

**EUROPEAN UNION – MONTENEGRO
STABILISATION and ASSOCIATION
PARLIAMENTARY COMMITTEE (SAPC)**

21st Meeting

13 - 14 March 2024

Strasbourg

DECLARATION and RECOMMENDATIONS

The European Union – Montenegro Stabilisation and Association Parliamentary Committee (SAPC) held its 21st meeting on 13 and 14 March 2024 under the co-chairmanship of Mr Vladimir BILČÍK, Chair of the European Parliament Delegation to the EU - Montenegro SAPC, and Mr Boris PEJOVIĆ, Vice-President of the Parliament of Montenegro. The meeting was held in Strasbourg.

It held an exchange of views with:

- Mr Predrag ZENOVIC, Chief Negotiator of Montenegro with the European Union on behalf of the Government of Montenegro,
- Ms Michèle DENEFFE, Chair of the Working Party on Enlargement and Countries Negotiating Accession to the EU (COELA), on behalf of the Belgian Presidency-in-Office of the Council,
- Ms Kirsi PEKURI, Political desk for Montenegro, Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR), on behalf of the European Commission, and
- Mr Clive RUMBOLD, Senior Expert on Western Balkans, on behalf of the European External Action Service.

The Committee addressed the following subjects:

- State of play of the accession negotiations and EU-Montenegro relations;
- Rule of law reform, including judicial appointments and the fight against crime and corruption;
- Media freedom and fight against foreign interference and disinformation.

The Stabilisation and Association Parliamentary Committee, in accordance with Rule 3 of its Rules of Procedure and Article 125 of the EU-Montenegro Stabilisation and Association Agreement, addressed the following Declaration and Recommendations to the Stabilisation and Association Council and to the institutions of Montenegro and of the European Union:

1. Reiterates a firm belief that the EU is not complete without the Western Balkans and welcomes that enlargement, as the EU's most powerful foreign policy tool, is back highly on the agenda for both sides; restates its strong conviction in the transformative potential of the EU integration process; acknowledges that membership in the EU is a geostrategic investment in peace, stability and prosperity; underlines that accession to the EU must always be a merit-based procedure and that each applicant must be assessed on its own merit in terms of its meeting the Copenhagen criteria in their entirety; urges prioritisation of enlargement efforts and improved communication with EU and Montenegrin citizens regarding the benefits of enlargement and the progress made on the EU accession path; welcomes the 2023 enlargement package and the Growth Plan for the Western Balkans, which includes a facility of EUR 6 billion in grants and loans to accelerate socio-economic convergence with the EU between 2024 and 2027. Notes, however, that the Instrument for Pre-Accession assistance (IPA) remains the main financial mechanism to prepare accession countries for membership in the EU.
2. Welcomes the European Union's support provided to Montenegro in achieving its most important strategic goal of EU membership and commends Montenegro's long-standing commitment to EU integration; notes the state of the accession negotiations, with all chapters opened and three provisionally closed; regrets that for over six years no further chapter has been provisionally closed but underlines that in line with the revised methodology, after the opening of the last chapter in June 2020, the priority for further overall progress in the accession negotiations, and before moving towards the provisional closure of other chapters, remains the fulfilment of the rule of law interim benchmarks set under chapters 23 and 24; calls on all Montenegrin stakeholders to consider the high and unwavering public support for Montenegro's European integration as a clear message to accelerate the reform process.
3. Welcomes Montenegro's continued full alignment with the EU's Common Foreign and Security Policy, including all of the sanctions adopted following Russia's war of aggression against Ukraine, and its support for an international rules-based order at the level of the United Nations; expects the Government to maintain its commitment in this regard; welcomes Montenegro's active involvement in EU Common Security and Defence Policy missions and operations, such as the European Union Naval Force Operation Atalanta, and in NATO and other international and multilateral missions.
4. Emphasises the necessity of a cooperative and constructive relationship between the President, the Skupština, and the Government of Montenegro; believes that this collaboration should prioritise the interests of Montenegrin citizens and focus on ensuring the functionality of Montenegrin institutions, ultimately accelerating the country's progress on its path towards the EU; stresses the importance of having the political stability and cross-party dialogue necessary for the implementation of EU-related reforms; calls for the adoption of the Act on Parliament that would regulate more closely the relations between the Skupština and the executive power in the country.
5. Calls on all political forces in the newly elected Skupština to engage in a constructive, meaningful and inclusive dialogue in the parliament, which is key to a successful

parliamentary democracy; reiterates the importance of continuing to uphold the standards of respectable political culture; underlines the need for a broad, cross-party political consensus of both the ruling majority and the opposition on fundamental reforms to advance on the EU accession path; advocates that the Montenegrin Government and Skupština regularly engage in consultations with European partners and civil society, following agreed-upon procedures, prior to adopting EU related legislative reforms; expresses its hope that the Skupština will exercise its oversight function, which was limited in the previous period; acknowledges the Skupština's dedicated work on promoting the principles of openness and transparency.

