



**D-ME\_PV(2022)1208**

# MINUTES

**of the meeting of 8 December 2022, 11.15-12.45**

**Room SPINELLI 3G3**

The meeting opened at 11.15h on Thursday, 8 December 2022, with Vladimír BILČÍK (Chair) presiding.

## **1. Adoption of draft agenda**

The agenda was adopted without any changes.

## **2. Adoption of the draft minutes of the meeting of the Delegation to the EU-Montenegro SAPC of 19 May 2022**

The draft minutes were adopted as in the draft.

## **3. Exchange of views on the political and economic situation in Montenegro and on its relations with the EU in the presence of Mr Petar MARKOVIĆ, Ambassador, Head of Mission of Montenegro to the European Union, Ms Kirsi PEKURI, Political Desk for Montenegro in the Unit for Montenegro and Serbia in the DG Neighbourhood and Enlargement Negotiations of European Commission, Ms Elsa FENET, Head of Division ‘South-East Europe & Western Balkans’ in the European External Action Service**

D-ME Chair Mr Vladimír BILČÍK welcomed Ambassador MARKOVIĆ and representatives from the EU institutions, recalling that during the previous Delegation meeting PM Abazović had presented his government’s political priorities aiming to accelerate the stalled reforms in Montenegro. D-ME Chair said that at this point in time Montenegro is facing a political and

institutional turmoil, after the minority government had lost a vote of no confidence in August of 2022, while the Constitutional Court is without quorum since mid-September. He added that the “old majority” and the President are clashing as the President refused to appoint the candidate for the Prime Minister and in return the controversial amendments to the Law on the Presidency had been adopted in the Parliament.

Mr BILČÍK reiterated that all political stakeholders in the country must work to restore the functionality of the country’s democratic institutions, after which Montenegro should focus on issues related to rule of law, the economy, and the current energy crisis. Furthermore, Mr BILČÍK pointed out that all legislative actions must be aligned with the country’s constitution as indicated in the European Parliament recommendation on a new strategy for EU enlargement.

Additionally Mr BILČÍK commended the second edition of the “Citizens’ Assembly” held in Podgorica in September, which included 50 randomly selected citizens who designed anti-corruption policies in the health and public administration sector. Mr BILČÍK concluded his address by emphasizing the importance of a fully functional Constitutional Court, especially in light of the upcoming Presidential elections due in spring of 2023, as well as possible early Parliamentary elections.

Ambassador MARKOVIĆ reiterated that the SAPC remains a crucial framework and forum for exchange of views on Montenegro’s path to the EU, as well as a sustained push for fulfilling Montenegro’s strategic aim of joining the EU. He reminded that Montenegro remains the most advanced candidate in the negotiating process, with progress marked in nine chapters compared to previous reporting period. Regrettably, this significant dynamism remains in the shadow of political, constitutional and institutional deadlock, Mr MARKOVIĆ concluded. He added that the upcoming SAPC is perhaps the most important so far considering that the roots of the political crisis are to be found in the Parliament of Montenegro. Therefore, the dialogue between the representatives of the European Parliament and Montenegrin Parliament is crucial so as to address the issues already raised in Mr BILČÍK’s speech.

Mr MARKOVIĆ also said that both sides of the Montenegrin Parliament had been stretching and testing their constitutional limits since the Constitutional Court lacked quorum. He shared the view that the appointment of the judges should be of the highest priority and would allow for several long-standing issues to be resolved, as well as facilitate the organisation of already mentioned presidential elections.

Mr MARKOVIĆ added that Montenegro finds itself in a crucial moment of the negotiating process and reiterated that the government of Montenegro is strongly committed to meeting the interim benchmarks. He also stated that the fight against organised crime and corruption is on top of the government’s agenda. Additionally, he reminded that Montenegro is enthusiastic about the prospects that had been opened in 2022 for the Western Balkans and all the candidate countries.

