

# The Potential Role of Small States and their „Niche Diplomacy” at the UN and in the Field of Human Rights, with Special Attention to Montenegro

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*The study examines the different approaches followed by small states in order to represent their national interests and make them visible in the international arena. The author underlines the comparative advantages of small states, which can make these countries very efficient, active and successful players in the field of multilateral human rights diplomacy. The fundamental precondition of playing this role is the strong political determination of the given government to the cause of human rights and the presence of several highly qualified and courageous diplomats who are willing to take the risk to be involved in sensitive human rights negotiations and able to resist political pressure coming from bigger states as a result of their activism. Montenegro was a classic example of this state, which placed the protection of human rights in the heart of their foreign policy aiming at EU and NATO membership.*

*Keywords: small states, diplomacy, human rights, Montenegro*

*“Powerful states need no Ambassadors. Their force speaks for them, for small states, it matters how they express themselves.”*

*Albert Einstein*

## 1. Theoretical Introduction – Classification of Different Types of Small State Diplomacy

Small states are rarely in the focus of international media attention, and there are not too many researches aimed at understanding the way they are conducting their foreign relations. Major states usually have the audience and the large number of notions, pictures associated to them by the foreign public, so they can focus in course of their diplomatic activities on advocating and explaining their policies, as well as engaging in re-branding.<sup>1</sup> Small states however; often lack the visibility and recognition by foreign public so they have to struggle to gain international attention. Therefore, they have to be more imaginative and inventive in forging their diplomacy, in order to persuade more powerful counterparts

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<sup>1</sup> Jozef Bátora, *Public Diplomacy in Small and Medium-Sized States: Norway and Canada*, Clingendael Discussion Papers in Diplomacy, vol. 97 (2005) p. 7.  
[https://www.clingendael.nl/sites/default/files/20050300\\_cli\\_paper\\_dip\\_issue97.pdf](https://www.clingendael.nl/sites/default/files/20050300_cli_paper_dip_issue97.pdf) (25 March 2017)

that what is proposed by them is in the mutual interest and for their common good.<sup>2</sup> One of the most popular approaches that successful small states followed to address this problem is the so-called “niche diplomacy”, by which they are focusing their resources within one area in order to get the best returns and the widest international recognition. Gareth Evans, Australia’s former foreign affairs and trade minister was the first to use this term.<sup>3</sup>

However, niche diplomacy is probably the best known of the types of approaches followed by small states in order to get their voice heard in the international arena, the classification prepared by Alan Henrikson, creating 5 pairs of diplomatic types should be mentioned.

The first pair identified by him was the “quite diplomacy” relying on friendships, lobbying in international organizations and historical ties with great powers, versus “protest diplomacy”, which is usually generating international attention. A good example for the second one was the position taken by Caribbean states against the apartheid in South Africa, in order not to be ignored by other regions when they would need international support.<sup>4</sup>

The second pair mentioned by Henrikson was “group diplomacy” versus “niche diplomacy”. The first one is based upon the strength or safety generated by the cooperation of several states. It is particularly relevant in the UN where the number of states supporting an initiative is a decisive factor for the success. In this context, we can mention the Group of 77, which in practice means more than 120 states; most of them belong to the small state category. However, we should not forget about the negative side of this approach, namely that if the group had adopted a common position it is very difficult to modify it later on. In case of the “niche diplomacy” as it had been already mentioned, the emphasis is on individual distinctiveness. It is very important that the particular initiative by the small state should be devised precisely, correlating with basic national and may be regional interests.<sup>5</sup>

The next pair of small state diplomacy is “diasporic diplomacy” versus “multicultural diplomacy”. For the first one we can mention Greece or Armenia, which heavily rely on the support of their diaspora living abroad. In the case of multicultural diplomacy, the emphasis is on the host country, not on the home country. In this regard, Australia or Canada can be mentioned, who project an image of a country of cultural diversity and the protection of human rights of all person irrespective of their origin.<sup>6</sup>