6. Welcomes the completion of the composition of the Constitutional Court and the Judicial Council, the appointment of the Supreme State Prosecutor and the President of the Prosecutorial Council with the participation of political actors of the opposition; expresses its hope that the vacancy for the position of President of the Supreme Court will be filled in the near future; expects from newly appointed officeholders in these key positions to ensure proper functioning of the judiciary with independence, impartiality and integrity.
7. Recalls that a functional Constitutional Court is a basic prerequisite for all democratic decisions, including legitimate elections; calls on all political actors to show respect for democratic principles and the Constitution, ensuring that all legislative acts and procedures are in line; reiterates the importance of amending the Law on Judicial Council and Judges and the Law on the State Prosecution Service.
8. Stresses that the overall pace of the accession process continues to depend on the progress made towards meeting the interim rule of law benchmarks set in Chapters 23 and 24, in line with the negotiating framework and the revised enlargement methodology; underlines its strong commitment to support the adoption of legislation that will see Montenegro fulfil the interim benchmarks by summer 2024; notes that Montenegro has achieved some level of preparation in the fight against corruption; calls on establishing accountability, proactivity, impartiality and integrity in the work of the Agency for Prevention of Corruption to improve its performance in terms of concrete results and public trust.
9. Welcomes the work of the Special Prosecution Office and the security sector and their efforts in the fight against organised crime and high-level corruption, by launching several high-profile investigations, including the top level of the judiciary and law enforcement; expects the justice system of Montenegro to demonstrate a consistent, strong, stringent, coherent and unambiguous response; underlines that the lengthy duration of trials and frequent adjournments in organised crime cases needs to be addressed; recommends that a coordinated strategy for preventing corruption at the top executive level and at the level of the police be adopted in line with the Council of Europe Group of States against Corruption (GRECO) latest recommendations; calls for the improvement of the human, financial, physical infrastructure and ICT management systems that would contribute to the efficiency of the judiciary and prosecutorial sector.
10. Notes that Montenegro managed to start the population census process after it was postponed due to COVID-19, technical difficulties and political differences since 2021; welcomes that the Government included a wide range of actors in the preparation and implementation of the data collection phase of the census; encourages all stakeholders in Montenegro to ensure that national strategies and policies based on the census data, once available, are not discriminatory and do not fuel ethnic divisions.

11. Welcomes the adoption of amendments to the Criminal Code, aimed at improving the prevention of threats to or attacks against journalists and media workers by introducing tougher penalties; regrets, however, the lack of effective judicial follow-up of old cases, which remains a matter of serious concern; stresses that the protection of journalists and media workers remains one of the key priorities in the area of freedom of expression; welcomes the involvement of civil society and media stakeholders in the drafting of new media legislation and expresses its hope that the Government will manage to finalise the legislative proposals and present them to the Skupština.
12. Regrets the lack of progress with regard to a comprehensive reform of the legal and institutional electoral framework, which also requires that all the outstanding recommendations of the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) are duly addressed and effectively implemented in line with European standards; notes the work started by the State Election Commission to increase its transparency and implement recommendations; acknowledges that local elections in 14 municipalities (October 2022), presidential (March/April 2023) and parliamentary elections (June 2023) were assessed by the OSCE/ODIHR election observation mission, which included Members of the European Parliament, both as peaceful and competitive, despite some procedural shortcomings; underscores the necessity for effective cooperation among states concerning citizenship and residency matters, given the potential existence of so-called dual voters; welcomes the re-establishment of the Skupština Committee on Comprehensive Electoral Reform and calls on it to deliver tangible results in harmonisation of election legislation, voting and candidacy rights, transparency, mechanisms of dispute resolution, and oversight of campaign finance and media.
13. Is deeply concerned about the number of femicides and the level of publicly expressed misogyny and gender-based violence; calls for a much stronger follow-up by the authorities, as efforts to ensure protection against domestic violence, access to justice and more rigorous enforcement of rights in administrative and judicial proceedings need to be stepped up; against this background, calls for more state support for 24-hour hotlines to victims of gender-based violence, in close cooperation with civil society.
14. Recalls the importance of the protection and promotion of LGBTIQ+ rights and welcomes in this regard the organisation of Montenegro Pride 2023, which took place in an overall calm atmosphere and without reported incidents; welcomes the adoption of the Law on Same Sex Partnership in 2020 and calls for intensifying activities by the Government and the Skupština in harmonising relevant implementing legislation to enforce it.
15. Underlines the importance of media freedom and independence, quality reporting and improving media literacy as key to fighting disinformation; remains concerned about the level of foreign and domestic disinformation campaigns and cyber and hybrid attacks; recalls that sustained efforts are needed to counter disinformation and limit the effects of online harassment and hate speech; calls for further investment in cyber security and resilience in cooperation with the EU and NATO.
16. Stresses the importance of protecting the rights of national minorities in Montenegro, especially those of the autochthonous national minorities; calls on the Government of Montenegro to contribute to the preservation of the language, culture and identity of the autochthonous national minorities in Montenegro with a systematic and robust policy.

17. Is concerned about the spread of foreign influences on democratic processes in Montenegro.
18. Stresses the high importance of taking urgent action to address the climate and environment emergency with a view to curbing greenhouse gas emissions and mitigating the harmful impact of climate change; underlines the need to accelerate Montenegro's sustainable green transition towards renewable energies, which are sensitive to nature protection and are in line with the Paris Agreement, the EU decarbonisation goals and the Green Agenda for the Western Balkans.
19. Welcomes the Commission's energy support package of EUR 1 billion in EU grants to help the Western Balkans overcome the energy crisis, including budgetary support of EUR 30 million to Montenegro; underlines the importance of allocating these funds to relieve the effects of the energy crisis and support Montenegro's green transition.