Mr MARKOVIĆ reiterated that hybrid threats present a major issue in the Western Balkans region in light of Russia’s unprovoked war of aggression in Ukraine. He reminded that Montenegro is still recovering from very complex cyber-attacks that had taken place during the summer of 2022. He commended the fact that the EU recognised vulnerabilities of those

countries that align with the EU sanctions package against Russia and thanked the EU for providing support in tackling these issues.

Additionally, Mr MARKOVIĆ reminded that economic predictions for Montenegro are stable despite the loss of tourists from Eastern Europe, namely the Ukraine and Russia. Finally, Mr MARKOVIĆ concluded that Montenegro expects the EU's help in overcoming the most significant impasse which is the election of judges for the Constitutional Court.

Mr BILČÍK responded to the Ambassador's last remark by stating that the EU remains engaged and ready to help, but reminding that all the cards for electing the judges for the Constitutional Court remain in the hands of Montenegrin politicians.

Ms PEKURI (DG NEAR) opened her address by expressing the Commission's concerns regarding the political climate in Montenegro that contributed to the stalled accession process and recalled the EU's commitment to the Western Balkans, as well as the enlargement policy. She mentioned that Montenegro's alignment with CFSP represents one point of light in the current political context. Ms PEKURI reminded that 70-80% of Montenegro's population is supporting the country's accession to the EU. However, she also added the accession to the EU is a rigorous and long process that depends on merit. Progress in rule of law will continue to determine the overall pace of the negotiations, hence meeting the interim benchmarks for chapters 23 and 24 presents the next milestone. In that regard, she called for the government of Montenegro to use the European Commission's Annual report as a blueprint for reforms.

Ms PEKURI also stated that in addition to the problems already mentioned by the previous speakers, constant disruption of administration and lack of competent and empowered interlocutors presents another major issue for Montenegro. Ms PEKURI reminded that country's reliance on tourism and its small size make it more vulnerable to external shocks. Ms PEKURI stated that the consequences of Russia's war of aggression in Ukraine are mainly indirect in Montenegro. However, the inflation increased significantly due to the external shocks and public debt is a key vulnerability. She concluded that key priorities for moving forward should be reaching a cross-party dialogue and having a fully functional Constitutional Court. She reiterated that the European Commission would stand by the assessment of the Venice Commission regarding the Law on Presidency. Ms PEKURI also reminded that the Commission was following the government's commitment to end the economic citizenship programme. Ms PEKURI pointed out that the energy package offered to the entire Western Balkans region aimed to help the most vulnerable population. Finally, she reminded that Montenegro needs to send a clear message of its commitment to the EU path not just in words, but in deeds as well.

Ms FENET (EEAS) stated that the EU institutions had a massive engagement with the Western Balkans in 2022 with a clear message sent during the summit in Tirana, namely that the EU sees the Western Balkans as its future part. She stated that Montenegro did not make any major progress in 2022 related to the reforms. Therefore, Ms FENET reminded that the 21<sup>st</sup> SAPC represents a moment for the parties to come together and find a way out of political deadlock and address the problems Montenegro has been facing during 2022.

Ms FENET praised Montenegro's 100% alignment with the EU's sanction package against Russia, and reiterated that the EEAS expects Montenegro to continue with the alignment. She also reminded that the EU provided extensive cyber-security tools to Montenegro, as well as

expertise from several Member States such as France and Slovenia. Ms FENET reminded that the EU would continue to provide support in the fight against disinformation and cyber-attacks, especially considering the Presidential elections due in spring of 2023. Additionally, she stressed that economic citizenship scheme represents a vulnerability both for Montenegro and the EU. Montenegro is expected to fulfil the promise of ending the so-called golden passport scheme and also to fully align with visa policies, Ms FENET stated.

### **Debate with MEPs:**

Mr Tomislav SOKOL (EPP, HR) reiterated that the situation in Montenegro is alarming and that it is presented as a question of the country's survival. He pointed out that Serbia, as well as pro-Serbian and pro-Russian forces in Montenegro were pushing the country in the further division. Mr SOKOL voiced that the EU should clearly communicate that this kind of political interferences would not be tolerated, especially if they tend to undermine Montenegro's accession process. He recalled the problems with the organisation of the elections in the municipality of Šavnik where the elections were interrupted for seven times by pro-Russian party Democratic Front. Therefore, he called on the EU to support pro-European forces in Montenegro.