The fourth pair classified by Henrikson was “enterprise diplomacy” versus “regulatory diplomacy”. In case of the first one, a country exploits natural location or other, artificially generated advantage in order to promote its economic or political aims. The Maldives can be mentioned here for developing a tourism industry on their natural beauty, or the Seychelles, which become the home of the Miss World Contest. Small states following the approach of regulatory diplomacy believe that the definition of “rules” is even more important for small states than for others as they are more vulnerable and weak. In this category, one of the best examples is Trinidad and Tobago that initiated the drafting of the Statute of the International Criminal Court.<sup>7</sup>

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<sup>2</sup> Rudy Insanally, *Multilateral Diplomacy for Small States: „The Art of Letting Others Have Your Way”*, Presentation made by the Permanent Representative of Guyana to the United Nations at the Institute of International relation, Trinidad and Tobago, 18 February 2013 – Caribbean Journal of International Relations and Diplomacy Vol.1, No. 2, June 2013, pp. 99-100.

<sup>3</sup> Alan K Henrikson, *Ten Types of Small State Diplomacy*, The Fletcher School of Law and Diplomacy, Tufts University, p. 6. [https://is.muni.cz/el/1423/podzim2008/MVZ157/um/TEN\\_TYPES\\_OF\\_SMALL\\_STATE\\_DIPLOMACY.pdf](https://is.muni.cz/el/1423/podzim2008/MVZ157/um/TEN_TYPES_OF_SMALL_STATE_DIPLOMACY.pdf) (25 March 2017)

<sup>4</sup> Ibid pp. 1-2.

<sup>5</sup> Ibid pp. 3- 7.

<sup>6</sup> Ibid pp. 8-10.

<sup>7</sup> Ibid pp10-14.

The last pair of the types of small states diplomacy mentioned by Henrikson was “summit diplomacy” versus “cyber diplomacy”, referring to the main means of diplomatic efforts.<sup>8</sup>

Of course states are usually combining the different approaches in order to obtain the best returns and taking into account that different aims are requiring different means to achieve them.

## 2. Forum of Small States

*“All the world owes much to the little ‘five feet high’ nations.  
The greatest art of the world was the work of little nations.  
The most enduring literature of the world came from little nations.  
The heroic deeds that thrill humanity through generations were  
the deeds of little nations fighting for their freedoms.”<sup>9</sup>*

These were the words of David Lloyd George, from 1914, which were invoked by President Kennedy in his address before the Irish Parliament in 1963,<sup>10</sup> and they are even more relevant now when - due to the decolonization process and other political changes - more than 100 member states of the UN have populations below 10 million people.

With respect to quantitative criteria, such as population, territorial size, GDP and military capacity most of the small states could be considered politically, economically and strategically vulnerable.<sup>11</sup> However, several small states felt that if they cooperate more closely with each other they can have a real influence in world affairs. That was one of the reasons behind the establishment of the Forum of Small States (FOSS), which is an informal grouping of states at the United Nations with populations under 10 million. It has been established in 1992 in New York upon the initiative of Singapore and currently it has 105 members from the 193 member states of the world organization.<sup>12</sup> The original idea behind the group was to support each other’s candidatures, but it also helped small countries with limited resources to understand key questions of today by inviting prominent academics, strategic thinkers and political leaders to the regular meetings of the FOSS.

On the 1st of October 2012 besides other dignitaries, Ban Ki Moon and Hillary Clinton addressed the meeting to mark the 20th anniversary of the Forum. Hillary Clinton in her statement underlined that 21st century challenges require 21st century approach to foreign policy where we build broad and diverse coalitions with states of every size from every region.<sup>13</sup>

The UN Secretary-General in his address stressed the important position of small states to serve as bridge-builders and mediators among states, as well as their significant contribution to sustainable development and climate change. In his views being small does not mean an absence of big ideas.<sup>14</sup>

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<sup>8</sup> Ibid pp. 10-13.

