

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

9th Meeting

1-2 December 2014

Brussels

DECLARATION and RECOMMENDATIONS

The European Union - Montenegro Stabilisation and Association Parliamentary Committee (SAPC) held its 9th meeting on 1-2 December 2014 in Brussels, under the co-chairmanship of Mr Ranko KRIVOKAPIĆ, President of the Parliament of Montenegro, for the Montenegrin Parliament Delegation and Ms Anneliese DODDS for the European Parliament Delegation.

It held an exchange of views with:

- Mr Igor LUKŠIĆ, Deputy Prime Minister for European Integration and Minister for Foreign Affairs, on behalf of Government of Montenegro
- Mr Alberto CUTILLO, Deputy Director General/Principal Director for European Integration, Ministry of Foreign Affairs and International Cooperation of the Republic of Italy, on behalf of the Presidency-in-Office of the Council of the European Union
- Ms Alexandra CAS GRANJE, Director for Montenegro, Iceland, the former Yugoslav Republic of Macedonia and Turkey, on behalf of the European Commission.

The Committee addressed the following subjects:

- State of play of the accession negotiations and EU-Montenegro relations;
- Implementation of Montenegro's Action Plans in the field of rule of law;
- Protection of fundamental rights and freedoms in Montenegro.

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 that, overall, accession negotiations are progressing, but recalled the need for an overall balance in the negotiations, especially for greater attention to be paid to the rule of law - the negotiations chapters 23 and 24 - and to the efficient implementation of the Action Plans for these two chapters, in particular in order to establish a credible track record in the fight against organised crime and corruption, including high-level corruption;
2. Welcomed the fact that Montenegro's working groups for the negotiating chapters include representatives of civil society and stressed the importance of inclusiveness of the reform process in order to continue to make progress in the accession negotiations;
3. Welcomed further strengthening of legislative and scrutiny role of the Montenegrin Parliament as well as development of its links with the citizens and general openness to the public; called for further strengthening of the Parliament's administrative capacity; pointed to the need of implementation of conclusions and recommendations of the previous SAPC declarations and recommendations related to the legislative strengthening of both the positions of the Parliament and its working bodies, particularly of the Anti-corruption Committee;
4. Expressed strong concern about the articles published in the newspaper 'Informer', which propagate national and religious hatred, strongly condemned attacks of this newspaper on civil society activists and called on the competent authorities to protect civil society activists from such attacks and build an environment in which they can work without fear of reprisal; called the Supreme State Prosecutor to investigate the case of negative campaign led by the newspaper 'Informer' against the NGO activist;
5. Expressed concern over impunity for war crimes, while recalling the need of Montenegro to intensify its efforts in fight against the impunity for war crimes and effectively investigate, prosecute, trail and sentence war crimes in accordance with the international standards; pointed out with concern to the final court decisions made in relation with the abuse of penitentiary measures towards members of the national party of Muslims and Bosniak people (SDA);
6. Welcomed the work of the commission for monitoring of investigations and progress made by state authorities in solving cases of violence against journalists and expressed expectation that the remaining cases will be solved; expressed concern with regard to the decrease in professionalism and objectivity of the public service news programme and other media;
7. Following previous SAPC meetings and previously adopted recommendations, expressed an expectation that the "Audio Recordings Affair" will be ultimately concluded, soon;
8. Noted that the conditions for implementation of the Law on Election of Councillors and Representatives relating to the use of electronic voter identification have not been created; in order to avoid further political polarisation between the ruling parties and opposition, called for full implementation of all provisions of the Law;

9. Observed with concern that the conduct of every election is strongly contested; called on Montenegrin authorities to vigorously and systematically improve the legal and organisational framework for the elections; in this regard, welcomed efforts to improve the quality and reliability of voter registers and the work of the multi-partisan working group on Law on political party financing and called for a speedy adoption of the amendments to that Law; noted that the State Election Commission was not established in time for the May elections, that centralisation of the voters' register is not ready for the December elections in Herceg Novi and that significant amendments to the Law on political party financing have been annulled by the Constitutional Court;
10. Welcomed Montenegro's strong and continuous commitment to regional cooperation and its constructive role in maintaining regional stability; welcomed the completion of a border agreement with BiH and expressed hope that finding mutually acceptable solutions for border issues with remaining neighbours could be reached soon;
11. Welcomed the alignment of Montenegro's foreign policy with the EU, and the fact that Montenegro has accordingly already opened negotiations for chapter 31 – Foreign, Security and Defence Policy;
12. Stated that stronger efforts are needed in the fight against corruption and organised crime, including better cooperation between the police and the prosecution in the investigation process; noted that the appointment of the Supreme State Prosecutor and structural changes such as the establishment of a Special Prosecutor's Office for Fighting Corruption and Organised Crime and the establishment of special police units for financial investigations and cybercrime could contribute to better achieve progress in this regard;
13. Reiterated the importance of systematically developing a solid track record of investigations, prosecutions, final convictions, seizures and confiscations in corruption and organised crime cases and underlined that progress in this regard is still insufficient in Montenegro; encouraged Montenegro to implement the law on public procurement and to build up the required administrative capacity in this regard;
14. Welcomed the efforts of state authorities to protect LGBT rights during pride parades and welcomed participation in the parade of the state officials; noted, however, that further work needs to be done on fighting discrimination on all grounds; took note of the adoption of amendments to the Law on Anti-discrimination and encouraged Montenegro to continue legal alignment also in the area of equal opportunities; expressed regrets about the fact that the most prominent LGBTI activist, following security concerns, sought asylum abroad;
15. Observed with concern that in the area of gender equality and women rights progress remained limited despite newly adopted amendments to the law on the election of MPs and municipal councillors which require that one out of every four places on the electoral list should go to a candidate of a less represented gender; noted the political representation of women remains low, and only 17% of MPs in the Parliament of Montenegro are women;

16. Welcomed the meeting "Women in business" which was organised within the Cetinje Parliamentary Forum and noted the importance of the debates which gathered deputies, representatives of the governments and international organisations; supported the Forum's further work in this regard;
17. Welcomed the fact that Montenegro has ratified the Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), but expressed strong concerns about the still widespread problem of violence against women; noted that further efforts are needed to strengthen the capacity of law enforcement agencies judiciary and social services in dealing with individual cases of violence against women, especially with regard to the imposition of protective measures, more effective investigations, timely handling of court cases and the imposition of sentences on the perpetrators which are commensurate with the gravity of the crimes;
18. Noted that despite the efforts to include Roma in compulsory education system, the drop-out rate remains high; stressed the importance of implementation of the Strategy for Improving Position of Roma and Egyptians in Montenegro 2012-2016 in order to reduce their poverty and social exclusion and, in particular, to undertake measures in the field of employment, as well as on access to education, housing and health care;
19. Welcomed that growth continued in 2014; noted that the consolidated budget deficit in 2013 slightly improved on the deficit recorded in 2012; however, expressed concern that the unemployment rate remains high and public debt further deteriorated, reaching 58% of GDP; called for further efforts in fighting tax evasion and establishing more socially just taxation, combating fraud and reducing the size of the informal economy; furthermore, stressed the need for Montenegro to address the critical labour market situation;
20. Welcomed the agreement of the telecommunications ministers of Serbia, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia and Montenegro on reducing roaming prices by 2017 to the level of EU tariffs.