Mr Thomas WAITZ (Greens/EFA, AT) thanked Ms FENET for pointing out Montenegro's full alignment with the EU sanctions package, especially because the EU needs as many allies as possible in the region that support its foreign policy. Furthermore, he commended Montenegro's concrete steps in the fight against corruption, as well as the crackdown on organised crime, including cigarette and cocaine smuggling. Mr WAITZ also underlined that Montenegro should follow the recommendations of the Venice Commission, after it requested its opinion on the law that amends the President's authorities.

Mr Andor DELI (NI, HU) asked for a clarification on the flagship project related to the Western Balkans Investment Programme and raised a question regarding the state of play of the fundamental agreement with the Serbian Orthodox Church.

Mr MARKOVIĆ stated that the regional stability and good neighbourly relations are in the interest of Montenegro's survival and are not just important for the country but are also a contractual obligation in the EU accession process. In light of the Russia's war of aggression in Ukraine, he added that Montenegro became even more prone to interferences from Russia and its proxies. However, he reminded that Montenegro was aiming to strengthen its institutional capacities as it tries to tackle these issues. Additionally, Mr MARKOVIĆ agreed that obstruction of the elections, not just in Šavnik, but several other municipalities should be unacceptable and that fair elections are crucial for any well-functioning democracy. Mr MARKOVIĆ thanked Mr WAITZ for recognising Montenegro's progress in the fight against corruption and organised crime, as well as for commending Montenegro's participation in the fight for European values. Regarding Mr DELI's questions Mr MARKOVIĆ said that Corridor 10 on Bar-Boljare highway had been finished with the help of EU funds and without any other dubious funds, while Airport Tivat passed the benchmarks for funding as a part of this project. Finally, he reminded that the agreement with the Serbian Orthodox Church was the last in line of the agreements that the government concluded with religious groups and that no additional changes have been made since the summer of 2022.

Ms PEKURI (DG NEAR) reiterated that the Annual report is a comprehensive package that recognises achievements, but also points out the areas in which more progress should have been made. Considering the Western Balkans investment framework, the EU approved €50 million for Montenegro in cooperation with the European Investment Bank targeting the key projects related to education, infrastructure, and before mentioned Bar-Boljare highway.

Ms FENET (EEAS) commented on the statements related to Montenegro's role in regional cooperation by reminding that Montenegro plays an important role in the context of the Berlin process. She welcomed Montenegro's openness to Ukrainian refugees and reiterated that the EU is ready to provide further support in this area, as well as in the fight against disinformation and cyber-attacks.

Mr Klemen GROŠELJ (Renew, SL) agreed with his colleagues saying that the election of judges for the Constitutional Court should be a priority, but also stressed the importance of paying attention to those who are elected aiming to avoid the scenario that occurred in some Member States or at the Supreme Court. He furthermore stated that the Open Balkan initiative needs to be carefully assessed, especially its side effects in order to avoid Montenegro derailing from the European path.

Ms Hildegard BENTELE (EPP, DE) expressed her concern regarding the dismissal of the Head of Montenegro's Secret Service who had unveiled a network of pro-Russian spies. She also asked the Ambassador to elaborate on the new movement "Europe Now", especially on the former ministers Spajić and Milatović.

Mr BILČÍK added that Montenegro needs to provide clarity on the issue of economic citizenship programme that should have been abolished by the end of 2022 in line with the government's previous statements. Moreover, Mr BILČÍK asked which developments could be expected concerning the Open Balkan initiative that represents a divisive issue for the government in office.

Ambassador MARKOVIĆ agreed that the Constitutional Court judges should be carefully elected, taking into account their competencies and professional references. He added that the leaders of the movement "Europe Now" and former ministers Spajić and Milatović are competent and pro-European interlocutors. Finally, Ambassador MARKOVIĆ stated that the economic citizenship scheme would end on 31 December 2022.