<sup>9</sup> [http://www.gwpda.org/1914/lloydgeorge\\_honour\\_1914.html](http://www.gwpda.org/1914/lloydgeorge_honour_1914.html) (24 January 2017)

<sup>10</sup> <http://www.presidency.ucsb.edu/ws/?pid=9317> (24 January 2017)

<sup>11</sup> Baldur Thorhallsson, *Small States in the UN Security Council: Means of Influence? The Hague Journal of Diplomacy* 7, (2012) pp. 135-136. <http://raflhadan.is/bitstream/handle/10802/8801/Small-States-UN-Security-Council-by-Thorhallsson.pdf?sequence=1> (24 January 2017)

<sup>12</sup> [http://www.mfa.gov.sg/content/mfa/international\\_issues/small\\_states.html](http://www.mfa.gov.sg/content/mfa/international_issues/small_states.html) (24 January 2017)

<sup>13</sup> <http://still4hill.com/2012/10/02/video-hillary-clinton-at-unga-small-states-forum/> (24 January 2017)

<sup>14</sup> <http://theglobalobservatory.org/2013/06/small-states-bring-big-ideas-to-the-un/> (24 January 2017)

In 2011 the number of the Hungarian population fell under 10 million (9.937 million)<sup>15</sup> reaching the level of the year of 1960 and by that fact Hungary qualified and consequently received an invitation to become member of the Forum of Small States.

### 3. Small States at the United Nations – General Characteristics of their Performance

Staying with the numbers, according to the most recent available statistics,<sup>16</sup> there were 36 UN member states with less than one million inhabitants and 69 with the population between 1 and 10 million, so 105 UN member states belong to the small state category which is the majority of the UN membership (193).

Small states usually don't have the military or the economic capability to act unilaterally beyond their borders and therefore they push for equality in their bilateral and multilateral relationship with larger powers. For them, a multilateral system based on the rule of law is vitally important as this prevents the imbalance between them and the large powers being used against them.<sup>17</sup>

If we look at the record of small states at the UN, experiences are mixed. One of the reasons behind this is that most of them do not have sufficient resources and therefore they do not have the manpower to cover many issues. As a result, they are not involved in important negotiations and they do not have a full picture about the events. This is partly their fault as they could be more proactive, but it's partly also due to Realpolitik. It would be very difficult for them with regard to certain issues to take part in a selective group of the most influential states. They are just not invited, while other sometimes less knowledgeable delegations are present at important meetings because of the size of their countries. In many instances economic or financial dependency is also a key factor preventing them from being active members.

For small states it is much more difficult to put themselves on the map of multilateral diplomacy. If small states want to be effective, they should prioritize, choosing one or two topics they want to focus on and want to become a major player in, like it was in the case of Denmark (fight against torture), Barbados (climate change), Marshall Islands (sustainable development issues) or Hungary (minority protection together with Finland, Austria and Switzerland). They should be well prepared and well organized. They should benefit from teamwork. It is obvious that those states that really want to be visible on certain topics should develop a certain infrastructure (institutions, research centers) regarding the topic they are devoted to, like it is the case in Denmark concerning the issue of torture. As a consequence, wealthier small states are usually more influential than those coming from the developing world.

If small states manage to do so, they could potentially have a major role in important issues. Like Norway had in the Convention that banned the production, sale and use of landmines,<sup>18</sup> or the Pacific

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<sup>15</sup> [http://www.ksh.hu/pls/ksh/docs/hun/xstadat/xstadat\\_hosszu/h\\_wdsd001a.html](http://www.ksh.hu/pls/ksh/docs/hun/xstadat/xstadat_hosszu/h_wdsd001a.html) (24 January 2017)

<sup>16</sup> <http://www.worldometers.info/world-population/population-by-country/> (24 January 2017)

<sup>17</sup> "Making a Difference: The Role of a Small State at the United Nations" Statement by H.E. Jim McLay, Ambassador and Permanent Representative of New Zealand to the United Nations, April 27, 2011. [http://services.juniata.edu/jcpress/voices/pdf/2011/jv\\_2011\\_121-134.pdf](http://services.juniata.edu/jcpress/voices/pdf/2011/jv_2011_121-134.pdf) (24 January 2017)

<sup>18</sup> The 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction - usually referred to as the Ottawa Convention or the Mine Ban Treaty <https://www.un.org/disarmament/geneva/aplc/> (24 March 2017)

Small Island Developing States had in the resolution in 2009 on the security implications of climate change,<sup>19</sup> or Malta, Singapore and New Zealand in the UN Convention on the Law of the Sea<sup>20</sup> or Liechtenstein as a co-facilitator of the Human Rights Council review process in New York.<sup>21</sup> There are other small states as well that are very active as they have realized that “if you are not at the table you will be on the menu.”

