



**Service of the Parliament of Montenegro  
Section for Research, Analysis, Library and Documentation**

Research paper:

**Parliamentary working body competent for monitoring the EU negotiation process –  
Experience of Croatia and Iceland**

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*\* The contents of this document do not reflect the official views of the Parliament of Montenegro*

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## Foreword

Joining the European Union (EU) can be defined as "the highest form of cooperation," which is established between a third country and the European Union. The European Union is a complex entity comprising 27 member states and more than 500<sup>1</sup> million people. This serves as a proof of a deeper and tighter integration, as well as of the commitment of the EU to enlargement and the accession of new member states into the European family, which is based on values such as peace, freedom, democracy, rule of law, tolerance and solidarity. However, joining the European Union is a complex and lengthy process that requires a good preparation of the state and the fulfillment of the Copenhagen political and economic criteria and the administrative criteria, known as Madrid criteria.

Like most European countries, Montenegro has recognized and defined the European Union membership as a strategic priority, hence, a general consensus regarding this issue has been reached in Montenegro. Since the Stabilisation and Association Agreement, which represents the legal framework for cooperation between the European Union and Montenegro, has entered into force in May 2010, Montenegro undertook the obligation to harmonise national legislation with the EU acquis. The accession process has been intensified.

In November 2010, the European Commission issued a positive Opinion on Montenegro's application for EU membership, which resulted in a decision of the European Council to grant Montenegro a candidate status, in December of the same year. In the spring Report on Montenegro's progress in the implementation of reforms, released in May 2012, the European Commission recommended opening negotiations. Accordingly, the General Affairs Council adopted a decision on the opening of negotiations on 26 May 2012, which was confirmed at the European Council meeting held on 29 June. Therefore, a new phase of EU integration process has started for Montenegro.<sup>2</sup>

In the First Progress Report after the opening of the accession negotiations, released in October 2012, the European Commission concluded that Montenegro has achieved overall progress, improved the ability to assume the obligations of membership, and has continued to sufficiently fulfill the political criteria for membership. The first phase of the negotiation process (screening) started in March 2012, during which explanatory screening meetings on Chapters 23 (Judiciary and Fundamental rights) and 24 (Justice, Freedom and Security) were held. By the end of 2012, 18 working groups were established for the preparation of negotiations on the accession of Montenegro to the EU, whereas the first negotiation chapter that was opened and provisionally closed, was Chapter 25 (Science and Research), on 18 December 2012.

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<sup>1</sup> According to the Eurostat data, as of January, 2011, the population of the EU, was about 502,5 million people <http://epp.eurostat.ec.europa.eu/portal/page/portal/eurostat/home> (accessed 11 December 2012)

<sup>2</sup> Commission Opinion on Montenegro's Application for Membership of the European Union, available at : [http://ec.europa.eu/enlargement/pdf/key\\_documents/2010/package/mn\\_opinion\\_2010\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2010/package/mn_opinion_2010_en.pdf) (11 December 2012)

The negotiation process includes the involvement of all levels of government and institutions in the country, and, therefore, the Parliament must deal with serious tasks within the legislative and oversight area. One of the key priorities of the Parliament is to strengthen its legislative and oversight role, in order to enhance the ability to monitor the harmonising of national legislation with the EU *acquis*.

During an introductory speech at a conference organised by the National Council for European Integration, held in May 2011 in Podgorica, the European Commissioner for Enlargement and Neighborhood Policy Štefan Füle, said: “(...)I believe that the Parliament of Montenegro has a crucial role to play in the process of European integration. It is a legislator and controller of the executive, and the place where political consensus on key choices for the country is forged“, adding that the achievements of the Parliament so far have been impressive, but that concrete steps are needed to strengthen the Parliament's capacity and its oversight role.<sup>3</sup>

Bearing in mind the new tasks and challenges arising from the negotiation process and the need to efficiently respond to them, as well as strengthening the oversight role, the Parliament of Montenegro adopted a Decision amending the Rules of Procedure<sup>4</sup> of the Parliament of Montenegro, in May 2012.

This decision, among other things, envisages the division of some Committees due to extensive competences, so that the current Committee on International Relations and European Integration is divided into Committee on International Relations and Emigrants and the Committee on European Integration.

The competences of the Committee on European Integration are the following: monitoring negotiations on the accession of Montenegro to the European Union, monitoring and evaluating the negotiation process and giving opinions and guidelines, on behalf of the Parliament, when referring to the prepared negotiating positions, then reviewing information on the negotiation process and reviewing and giving opinions on all issues that arise during the negotiation process, as well as reviewing and assessing the performance of the negotiation team.

In order to learn more about the functioning of the parliamentary working body that deals with the negotiation process, and the types and extensiveness of expertise support that the body receives, it is of great importance to take a look at the experience of other parliaments, particularly Croatia, which has recently closed accession negotiations, and Iceland, a candidate for EU membership.

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<sup>3</sup> Press releases, Štefan Füle *European Commissioner for Enlargement and European Neighbourhood Policy Opening remarks at the Montenegrin National Council for European Integration*; 30/05/2011, available at: <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/11/397&format=HTML&aged> (accessed 11. 12. 2012)

<sup>4</sup> Decision on amending the Rules of procedure of the Parliament of Montenegro, „Official Gazette“, no. 25/12, available at: [http://www.skupstina.me/cms/site\\_data/DOC24/868/868.PDF](http://www.skupstina.me/cms/site_data/DOC24/868/868.PDF) (accessed 11.12.2012)

For this purpose, the Section for Research, Analysis, Library and Documentation of the Parliament of Montenegro submitted a questionnaire<sup>5</sup> through the European Centre for Parliamentary Research and Documentation (ECPRD) Network to the Icelandic Parliament and to the Croatian Parliament.

The questionnaire consisted of questions regarding the type of professional support that the members of the parliamentary responsible for monitoring the accession negotiations and considering negotiating positions receive from the parliamentary service and/or from MPs' assistants, and questions regarding types of informational documents (i.e. short information, analysis, studies, etc.) which are available to MPs when considering negotiating positions, reports of negotiation structures of the government and other documents related to the negotiation process, as well as questions in relation to whether and how other working bodies of the parliament discuss some issues related to the accession negotiations, within their competences.

In addition to the information obtained by the parliaments through the ECPRD network, the research paper was supplemented with information provided by the Croatian Parliament, that was requested for a previous research paper prepared in December 2010, titled: *The role of Parliaments in the accession negotiations with EU*, and information available on the website of the Croatian Parliament and Icelandic Parliament.

The complete document in Montenegrin language can be found at: <http://www.skupstina.me/images/dokumenti/biblioteka-istrasivanje/Parlamentarno%20radno%20tijelo%20nadle%C5%BEno%20za%20pra%C4%87enje%20procesa%20pregovora%20sa%20EU%20-.pdf>

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<sup>5</sup> ECPRD Request No. 2176 *Professional Support Provided to the Members of Parliamentary Body Dealing with Monitoring of Negotiations with the EU*, December 7, 2012