Ms PEKURI stated that the Commission was not going to comment on the profile of the Constitutional Court candidates, but only on the procedural side of the appointment. She added that Montenegro promised several times that it would end the programme of economic citizenship, thus hoping that the country would indeed deliver on this promise.

Ms FENET once again reiterated that it is indispensable for parties in Montenegro to find a way out of the political deadlock. She also added that with the new political context there are indications that the economic citizenship scheme may get prolonged.

#### **4. Consideration of the draft agenda of the 21st EU-Montenegro SAPC meeting due to be held on 14-15 December 2022 in Strasbourg**

Mr BILČÍK presented the topics to be discussed during the 21<sup>st</sup> EU-Montenegro SAPC meeting in Strasbourg,: State of play of the accession negotiations and EU-Montenegro relations; Debate on how to foster a cross-party consensus on accelerating Montenegro's EU progress; Advancing gender equality and prevention of gender-based violence; Progress in rule of law, including the fight against corruption and organised crime, the functioning of the judiciary, and freedom of expression; Countering hybrid threats and disinformation in light of Russia's war of aggression against Ukraine.

## **5. Any other business**

Mr GROŠELJ asked for an extension of the deadline for amendments to be submitted to the draft Declaration and Recommendations. Mr WAITZ also spoke out in favour of MEP GROŠELJ's request. Mr BILČÍK asked for the procedural rules to be respected and reminded the colleagues that everyone had three full working days for the delivery of the amendments. Furthermore, he reiterated that SAPC is a joint parliamentary meeting, thus any extension for the Members of European Parliament might be deemed unfair towards the partners in Podgorica.

## **6. Date and place of the next meeting**

Mr BILČÍK informed participants that the 21st EU-Montenegro Stabilisation and Association Parliamentary Committee (SAPC) meeting had been scheduled to take place on 14 and 15 December in Strasbourg.

The meeting was closed at 12.45h.

**ПРИСЪСТВЕН ЛИСТ/LISTA DE ASISTENCIA/PREZENČNÍ LISTINA/DELTAGERLISTE/  
ANWESENHEITSLISTE/KOHALOLIJATE NIMEKIRI/KATAΣΤΑΣΗ ΠΑΡΟΝΤΩΝ/RECORD OF ATTENDANCE/  
LISTE DE PRÉSENCE/POPIS NAZOČNIH/ELENCO DI PRESENZA/APMEKLĒJUMU REĢISTRŠ/DALYVIŲ SĄRAŠAS/  
JELLENLÉTI ÍV/REGISTRU TA' ATTENDENZA/PRESENTIELIJST/LISTA OBECNOŠCI/LISTA DE PRESENÇAS/  
LISTĂ DE PREZENȚĂ/PREZENČNÁ LISTINA/SEZNAM NAVZOČIH/LÄSNÄOLOLISTA/NÄRVAROLISTA**

Бюро/Mesa/Předsednictvo/Formandskabet/Vorstand/Juhatus/Προεδρείο/Bureau/Predsjedništvo/Ufficio di presidenza/Prezidijs/ Biuras/Elnökség/Prezydium/Birou/Predsedníctvo/Predsedstvo/Puheenjohtajisto/Presidiet (*)
Vladimír BILČÍK (EPP, SK)
Членове/Diputados/Poslanci/Medlemmer/Mitglieder/Parlamendiliikmed/Βουλευτές/Members/Députés/Zastupnici/Deputati/Deputăți/ Nariai/Képviselők/Membri/Leden/Posłowie/Deputados/Deputați/Jäsenet/Ledamöter
Johan NISSINEN (ECR SE) Hildegard BENTELE (EPP, DE) Thomas WAITZ (Greens/EFA, AT)
Заместници/Suplentes/Náhradníci/Stedfortrædere/Stellvertreter/Asendusliikmed/Αναπληρωτές/Substitutes/Suppléants/Zamjenici/ Supplenti/Aizstājēji/Pavaduojantysnariai/Póttagok/Sostituti/Plaatsvervangers/Zastępcy/Membros suplentes/Supleanți/Náhradníci/ Namestniki/Varajäsenet/Suppleanter
Tomislav SOKOL (EPP, HR) Klemen GROŠELJ (Renew, SL) Andor DELI (NI, HU)