Small states have a real choice: either being passive and following the events or being proactive and constructive. (Superpowers on most of the occasions do not have the luxury to choose to be passive.) If a state wants to be effective they should have “friends” as well, as it is better to avoid lonely crusades. Perceived neutrality is not automatically transformed into an asset for international influence; it should be combined with image building, experience and skills. There should be a strong commitment by political leaders to contribute to the UN.

Many small states are considered as norm entrepreneurs, but it can only work if you have good administrative competences – based on quality and not quantity – you have excellent diplomatic skills and knowledge.<sup>22</sup> If you have all these factors in place, together with good coalition building skills and the ability to prioritize you have a good chance to pursue your interests through soft power, meaning the ability to get others to want what you want, not like in case of hard power which means the ability to get others to do what they would not do otherwise.

In 1945, at the establishment of the United Nations there was only one micro state Luxemburg, followed by Iceland, Jamaica and Malta during the period up to 1965. However, during the admittance of the Maldives in 1965 a discussion started about the viability of these small states.<sup>23</sup> There were considerable debates within the UN whether to offer new members, particularly small states alternative forms of membership as the overriding perception was that they were not able to meet the UN Charter’s criteria of membership due to their size and limited resources.<sup>24</sup> The Security Council convened a Committee of Experts to study the question of UN membership to micro-states. The Committee suggested to granting to micro-states a form of associate membership that would exclude the right to vote or hold office in the GA. However, the issue did not proceed much further as the UN Legal Council in an advisory opinion indicated that the proposals were contradictory to the principles of sovereign equality in the UN Charter, which states that every member state would have one vote in the GA.<sup>25</sup> The following examples will clearly demonstrate that it would have been a serious mistake by the international community to accept these proposals.

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<sup>19</sup> General Assembly resolution A/63/L.8/Rev.1 on Climate change and its possible security implications – adopted on 3 June 2009

<https://documents-dds-ny.un.org/doc/UNDOC/LTD/N09/342/21/PDF/N0934221.pdf?OpenElement> (24 March 2017)

<sup>20</sup> United Nations Convention on the Law of the Sea of 10 December 1982

[http://www.un.org/depts/los/convention\\_agreements/texts/unclos/unclos\\_e.pdf](http://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf) (24 March 2017)

<sup>21</sup> Report of the open-ended intergovernmental working group on the review of the work and functioning of the Human Rights Council A/HRC/WG.8/2/1, 4 May 2011

[http://www.un.org/en/ga/president/65/issues/IGWG%20Report%20\(A-HRC-WG-8-2-1.pdf](http://www.un.org/en/ga/president/65/issues/IGWG%20Report%20(A-HRC-WG-8-2-1.pdf) (24 March 2017)

<sup>22</sup> Thorhallsson, p. 140.

<sup>23</sup> Ali Naseer Mohamed, *The Diplomacy of Micro-states* p. 4. – Discussion Papers in Diplomacy (78) - Netherlands Institute of International Relations Clingendael,

[https://www.clingendael.nl/sites/default/files/20020100\\_cli\\_paper\\_dip\\_issue78.pdf](https://www.clingendael.nl/sites/default/files/20020100_cli_paper_dip_issue78.pdf) (25 March 2017)

<sup>24</sup> Ibid 144.

<sup>25</sup> Mohamed, p.4.

## 4. Small States' Contributions to the Work of the UN Security Council as the Most Important Decision Making Body of the World Organization

As it was stated in a statement in 2011 by the Ambassador of New Zealand to the UN in NY "If the victors of WWII – initially the US, USSR, UK and China – had been allowed their way, the United Nations Charter, its founding document would have been dramatically different from the document we have today."<sup>26</sup> There was only one single reference to human rights in the text when a group of states, including New Zealand, Norway, Lebanon, Guatemala and Paraguay lobbied for a central role for human rights in the Charter.

If we carefully examine the good examples of certain small states, we can see that size is certainly not the only and not even the most important factor determining a state's actual influence on world politics or more specifically on the work of the UN Security Council. It is important to note that between 1991 and 2010 42 member states served in the Security Council with a population less than 10 million and 25 of them had a population below 5 million.<sup>27</sup>

It is not very well known that during the Ruanda genocide, in April 1994, the then President of the Council New Zealand tried to achieve that the Council should admit that what was happening was genocide and that states who had signed the Genocide Convention would be legally bound to act.<sup>28</sup> His efforts were supported by Spain, Argentina and the Czech Republic and resulted in a statement calling the horrible events in Ruanda as genocide. Although the other important aim of New Zealand, namely to deploy a larger UN force was not supported by a few P5 members and therefore it did not happen, but it shows that small states can make a real difference and it was lately acknowledged that they were on the right side of the history.

