nezavisnost, ustavni poredak, ljudska prava i slobode, itd. Međutim, pod naletima transnacionalnih kompanija država i ekonomija u toj meri postaju desuverenizovane, da se nameće pitanje kako i u kojoj meri strategija nacionalne bezbednosti može da osigura zaštitu temeljnih i

[14] Momir Bulatović, „Ekonomija i demokratija – Držati glavu iznad", Jumedija Mont, d.o.o., Podgorica, 2011., str. 60

[15] Noam Čomski, „Pečat", br. 150, Beograd, 2011.

[16] Momir Bulatović,nav. delo. str.60

[17] Momir Bulatović, isto

trajnih vrednosti nacionalne države i društva. Nesumnjivo je da nacionalna bezbednost danas doživljava mnogobrojne metamorfoze u smislu da se čak i bezbednosna funkcija, funkcija unutrašnje bezbednosti nacionalne države (neretko i celokupnog kapaciteta sistema bezbednosti), koja treba da obezbedi obavezujući karakter odluka i normi koje proizvodi politički sistem, dovodi u pitanje, jer između unutrašnje i spoljne nacionalne bezbednosti uvek postoji neposredna veza, a značajne političke sistemske odluke donose se u međunarodnim centrima finansijske moći. Korumpirane i podaničke vlade predstavljaju veoma loše saveznike njihovim narodima i nacionalnim državama.

Kada danas govorimo o nacionalnoj bezbednosti značajno je napomenuti da kraj XX i početak XXI veka predstavljju period renesanse geopolitike. Geopolitika je potpuno promenila sadržaj od vremena kada je švedski naučnik Rudolf Kjelel 1916. godine prvi put upotrebio ovaj naziv u njegovom radu Država kao životni oblik i definisao je kao nauku o državi kao geografskom organizmu ili pojavi u prostoru.[18] Danas je geopolitika u toj meri promenila svoje izvorno značenje da predstavlja imperijalni zamah subjekata globalne svetske moći, nove ekspanzione planove, geopolitičke zavere (kriptopolitiku) i nadolazeća geoplitička žarišta.

Upravo u vremenu globalizacije dogodile su se mnogobrojne geografske – političke promene na balkanskom i južnoslovenskom tlu krajem prošlog veka. Naravno, geopolitička futurologija i stupa na scenu baš onda kada se državne granice dovode u pitanje i sa njima državna suverenost, tj. kada ne samo pojedini državni i regionalni prostori, već i celi kontinenti postaju podložni prekrajanju i preoblikovanju (državnom pa i nacionalnom dekomponovanju).

Strategija (grčko poreklo od reči stratos – vojska i agein – vođstvo) imperijalnih centara moći danas naročito na Zapadu ne prihvata izvorne demokratske principe, pogotovo autentične nacionalne demokratske otpore i političku diferencijaciju, ona je opterećena nasilnim monizmom, asimilacijom i hegemonizmom.

Desuverenizacija država (u tom kontekstu može se posmatrati i Republika Srbija i događanja vezana za Kosmet) i nepovoljan razvoj međunarodnih odnosa u svetu, ne samo da u savremenom periodu nisu zaobišli Balkan, već su, naprotiv, kao retko u kom delu sveta izražena upravo ovde. Centri političke i finansijske moći na Zapadu proglasili su Balkan isključivom sferom svog uticaja i uglavnom se ponašaju kao apsolutni gospodari.[19] Potpuno je neravnopravnom tretmanu danas kada se radi o evrointegracijama i pritiscima različite vrste izložen srpski narod, od koga se traži da prihvati sve dikatate sa Zapada, sopstvenu denacifikaciju i gubitak svoje duhovne, kulturne, nacionalne i državne kolevke Kosova i Metohije.

[18] Dušan Proroković, nav. delo

[19] Jovo Marković, „*Diplomatija i šah – Ni konfrontacija ni kapitulacija*", Nacionalni interes, go.VIII, vol.13, No.1/2012., Institut za političke studije, Beograd, 2012., str.186

Zaključak

U naučnoj domaćoj, pogotovo međunarodnoj nauci, još uvek se ne pravi dovoljna razlika u značenju pojmova globalizacije i globalizma. Globalizacija je istorijski zakonomeran proces ekonomskog, finnsijskog, informativnog, tehnološkog i drugog povezivanja ljudi i država, koji po sebi vodi boljem životu, dok je globalizam samo drugo ime za novi totalitarizam i hegemonizam. Veliki broj nacionalnih država se danas nalazi u stanju permanentne krize, a državna kriza je pre svega kriza državne suverenosti. Nacionalne države gube njihovu moć koju pruzimaju transnacionalne korporacije. Sistem država – nacija rođen je 1648. godine s potpisivanjem Vestfalskog mira, ali danas na početku XXI veka govorimo o izobličavanju i izopačavanju nacionalne države.

Novim svetskim finansijskim oligarhijama smetaju i nacije i nacionalne države, zato što predstavljju kolektivne subjekte koji sputavaju protok finansijskog kapitala i stoje na putu transnacionalnih kompanija (TNK). Država, njen politički sistem, bezbednosni sistem.... se razara iznutra i spolja na raličite načine, posebno oduzimanjem ekonomske suverenosti. Globalizacija je prevashodno ekonomski proces, a tek onda politički, informativni, kulturni, itd., što znači da je njena strateška meta nacionalna ekonomija. Sam pojam nacionalna ekonomija danas sve više gubi izvorno značenje, zato što je sve manje vezana sa državom – nacijom i životnim potrebama njenih građana. Mada mnogi indikatori ukazuju da nacionalnoj državi još nije mesto u muzeju starina, ali da je u budućnosti čekaju mnogobrojna iskušenja, plan o stvaranju svetske države, na sadašnjem stupnju razvoja civilizacije predstavlja globalističku utopiju.

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DESOVEREIGNIZATION OF NATIONAL STATE, ECONOMY AND SECURITY IN TERMS OF GLOBALIZATION

S u m m a r y

In current modern age of worldwide processes of globalization and globalism a process of desovereigntization of national state and economy has become a general process. Therefore national state has been faced with numerous challenges and it has been in a permanent state of crisis. Within the process of globalization most often rich enclaves of national states make attempts to integrate themselves into neoliberal capitalist system, while poor and backward enclaves become abandoned and so national states become disintegrated. First of all it is necessary to search for causes of ethno-religious conflicts and anational separatism in the field of economy. Within the globalization environment it happened that old entities, national state, national economy and national security gained totally new meanings. By using a method of comparative analysis of document contents and consitutional and political practice alike it is possible to reach conclusion that a great number of modern national states, including the Republic of Serbia among them, have found themselves in the state of permanent crisis, and the state crisis implies, before anything else, the crisis of state sovereignty. The state gets destroyed both from inside and outside in different ways. By using a quality method it is confirmed that within a state there comes an overstepping of constitutional regulations which encompass, before else, the issues of national economy and national security, and it is achieved in particular by seizure of economic sovereignty.

Key words: national state, national economy, sovereignty, security, globalization, integration, assimilation and desintegration