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Наблюдатели/Observadores/Pozorovatelé/Observatører/Beobachter/Vaatlejad/Παρατηρητές/Observers/Observateurs/Promatrači/Osservatori/Novērotāji/Stebėtojai/Megfigyelők/Osservatori/Waarnemers/Obserwatorzy/Observadores/Observatori/Pozorovatelja/Opazovalci/Tarkkailijat/Observatörer

По покана на председателя/Por invitación del presidente/Na pozvání předsedy/Efter indbydelse fra formanden/Auf Einladung des Vorsitzenden/Εισιμεhe kutsel/Με πρόσκληση του Προέδρου/At the invitation of the Chair/Sur l'invitation du président/ Na poziv predsjednika/Su invito del presidente/Pēc priekšsēdētāja uzaicinājuma/Pirmininkui pakvietus/Az elnök meghívására/ Fuq stedina tač-Chairman/Op uitnodiging van de voorzitter/Na zaproszenie Przewodniczącego/A convite do Presidente/La invitația președintelui/ Na pozvanie predsedu/Na povabilo predsednika/Puheenjohtajan kutsusta/På ordförandens inbjudan
Mr Petar MARKOVIĆ, Ambassador, Head of Mission of Montenegro to the European Union

Съвет/Consejo/Rada/Rådet/Rat/Nðukogu/Συμβούλιο/Council/Conseil/Vijeće/Consiglio/Padome/Taryba/Tanács/Kunsill/Raad/Conselho/Consiliu/Svet/Neuvosto/Rådet (*)
Iba ABDO
Комисия/Comisión/Komise/Kommissionen/Kommission/Komisjon/Επιτροπή/Commission/Komisija/Commissione/Bizottság/Kummissjoni/Commissie/Komisja/Comissão/Comisie/Komisja/Komissio/Kommissionen (*)
Kirsi PEKURI Luca SALUSTRO
Европейска служба за външна дейност/Servicio Europeo de Acción Exterior/Evropská služba pro vnější činnost/EU-Udenrigstjenesten/Europäischer Auswärtiger Dienst/Euroopa välisteenistus/Ευρωπαϊκή Υπηρεσία Εξωτερικής Δράσης/European External Action service/Service européen pour l'action extérieure/Europiska služba za vanjsko djelovanje/Servizio europeo per l'azione esterna/Eiropas Ārējās darbības dienests/Europolis išorės veiksmų tarnyba/Európai Külügyi Szolgálat/Servizz Ewropew għall-Azzjoni Esterna/Europese dienst voor extern optreden/Europejska Služba Działañ Zewnętrznych/Serviço Europeu para a Acção Externa/Serviciul european pentru acțiune externă/Európska služba pre vonkajšiu činnost/Evropska služba za zunanje delovanje/Euroopan ulkosuhdehallinto/Europeiska avdelningen för yttre åtgärd (*)
Elsa FENET Seth BLAYLOCK
Други институции и органи/Otras instituciones y organismos/Ostatní orgány a instituce/Andre institutioner og organer/Andere Organe und Einrichtungen/Muud institutsioonid ja organid/Λοιπά θεσμικά όργανα και οργανισμοί/Other institutions and bodies/Autres institutions et organes/Druge institucije i tijela/Altre istituzioni e altri organi/Citas iestādes un struktūras/Kitos institucijos ir įstaigos/Más intézmények és szervek/Istituzzjonijiet u korpi oħra/Andere instellingen en organen/Inne instytucje i organy/Outras instituições e outros órgãos/Alte instituții și organe/Iné inštitúcie a orgány/Muut toimeilimet ja elimet/Andra institutioner och organ
Ministry for Foreign Affairs of Montenegro