Another import example from the Security Council is the one with Ireland, which in the aftermath of 9/11, managed to pursue- informally the USA to take the issue of the attack to the Security Council, thus strengthening the institution.<sup>29</sup>

In this context, as a last important example I would mention the Group of Small Five. Since 2006, Switzerland together with Costa Rica, Liechtenstein, Jordan and Singapore (collectively labeled the "Small Five" or S-5) has pushed for improving the working methods of the Security Council. On 4 April 2012, the S-5 tabled draft resolution recommending a series of measures to improve transparency and accountability relating to the Security Council's proceedings as well as dialogue between the Council and the membership at large.<sup>30</sup> More than 100 delegations declared informally that they would support the text in case of a vote. However, a few days before the General Assembly debate scheduled for 16 May 2012, it became clear that a part of the UN membership was not ready to take action on this draft

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<sup>26</sup> "Making a Difference: The Role of a Small State at the United Nations" Statement by H.E. Jim McLay, Ambassador and Permanent Representative of New Zealand to the United Nations, April 27, 2011 [http://legacy.juniata.edu/services/jcpress/voices/pdf/2011/jv\\_2011\\_121-134.pdf](http://legacy.juniata.edu/services/jcpress/voices/pdf/2011/jv_2011_121-134.pdf) (24 January 2017)

<sup>27</sup> Thorhallsson, p. 136.

<sup>28</sup> Charles Tay, *The Role of Stable Small States in Implementing the Responsibility to Protect, E-International Relations Students*, May 2012. <http://www.e-ir.info/2012/05/09/the-role-of-stable-small-states-in-implementing-the-responsibility-to-protect/> (24 January 2017)

<sup>29</sup> Thorhallsson, p. 155.

<sup>30</sup> <http://www.centerforunreform.org/?q=node/473> (24 January 2017)

resolution. In order to avoid a controversy over procedural questions, the S-5 decided to withdraw its draft resolution.

## 5. The Role of the International Court of Justice in Protecting Small States

In this context, the most relevant decision of the ICJ is the one in relation to the Nicaragua versus USA case of 1986. The Court ruled in favour of Nicaragua and awarded reparations to Nicaragua. This judgment – however it was heavily criticized by many experts - has a critical importance on the question of the legality of the use of force, on the interpretation of Article 51 of the UN Charter and on the legal consequences of the adoption of General Assembly resolutions. All of the above mentioned decisions strengthened the position of small states in the international arena and the judgment gave hope for smaller states and restored their faith in the ICJ.<sup>31</sup>

## 6. Small States Contributions to the Work of the UN Human Rights Council as the Most Important Human Rights Body of the World Organization

Turning to the work of the Human Rights Council (HRC),<sup>32</sup> the most important, 47 members' human rights body of the UN it is also true that if a small state meets the conditions mentioned earlier in this article, it can become an extremely successful player. With regard to the Human Rights Council, Hillary Clinton highlighted the fact that “we have overcome traditional divisions that hindered the effectiveness of the HRC in the past” and that the US had partnered with a set of small states like Slovenia or Mauritius who “felt as passionately about human rights as anyone.”<sup>33</sup>

In many instances these small states are doing a lot for the credibility of the Council: in 2011 it was Switzerland who initiated – unfortunately without any success – a special session on peaceful protest rightly reflecting on developments in connection with the Arab Spring. We should highlight that a smart small state is flexible, as it was the case with Switzerland, which after this failure managed to organize a panel discussion on this subject a few months later, during the 18th session of the HRC. A similar panel discussion was initiated by Sweden on internet freedom,<sup>34</sup> which became a remarkable event due to its interactive nature.

