

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

**8th Meeting  
25-26 March 2014  
Podgorica**

## **DECLARATION and RECOMMENDATIONS**

The European Union - Montenegro Stabilisation and Association Parliamentary Committee (SAPC) held its 8th meeting on 25-26 March 2014 in Podgorica, under the co-chairmanship of Mr Ranko KRIVOKAPIĆ, President 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. Ilias FOTOPOULOS, Ambassador of Greece to Montenegro, on behalf of the Rotating Presidency of the Council of the European Union,
- Mr Dirk LANGE, Head of Unit for Iceland and Montenegro, on behalf of the European Commission,

The Committee addressed the following subjects:

- state of play of the accession negotiations and EU-Montenegro relations;
- violence against the journalists
- fight with corruption and organised crime
- public finances and reforms in economy

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 opening of EU membership negotiations on justice, rule of law and fundamental rights (chapters 23 and 24) as the enforcement of the rule of law, notably through judicial reform, and the fight against corruption and organised crime are top priorities facing Montenegro;
2. Expressed grave concern about the increase in verbal and physical intimidation of journalists; recalled that since its last meeting in December 2013 many acts of violence against journalists have taken place; stressed the responsibility of the authorities to adequately investigate and prosecute these attacks, including unresolved previous cases; welcomed the recent arrest of persons suspected of planting an explosive device near the building of the independent daily Vijesti; welcomed the decision to set up a special body to monitor official efforts in this regard;
3. Expressed serious concern and strongly condemned the repeated physical assaults on an opposition MP; demanded that the competent state authorities immediately process the case and adequately punish the perpetrators; called on all political entities and other participants in the public life to adapt their public communication to the need to improve the overall social environment, culture of dialogue and building mutual trust, while respecting political and other differences;
4. Welcomed the Montenegrin Parliament's resolution on the integration process of Montenegro into the EU and stressed the importance of its full implementation; expressed their believe that the integration process needs to fully involve the Parliament and civil society organisations in order to enjoy broad democratic support;
5. Welcomed the constitutional strengthening of the judicial independence and called on all parties in the Parliament, in the course of election of judiciary officials, to be led by criteria of expertise and professionalism, in order to eliminate any doubt about their credibility due to a party affiliation; called for objective evaluation of judicial performance and merit-based promotions; welcomed the efficient work of the Parliament and achievement of broad consensus for the election of judges of the Constitutional Court in accordance with the new Constitutional Amendments; called on the competent authorities to establish a solid track record of disciplinary proceedings in the judiciary;
6. Stressed the importance of effective and merit-based public administration and called on the authorities to make greater efforts in order to depoliticise the civil service, especially when recruiting new officials; noted that the first meeting of the Special Group on public administration has taken place and welcomed the fact that undated resignation letters have been destroyed addressing the concerns about undue political influence over the civil service;
7. Regretted the fact that, even after a year, judicial follow up of the “Audio Recording Affair” remains incomplete; welcomed conducting the investigations announced in several cases, where released audio and video recordings pointed at possible irregularities in conducting the election process, as well as at possible political corruption; expressed expectation that the “Audio Recording Affair” and other affairs would be soon brought to a court;

8. Called on the competent authorities to immediately examine all the evidence and the individuals involved in events related to the alleged buying of votes during the local elections in Berane, and insisted on conducting a detailed investigation concerning alleged intrusion into private homes and dispossessing personal property; called on the prosecution to fully investigate possible corruption in the affair of “Telecom Montenegro”; called on the Parliament of Montenegro to rectify the identified shortcomings of the Law on Parliamentary Investigation and to define penalties for the failure to respond and for the perjury;
9. Regretted that corruption remains widespread in Montenegro and noted that additional efforts are needed in the fight against it; called on the Parliament of Montenegro to consider amending the laws on free access to information and on personal data protection, in order to allow the public to have full insight into the assets of public officials, in accordance with the European practice; noted that the new Law on Public Procurement lacked efficient implementation and expected that the EU membership negotiations on “Public procurement” (chapter 5) will speed up the necessary reforms in this area; welcomed the adoption of the new Law on Political Party Financing and urged the authorities to enhance the supervisory capacity of institutions responsible for monitoring its implementation and for oversight of expenditure of political parties and political entities, in order to increase the transparency of party funding;
10. Stressed the need to develop a solid track record of corruption investigations, prosecutions and convictions at all levels; expressed serious concern about impunity for the convicted of corruption or organised crime offenses in the first instance and later released; expressed concern about the fact that the current judicial track record includes exclusively minor corruption cases; called on the prosecution, the police, and the Administration for prevention of money laundering and financing of terrorism as well as other relevant state institutions, to re-examine all activities of persons suspected of crimes during the “Balkan warrior” operation, taking into account cases already adjudicated, which point at various activities conducted in Montenegro;
11. Called for enhanced efforts to tackle the large informal sector; welcomed results of activities of the Working Group, which continuously dealt with the problem, in particular highlighting tax evasion in the field of excise goods and in the service sector; called further to implement structural reforms leading to creating optimal conditions for investments, in the manufacturing sector, and especially in transport and energy sectors, in order to attract foreign direct investments, which are crucial to diversify the economy;
12. Reiterated its call to the Government, to continue reviewing the privatisation contracts, and where necessary, to terminate those which are not being implemented but would otherwise resulted in better and more efficient use of state resources, as well as in the creation of better conditions for the economic development;
13. Welcomed the cooperation between the Ministries of Justice of Montenegro and Serbia, as well as other relevant institutions, on effectively implemented actions to bring the accused Darko Šarić to justice, as a proof of good regional and international cooperation and mutual political will in the fight against corruption and organised crime; welcomed cooperation of the Ministries of Interior of Montenegro, BiH and Serbia who had signed “Protocol on the establishment and operation of the Joint

centre for police cooperation”, with a view of improving regional cooperation in the fight against irregular migration and other forms of cross border crime, which will be the first trilateral centre of this kind in the Western Balkans;

14. Welcomed Montenegro’s proactive participation in the regional initiatives, particularly ten years’ work of the Cetinje Parliamentary Forum, and the project of Montenegrin Government ‘Western Balkans Six’.