

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

**6th Meeting
29-30 April 2013
Podgorica**

DECLARATION and RECOMMENDATIONS

Adopted on 30 April 2013

The European Union - Montenegro Stabilisation and Association Parliamentary Committee (SAPC) held its 6th meeting on 29-30 April 2013 in Podgorica, under the co-chairmanship of Mr Ranko Krivokapić, Speaker of the Parliament of Montenegro, for the Montenegrin Parliament Delegation and Mr Eduard Kukan for the European Parliament Delegation.

It held an exchange of views with:

- Mr Igor LUKŠIĆ, Deputy Prime Minister in charge of Foreign Affairs and European Integration, on behalf of the Government of Montenegro,
- H.E. Kevin DOWLING, Ambassador of Republic of Ireland, on behalf of the Rotating Presidency of the Council of the European Union,
- Mr Dirk LANGE, Head of Unit for Croatia and Montenegro, on behalf of the European Commission.

The Committee addressed the following subjects:

- Fight against corruption and organised crime, including the changing role of the Montenegrin Parliament in the process;
- Media sector - the legal framework and the latest developments;
- Recent elections - lessons learnt for the future;

- The European Union, the Euro-zone and Montenegro - developments following the financial crisis.

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 professional and efficient conduct of the presidential elections; called, in line with the observations of international election observers, for further improvement of the election ambient including the need to enhance confidence in public institutions and judiciary, to ensure an electoral process free from misuse of state resources and to address public concerns over the accuracy of the voter register;
2. Concerned about insufficient level of trust in the electoral process, and called upon the Parliament to launch a discussion on all aspects of overall electoral process, particularly in the context of complaints and suspicions expressed by the opposition, which regard to the recent presidential elections;
3. Called upon the judicial authorities, primarily the State Prosecutor, to urgently and promptly investigate in full the "tape recording" case and prosecute the persons involved in case of proven legal basis, and disclose concrete results of the investigation to the Montenegrin public. Urged and called upon Montenegrin political parties and their members to support such process and refrain from political obstruction thus contributing to the enhancement of political integrity and strengthening of Montenegro's democratic system; stressed that the process of democratisation is part of the Copenhagen criteria, which form the basis for the country's EU membership aspirations; in this context, welcomed the strengthening of oversight role of the Parliament and encouraged the Parliament to carry through the initiative and conduct parliamentary inquiry for the "tape recording" case;
4. Welcomed the well proceeding accession negotiations, which also represent a positive signal for other countries in the region; commended Montenegro for maintaining good bilateral relations with all neighbouring countries; noted that the delimitation of borders with almost all neighbours remains pending; encouraged the Government to resolve this issue in bilateral cooperation and in a way that would mean further strengthening of cooperation between the countries in the region;
5. Encouraged the authorities in Podgorica to keep up the reform processes; welcomed the inclusion of NGOs in the working groups dealing with the accession negotiations in order to ensure the accountability and transparency of the accession process;
6. Called upon all political subjects in the Parliament of Montenegro to continue without delay with the constitutional reform process and support amendments thereof, particularly those relating to the election of the State Prosecutor's, in accordance with the recommendations of the Venice Commission; welcomed measures to enhance judicial efficiency, including a reduction in the backlog of cases, but remained concerned by the length of court procedures

and poor infrastructure at many courts; concerned about the latest developments regarding crucial cases of corruption and organized crime, called on authorities to introduce clear criteria for the promotion and professional assessment of judges and prosecutors, as well as to strengthen the principle of accountability in judiciary; concerned by suspicion of cases of political corruption at local level;

7. Regretted that corruption remains common; encouraged the government to implement anti-corruption measures in a consistent manner, including GRECO recommendations and measures in relation to the conflict of interest like the transparency in the funding of political parties and election campaigns; considered it essential to build up a track record particularly in terms of investigations and convictions in high-level corruption cases, including a re-assessment of controversial privatisation cases and normative reform aimed at ensuring non-obsolescence of criminal offenses in the area of privatisation; welcomed Parliament's decision to establish the Anti-Corruption Committee as its permanent body, chaired by Parliamentary minority;
8. Underlined the utmost importance in ensuring independence and professionalism of all regulatory bodies, such as Securities Commission, which will be instrumental in the fight against corruption and efforts to provide a safe and predictable business environment;
9. Called on the government to reinforce the legal framework and strengthen the capacities of law enforcement bodies in combating organised crime; called for effective investigations and prosecution; stressed the need to reinforce inter-agency cooperation; welcomes readiness of the Ministry of Interiors and Justice to introduce new institutions to combat organized crime;
10. Urged the authorities to ensure and promote media pluralism and freedom of expression; reminded of the importance of fostering responsible media and editorial independence and professionalism of all media, with special focus on Public Service Radio Television Montenegro and daily Pobjeda financed from the state budget; pointed out the need for higher representation of minority program content on the public service RTCG; considered important to duly investigate and prosecute all threats and attacks against journalists as efforts so far have not yet resulted in any final verdict; underlined that the reported cases of threats and physical attacks against journalists must be fully investigated and prosecuted; called upon the Government to actively participate in creating social environment which will support free journalism and allow journalists to freely carry out their work, without fear and pressure, respecting ethical standards; called for conducting property and management transformation of legal entities engaged in press and publishing activities established by Montenegro in line with the provisions of the Law on Property and Management Transformation;
11. Considered that domestic violence against women still prevails in the society, encouraged the authorities to step up efforts on the implementation of the legislative framework and on raising awareness on this issue, with special emphasis on urgent adoption of bylaws, and the need for continued education and awareness raising of professional staff on the problems of domestic violence and the need to protect victims of domestic violence with regard to legal, educational, medical, psychological, social and economic aspects;

12. Called upon the Government to continue with reforms and strengthening of legislative framework for the position of all minority communities and make additional efforts to eliminate all forms of discrimination;
13. Encouraged the authorities to take further legislative and implementation measures to align with the *acquis* in the field of environment; underlined the need to focus on the sustainable production of electric energy sustainable waste management and water management based on the water basin method, and reconciling the needs of economic development with the conservation of the environment; reminded of the importance of fulfilling commitments, deriving from Stabilization and Association Agreement with regard to the issue of State Aid including preclusion of subsidies for electricity supplied to the business entities; welcomed some progress in the area of renewable energies and called for further enhancement of the energy efficiency, and promotion of sustainable transport systems (e.g. railroads) in Montenegro as well as cross-border transport;
14. Called upon the Parliament and the Government to make additional efforts aimed at more efficient monitoring of implementation of SAPC recommendations and conclusions;
15. Noted that the rapid growth of public debt and budget deficit threatens the public finances of Montenegro; bearing in mind that the current high level of underground economy and fiscal lack of discipline significantly decreases tax revenues, it is necessary to implement efficient and effective measures for the collection of the existing tax debt, along with implementation of effective reform of the current tax system.