If we go through the initiatives at the HRC during the last few years we will find many important ones which were initiated by small states, like the one on the safety of journalists<sup>35</sup> or on minorities by

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<sup>31</sup> Case Concerning Military and Paramilitary Activities in and against Nicaragua, (Nicaragua v. United States of America) International Court of Justice, Pleadings, Oral Arguments, Documents, 1986, Volume IV. <http://www.icj-cij.org/docket/files/70/9619.pdf> (27 March 2017)

<sup>32</sup> <http://www.ohchr.org/en/hrbodies/hrc/pages/hrcindex.aspx> (24 January 2017)

<sup>33</sup> <http://still4hill.com/2012/10/02/video-hillary-clinton-at-unga-small-states-forum/> (24 January 2017)

<sup>34</sup> <https://www.article19.org/data/files/medialibrary/2975/12-02-29-hrc-APPENDIX.pdf> (24 March 2017)

<sup>35</sup> <https://www.article19.org/resources.php/resource/38504/en/un-hrc:-resolution-on-safety-of-journalists-breaks-new-ground> (24 March 2017)



Austria,<sup>36</sup> or the one on business and human rights,<sup>37</sup> and human rights defenders by Norway,<sup>38</sup> or on transitional justice by Switzerland,<sup>39</sup> or the Hungarian initiative on reprisals,<sup>40</sup> just to name a few examples.

Small states can play an important role in country specific initiatives if they use their skills wisely, in close cooperation with major powers. As an example, we can mention the cross-regional coalition running the resolution on Iran. In this group besides the US we can find Sweden, Panama, Zambia, the Maldives, Moldova and Macedonia. All of them belong to the group of small states.

Turning to the Hungarian human rights agenda in Geneva we could mention the two resolutions run by Hungary (One on the independence of the judiciary<sup>41</sup> and the second one on the prevention of reprisals against those who cooperate or have cooperated with the UN in the field of human rights).<sup>42</sup> By now, both of them are run in a cross regional core group format, led by Hungary which helps to ensure the sufficient political support for the two initiatives. Besides this, Hungary has been very active in genocide prevention due to the establishment of the Budapest Centre for the International Prevention of Genocide and Mass Atrocities.<sup>43</sup>

In close relation to this, Hungary is part of the Responsibility to Protect<sup>44</sup> core group in Geneva, together with Australia, Nigeria, Ghana, Rwanda and Uruguay as these countries are convinced that Geneva should have a role in the implementation of the first 2 pillars of the responsibility to protect concept,<sup>45</sup> namely in prevention and in technical assistance.

## 7. Case Study: Montenegro

The author of this paper is currently the senior adviser of the Ministry for Human and Minority Rights of Montenegro, assisting the EU accession of the country. Therefore, he is in the position to closely examine and contribute to the development of the human rights diplomacy of this small country, regaining its independence in 2006.

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<sup>36</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/134/23/PDF/G1413423.pdf?OpenElement> (24 March 2017)

<sup>37</sup> <https://business-humanrights.org/en/un-human-rights-council-adopts-two-resolutions-on-business-human-rights-includes-our-analysis-of-recent-developments> (24 March 2017)

<sup>38</sup> <https://www.regjeringen.no/en/topics/foreign-affairs/human-rights/ny-struktur/menneskerettighetsforkjempere/id2339808/> (24 March 2017)

<sup>39</sup> <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20617&LangID=E> (24 March 2017)

<sup>40</sup> <http://www.ohchr.org/EN/HRBodies/SP/Pages/Actsofintimidationandreprisal.aspx> (24 March 2017)

<sup>41</sup> <http://www.ohchr.org/EN/Issues/Judiciary/Pages/IDPIndex.aspx> (24 March 2017)

<sup>42</sup> <http://www.ohchr.org/EN/HRBodies/SP/Pages/Actsofintimidationandreprisal.aspx> (24 March 2017)

<sup>43</sup> <http://www.genocideprevention.eu/> (24 January 2017)

<sup>44</sup> The Responsibility to Protect (R2P) is an international security and human rights norm to address the international community's failure to prevent and stop genocides, war crimes, ethnic cleansing and crimes against humanity. <http://www.responsibilitytoprotect.org/> (24 January 2017)

<sup>45</sup> The 3 pillars of the Responsibility to Protect are:

1. The State carries the primary responsibility for protecting populations from genocide, war crimes, crimes against humanity and ethnic cleansing, and their incitement;
  2. The international community has a responsibility to encourage and assist States in fulfilling this responsibility;
  3. The international community has a responsibility to use appropriate diplomatic, humanitarian and other means to protect populations from these crimes. If a State is manifestly failing to protect its populations, the international community must be prepared to take collective action to protect populations, in accordance with the Charter of the United Nations.
- <http://www.un.org/en/preventgenocide/adviser/responsibility.shtml> (24 January 2017)



With 626 250 inhabitants, Montenegro is 166th on the list of countries by population.<sup>46</sup> The country, which was under UN sanctions till the mid-90s as part of the State Union of Serbia and Montenegro, is now the most promising candidate for EU membership and its NATO membership is only the question of a few more ratifications.<sup>47</sup> The country has excellent relations with all its neighbors, which is a remarkable political achievement in this turbulent region. Shortly after gaining its independence, Montenegro has been admitted to the UN as the 192nd member of the world organization, by the decision of the General Assembly of 28 June, 2006.<sup>48</sup> Showing its interest and in order to establish a visible presence in the UN system, Montenegro immediately presented its candidature for membership to certain bodies, like the Council of the Commission for Sustainable Development (2011-14), the Executive Board of the United Nations Population Fund (2012-15), Human Rights Council (2012-15) Security Council (2026-27), and UNESCO Executive Board.

In light of the desired NATO membership and despite its small military budget, Montenegro is very active in the field of international peace operations. They are currently part of several NATO (ISAF) and EU (EU NAVFOR, EUFOR RCA, EUTM) operations, and 2 Montenegrin military observers served in the UN Mission in Liberia (UNMIL) till mid-2014 and at present there are 4 police officers at the UN Peacekeeping Force in Cyprus (UNFICYP).<sup>49</sup>

The UN has a special role in Montenegro as probably it is one of the very few EU candidate states where the UN mission in the country is actively and substantially supporting its EU accession. The work of the UN Mission in Podgorica includes analytical studies, as contributions to the Progress Reports of the European Commission and practical support in certain EU negotiation groups. Montenegro was among those countries which decided to voluntarily support the reform agenda of the world organization, called 'Delivering As One'. This means that the different UN resident organizations (UNICEF, WHO, UNHCR, UNDP, IOM) and the seven additional UN organizations implementing programs in the country are working coherently as a unified UN system.<sup>50</sup> They are focusing on two areas: development and human rights. This is extremely important in light of the new approach of the EC to negotiations, which requires that Chapter 23 and 24, covering the area of fundamental rights, justice, freedom, security and the judiciary need to be opened among the first chapters and if the negotiations stop or dramatically slow down regarding these two chapters, it has a negative effect on the whole negotiation process.

Montenegro is among the few countries which decided to develop a unified national mechanism for monitoring the implementation of recommendations coming from the different UN human rights treaty bodies and from the Universal Periodic Review system, considering the UN human rights system as a whole.<sup>51</sup> The country has a very remarkable ratification record as the only UN human rights treaty they have not ratified – but signed in 2006– is the International Convention on the Rights of Migrant Workers. However, as a result of a political decision by the EU decision, EU member state will ever ratify this

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<sup>46</sup> <http://www.worldometers.info/world-population/population-by-country/> (24 January 2017)

<sup>47</sup> So far 21 states ratified the accession protocol. [http://www.nato.int/cps/en/natohq/opinions\\_140399.htm](http://www.nato.int/cps/en/natohq/opinions_140399.htm) (24 January 2017)

<sup>48</sup> <http://www.un.org.me/hidden-old/about-us/about-montenegro/montenegro-becomes-192nd-member-of-un/montenegro---192nd-member-of-un-photo-gallery> (24 January 2017)

<sup>49</sup> <http://www.providingforpeacekeeping.org/2015/06/18/peacekeeping-contributor-profile-montenegro/> (24 January 2017)

<sup>50</sup> <http://www.un.org.me/news/931/127/VISIBLE-PARTICIPATION-OF-MONTENEGRO-IN-GLOBAL-PROCESSES/d,NewsENG> (24 January 2017)

<sup>51</sup> <http://www.gov.me/en/search/158800/Geneva-DPM-Luksic-holds-several-meetings-at-UN-HQ-and-other-international-organisations.html> (24 January 2017)

Convention due its biased nature.<sup>52</sup> According to the EU the Convention does not take into account the interest of the states receiving migrant workers.

