

# EUROPEAN UNION - MONTENEGRO STABILISATION and ASSOCIATION PARLIAMENTARY COMMITTEE (SAPC)

## 5th Meeting

28-29 November 2012

Brussels

## DECLARATION and RECOMMENDATIONS

Adopted on 29 November 2012

The European Union - Montenegro Stabilisation and Association Parliamentary Committee (SAPC) held its 5th meeting on 28-29 November 2012 in Brussels, European Parliament's premises, under the co-chairmanship of Mr Jelko KACIN Vice-chair of the European Parliament's Delegation and Mr Ranko KRIVOKAPIĆ, President of the Parliament of Montenegro, Chair of the Montenegrin Parliament's Delegation.

It held an exchange of views with:

- **Mr Duško MARKOVIĆ**, Deputy Prime Minister and Minister of Justice and Human Rights; and **Mr Nebojša KALUĐEROVIĆ**, Minister of Foreign Affairs and European Integration, on behalf of the Government of Montenegro;
- **Mr Andreas D. MAVROYIANNIS**, Deputy Minister to the President for European Affairs, Republic of Cyprus, on behalf of the Presidency of the Council of the European Union;
- **Ms Alexandra CAS-GRANJE**, Director, DG Enlargement, Directorate B (Croatia, Montenegro, the former Yugoslav Republic of Macedonia, Turkey, Iceland), on behalf of the European Commission.

The SAPC addressed the following subjects:

- State of play of EU-Montenegro relations;
- Follow up to recommendations adopted during the 4th SAPC meeting in Podgorica;
- Supervision of negotiations by the parliament and other scrutiny mechanisms on disposal of Skupstina;
- Regional cooperation;
- Progress in fight against organised crime and corruption;
- Economic developments.

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. Welcomed the decision of the Council of the EU of 26 June 2012 to open accession negotiations with Montenegro on 29 June 2012;

2. Encouraged Montenegrin authorities to continue reforms leading towards Euro-atlantic integration; emphasised the important role the country plays in the region as provider of stability; indicated that, apart from the fact that many of the EU countries are NATO members as well, belonging to that military alliance is not a formal condition for a full-fledged membership of Montenegro to the EU;
3. Highlighted the progress achieved by Montenegro as noted in the Commission 2012 Progress Report on Montenegro of dated 10 October 2012; and welcomed the Commission's assessment of the political criteria as continuously sufficiently met; considered that new chapters should be opened as soon as possible, provided that the reform process is sustained and concrete results delivered particularly with regard to the rule of law;
4. Welcomed the peaceful, free and fair conduct of the early parliamentary elections in line with international standards; emphasised that a proper follow-up is necessary in terms of improved compilation of voter lists, the oversight of campaign finances and the review of complaints, in order to further increase public confidence in the electoral process; as well as to try to eliminate all forms of abuse, especially abuse of public resources for political purposes; urges the Montenegrin authorities to implement relevant ODIHR recommendations;
5. Highlighted the need for a continued and inclusive cross-ethnic and cross-party political dialogue on the civic character of the country; urged the Government to do as much as possible to increase social cohesion and internal integrity of society;
6. Welcomed the EU's emphasis on the rule of law and urged the Montenegrin Government to approach negotiating chapters on judiciary and fundamental rights; and justice, freedom and security, as paramount priorities;
7. Commended President Vujanovic's initiative with regard to organising a meeting between Serbian President Nikolic and Kosovo<sup>1</sup> President Jahjaga at a summit of the region's heads of states and governments;
8. Urged the Montenegrin Government to strengthen the cooperation with the environmental organizations and local communities in promoting a coherent environmental policy and developing implementation and monitoring mechanisms, especially concerning energy, waste and water management, biodiversity, coastal and marine issues; stressed that a stronger cross-border cooperation on environmental issues could also enhance regional cooperation development;
9. Highlighted the need for comprehensive reform of the public sector aimed at rationalisation and modernisation; agreed that further improvement of a professional, effective, merit-based and impartial public administration is needed, including improvement of the legislative framework and the implementation of the recent legislation with adequate financial support and verification mechanisms; called on the Government to enhance institutional and administrative capacities of state institutions dealing with key areas of the acquis;
10. Welcomed the inclusion of civil society representatives in various working groups dealing with the accession negotiations, in order to ensure the accountability and transparency of the accession process in order to enhance the quality of the process and include all the rele-

---

<sup>1</sup> This name does not prejudice the positions on the status and it is in accordance with the United Nations Security Council Resolution 1244 and the opinion of the International Court of Justice on the Kosovo's Independence Declaration

vant actors of the society; highlighted the responsibility of both Montenegrin Government and Parliament to timely inform citizens and civil society on the developments in the negotiations process;

11. Urged the need for a reinforced legal framework for independence and accountability of the judiciary;
12. Welcomed further strengthening of the oversight role of the Parliament of Montenegro, through adoption of the Law on Parliamentary Investigation, amendments to the Rule of Procedures of the Parliament and through forming of the Anti-Corruption Committee; calls for additional amendments to the Law on Data Secrecy so that the Anti-Corruption Committee may work efficiently; called for stronger parliamentary oversight of implementation of adopted legislation and resolutions;
13. Regretted that corruption remains widespread in Montenegro; therefore urged the Government of Montenegro to speed up implementation of anti-corruption measures as in law enforcement bodies and institutions as in the whole society, and in particular with regard to establishment of a track record of investigations and convictions in high-level corruption cases as well as in regard to the confiscation of proceeds of corruption; called in this respect also for extensive investigation of privatisation cases that resulted in liquidation or very poor performances of the companies;
14. Urged the Government of Montenegro to focus as a matter of priority on strengthening and implementation of the legal framework and building up the capacities of law enforcement bodies in fighting against organised crime; encourages the Parliament of Montenegro to additionally strengthen supervision over bodies and institutions in charge for fight against corruption and organised crime;
15. Welcomed progress in the protection and inclusion of minorities and encouraged further improvement of minority rights and freedoms in accordance with European standards and practices; in addition, called on the Montenegrin Government to undertake further efforts to combat all forms of discrimination; furthermore condemned attacks against members of the LGBT community; underlined the responsibility of the Government and of all political parties to pro-actively create a climate of tolerance and inclusion;
16. Regretted that only little progress has been made on social inclusion in general; and noted that progress was slow in implementing the measures set out in the strategic plans adopted for poverty reduction, Roma, people with disabilities and other socially excluded people due to inadequate human and financial resources; regretted that only little progress has been made on gender mainstreaming and equal participation of women;
17. Highlighted the adoption of the Strategy to improve the situation of the Roma, Ashkali and Egyptian population and the relevant Action Plan as positive steps; however, recommended greater inclusion of the Roma, Ashkali and Egyptians, in particular through the implementation of the relevant policy documents, as they still face discrimination, in particular in terms of representation of Roma in the public institutions and with regard to their access to economic and social rights;
18. In this context, welcomed the signature of an agreement on the extradition of citizens accused of being involved in organised crime, corruption and members of criminal organisations between Montenegro and Bosnia and Herzegovina, in addition to similar previous agreements signed with already with Serbia and the former Yugoslav Republic of Macedonia; and encouraged further regional cooperation in this policy area;

19. Urged the Montenegrin Government to tackle the continuing risks and uncertainties stemming from high reliance on external financing, despite the maintained macroeconomic stability; expressed its concern in regard to economic parameters and encourages the Government to initiate necessary reforms aimed at further improving the economic environment of the country;
20. Welcomed Montenegro's full membership of the World Trade Organisation as of April 2012 further improving the investment climate in the country.

*x x x*