Други учасници/Otros participantes/Ostatní účastníci/Endvidere deltog/Andere Teilnehmer/Muud osalejad/Επίσης παρόντες/Other participants/Autres participants/Drugi sudionici/Altri partecipanti/Citi klātesošie/Kiti dalyviai/Más résztvevők/Partecipanti oħra/Andere aanwezigen/Inni uczestnicy/Outros participantes/Alți participanți/Ini účastníci/Drugi udeleženci/Muut osallistujat/Övriga deltagare

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PPE S&D Renew ID Verts/ALE ECR GUE/NGL NI	Paul-Ionel IVAN

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Генерална дирекция/Dirección General/Generální ředitelství/Generaldirektorat/Generaldirektion/Peadirrektoraat/Γενική Διεύθυνση/Directorate-General/Direction générale/Glavna uprava/Direzione generale/Ģenerāldirektorāts/Generalinis direktoratas/Főigazgatóság/Direttorat Ġenerali/Direktoraten-generaal/Dyrekcja Generalna/Direcção-Geral/Direcții Generale/Generálne riaditeľstvo/Generalni direktorat/Pääosasto/Generaldirektorat	
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Правна служба/Servicio Jurídico/Právní služba/Juridisk Tjeneste/Juristischer Dienst/Öigusteenistus/Νομική Υπηρεσία/Legal Service/Service juridique/Pravna služba/Servizio giuridico/Juridiskais dienests/Teisės tarnyba/Jogi szolgálat/Servizz legali/Juridische Dienst/Wydział prawny/Serviço Jurídico/Serviciu Juridic/Právny servis/Oikeudellinen yksikkö/Rättstjänsten	
Секретариат на комисията/Secretaría de la comisión/Sekretariat výboru/Udvalgssekretariatet/Ausschussesekretariat/Komisjoni sekretariaat/Γραμματεία της επιτροπής/Committee secretariat/Secrétariat de la commission/Tajništvo odbora/Segreteria della commissione/ Komitejas sekretariāts/Komiteto sekretoriatas/A bizottság titkársága/Sekretarjat tal-kumitat/Commissiesecretariaat/Sekretariat komisji/Sekretariado da comissão/Sekretariat comisie/Sekretariat odbora/Valiokunnan sihteeristö/Utskottssekretariatet	
Peter Lang,	
Сътрудник/Asistente/Asistent/Assistent/Assistenz/Βοηθός/Assistant/Assistente/Pālīgs/Padējējas/Asszisztens/Asystent/Pomočnik/Avustaja/Assistenten	
Tanya Bolneva	

- \* (P) = Председател/Presidente/Předseda/Formand/Vorsitzender/Esimees/Πρόεδρος/Chairman/Président/Predsjednik/Priekšsēdētājs/Pirmininkas/Elnök/Chairman/Voorzitter/Przewodniczący/Preşedinte/Predseda/Predsednik/Puheenjohtaja/Ordförande
- (VP) = Заместник-председател/Vicepresidente/Místopředseda/Næstformand/Stellvertretender Vorsitzender/Aseesimees/Αντιπρόεδρος/Vice-Chair/Potpredsjednik/Vice-Président/Potpredsjednik/Priekšsēdētāja vietnieks/Pirmininko pavaduotojas/Alelnök/ Vici 'Chairman'/Ondervoorzitter/Wiceprzewodniczący/Vice-Presidente/Vicepreşedinte/Podpredseda/Podpredsednik/Varapuheenjohtaja/Vice ordförande
- (M) = Член/Miembro/Člen/Medlem/Mitglied/Parlamendiliige/Βουλευτής/Member/Membre/Član/Membro/Deputāts/Narys/Képviselő/Membru/Lid/Członek/Membro/Membru/Člen/Poslanec/Jāsen/Ledamot
- (F) = Длъжностно лице/Funcionario/Úředník/Tjenestemand/Beamter/Ametnik/Υπάλληλος/Official/Fonctionnaire/Dužnosnik/Funzionario/Ierēdnis/Pareigūnas/Tisztviselő/Ufficial/Ambtenaar/Urzędnik/Funcionário/Funçionar/Úradník/Uradnik/Virkamies/Tjänsteman