Regarding the areas which are in the focus of the Montenegrin human rights diplomacy, we should mention the issue of prevention and early warning, the concept of Responsibility to Protect, the importance of inter-cultural and inter-religious dialogue, the prevention of discrimination, the protection of vulnerable groups (children, people with disabilities, LGBTI people) the empowerment of women and girls and the protection of freedom of opinion and expression.<sup>53</sup>

The membership in the Human Rights Council (2012-15) gave a real chance to Montenegro to shape its human rights diplomacy and used this opportunity to be an active and positive member of the Council. The most visible and politically difficult decision by Podgorica was to join the cross-regional core group comprising the USA, UK, Mauritius, Montenegro and Macedonia on the HRC resolution on the human rights situation of Sri Lanka.<sup>54</sup> However, besides this Montenegro was included in the core group on the resolution of South Soudan, on early marriage, on children of parents on death row and on civil society. They organized or co-organized several side events on sensitive issues, like the human rights situation in Ukraine or Syria. They were similar players to the Maldives or Sierra Leone which due to a devoted government and highly qualified diplomats at the Mission managed to play a significant role – despite their size – in the work of the UN Human Rights Council.

The commitment of Montenegro to multilateralism in general and the UN system in particular has been very well underlined by the fact that former Deputy Prime Minister and Minister of Foreign Affairs, Dr. Igor Luksic was one of the candidates (actually the youngest) for the position of UN Secretary General. Although due to his young age he had no significant chances from the beginning to get the position, but it was sufficient to make some publicity for this small and young country and to present a very qualitative vision statement about the world organization, with a very strong human rights component.<sup>55</sup>

Summing up, it is clear that even in a few years' time a small country can build up a significant human rights profile if it is considered as a priority area by the given government and if they take into account the historical background and the national strengths of the country. In case of Montenegro, it was the fact that this multiethnic country managed to secure the peaceful coexistence of Serbs, Bosnians, Albanians, Roma, Croatians and Montenegrins, which is unique in the Western Balkans. At the moment of their independence in 2006 they highlighted two major foreign policy priorities, joining the NATO and the European Union. The whole foreign policy of the country is serving these two mutually reinforcing aims and this approach proves to be efficient.

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<sup>52</sup> [http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/433715/EXPO-DROI\\_ET\(2013\)433715\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/433715/EXPO-DROI_ET(2013)433715_EN.pdf) (24 January 2017)

<sup>53</sup> Statement of President Filip Vujanovic at the general debate of the UN General Assembly's 70th session, 1 October 2015, <http://www.un.org/apps/news/story.asp?NewsID=52097> (24 January 2017)

<sup>54</sup> [http://news.lk/new/index.php?option=com\\_k2&view=item&id=30%3Adraft-resolution-of-core-group-violates-sri-lanka-s-constitutional-provisions&Itemid=361](http://news.lk/new/index.php?option=com_k2&view=item&id=30%3Adraft-resolution-of-core-group-violates-sri-lanka-s-constitutional-provisions&Itemid=361) (24 January 2017)

<sup>55</sup> Vision Statement by Prof. Dr. Igor Luksic, candidate of Montenegro for the position of UN Secretary General <http://www.un.org/pga/70/wp-content/uploads/sites/10/2016/04/Opening-remarks-Informal-dialogue-with-SG-candidates.pdf> (24 January 2017)

## 8. Conclusion

As a conclusion we can state that given all the comparative advantages of small states they can be extremely efficient players at the UN if they respect the political realities, but try to find the niches and are promoting these particular issues with dedication and professionalism. In most of the cases small states can achieve real success in a cross regional core group format given their modest political and lobbying force. The intensive core group activity by Montenegro was also one of the key elements of the county's impressive performance during its HRC membership. The important preconditions of the success are: political support by the given government and if possible by the parliamentary parties, coherence between internal and external politics, the determination of well-defined priorities for the UN fora, the existence of a vibrant civil society and long-term training of multilateral diplomats. The fact that small states do not have a global agenda like larger ones often helps them to become honest brokers, trusted by all parties.