

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

15th Meeting

16-17 July 2018

Podgorica

DECLARATION and RECOMMENDATIONS

The European Union-Montenegro Stabilisation and Association Parliamentary Committee (SAPC) held its 15th meeting in Podgorica on 16-17 July 2018, under the co-chairmanship of Mr Ivan BRAJOVIĆ, President of the Parliament of Montenegro and Mr Peter KOUROUMBASHEV, Vice-Chairman of the European Parliament's Delegation to the EU-Montenegro SAPC. It held an exchange of views with:

- Mr Aleksandar Drljević, Chief Negotiator for Montenegro's Accession to the European Union, on behalf of Government of Montenegro;
- H.E. Dr. Anna Jankovic Ambassador of Austria to Montenegro, on behalf of the Presidency-in-Office-of the Council of the European Union;
- H.E. Aivo Orav, EU Ambassador, on behalf of the European Commission;

The Committee addressed the following subjects:

- State of play of the accession negotiations and EU-Montenegro relations;
- Role of the Parliament in strengthening democratic processes and electoral reform;
- Rule of law, judiciary and fight against corruption;
- Fundamental rights and freedoms, with focus on the free and professional work of media and the protection of private property;
- Good-neighbourly relations and regional co-operation;
- Economic development;

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 return of a major part of the opposition to the Skupština, including to the joint EU-Montenegro Stabilisation and Association parliamentary committee (SAPC); urged the rest of the opposition to return to the parliament; impressed on all political forces the need to engage in a meaningful and inclusive political dialogue in the Parliament in order to fulfil their parliamentary duties towards voters and to strengthen the parliamentary oversight over the executive, and in this context welcomed the plans to establish a working group in the Parliament;
2. Welcomed the steady progress of Montenegro on the path towards the EU membership and encouraged Montenegrin authorities to further intensify work on the implementation of the fundamentals of the accession process: rule of law, fight against organised crime and corruption, integrity of the electoral process, media freedom, human rights, respect for and protection of minorities, economic governance and public administration reform; reiterated that each candidate country must be judged on its own merits; expressed satisfaction over the fact that Montenegro opened talks on 31 of 35 chapters and provisionally closed three of them; acknowledges that progress in Chapters 23 and 24 will continue to determine the overall pace of negotiations;
3. Expressed concern about the state of media freedom and lack of quality journalism; acknowledged lack of progress in this area; deplored unacceptable political and editorial pressure on journalists and media organisations; condemned recent cases of verbal and physical attacks against journalists, including the armed attack on Vijesti journalist Olivera Lakić on 8 May 2018; called on competent authorities to prioritise and effectively investigate and prosecute these cases, especially those where prosecution risks becoming time-barred, since well-functioning, professional and truly independent media represent a key aspect of media pluralism; demanded the Government to demonstrate a zero tolerance for threats and attacks against the media; noted that freedom of expression is one of the European Union's fundamental values and a crucial element of Montenegro's EU accession process and stressed that

public broadcasters should always remain independent and shielded from undue influence and political pressure from any side;

4. Noted that fundamental freedoms were broadly respected in the April 2018 presidential elections; noted that candidates campaigned freely and the media provided the contestants with a platform to present their views; however the lack of analytical reporting and appropriate debate between major political candidates reduced the voters' opportunity to be more informed about certain issues; urged the Montenegrin authorities to further improve trust in the electoral process by fully addressing earlier and more recent recommendations identified by the OSCE/ODIHR and electoral observation missions; called Montenegrin authorities for a proper follow-up of the "Snimak" audio-recordings affair; urged all political parties to take part in the process of a comprehensive and inclusive reform of electoral legislation;
5. Stressed that it remains essential for the overall pace of the negotiating process that the reform of the rule of law system delivers more concrete results on the ground including improving the capacity and independence of key institutions; acknowledged that legislative reforms in the area of rule of law, the judiciary and fundamental rights have been mostly completed but that there was not enough progress with regard to reform implementation; noted that further and sustained efforts are needed towards increasing the independence, transparency, accountability and efficiency of all judicial institutions; encouraged ongoing work on reducing court backlogs; welcomed the initial progress in fighting corruption and insisted on the need to build up a track record in fighting corruption on all levels and organised crime cases including effective financial investigations, prosecutions and final convictions, in particular in areas such as money laundering and trafficking in human beings;
6. Welcomed the ongoing legislative alignment on fundamental rights; encouraged Montenegro to further develop adequate mechanisms to protect vulnerable groups such as women, children, the Roma and other minorities including people with disabilities and LGBTI people from discrimination; called on Montenegrin authorities to continue improving the climate of societal inclusion and tolerance and step up efforts to eliminate sex-selective abortions, gender-based domestic and sexual violence and violence against children;
7. Acknowledged that private ownership is a fundamental right which shall be protected; noted with concern that the process of restitution of properties expropriated in the past remained cumbersome; urged the

- State authorities to provide for fair proceedings within a reasonable time when implementing existing national legal framework, including on property rights and restitution of property; stressed the need for government-wide interoperability framework to support further digitalisation and simplification of administrative procedures;
8. Stressed the importance of meaningful involvement of independent civil society organisations (CSOs) in all aspects of policy development and EU accession negotiations; underlined the crucial role of CSOs in improving the democratic environment in Montenegro; welcomed the progress made so far in establishing a legislative framework for NGOs;
 9. Welcomed the submission by Montenegro, in January 2018, of its fourth Economic Reform Program; praised the country's robust economic growth of 4.4% of GDP in 2017; noted the presently high budget deficit and growing public debt; positively noted the introduction of more stringent fiscal policy to address debt-related concerns; encouraged to improve the business and investment environment and to boost productivity and competitiveness; urged the Government of Montenegro to rebalance the budget structure towards growth-enhancing spending and to continue fiscal consolidation efforts;
 10. Commended Montenegro for its commitment to regional cooperation and its constructive role in maintaining regional stability; welcomed its active participation in numerous regional initiatives in South Eastern Europe and its good bilateral relations with all its neighbours; encouraged signing a bilateral convention on regional cooperation with all partners with a Stabilisation and Association Agreement in force; welcomed the fact that Montenegro has successfully completed the demarcation with Bosnia and Herzegovina and Kosovo and called for a speedy conclusion of agreements with other neighbouring countries; welcomed full alignment with all EU positions and declarations made in the context of the Common Foreign and Security Policy; considered that the promotion of inter-ethnic and inter-religious tolerance is the key for strengthening security in SEE;
 11. Recalled with satisfaction that according to Article 1 of its constitution Montenegro is an ecological state; welcomed the possible opening of chapter 27 in the negotiations with Montenegro this year; called on the authorities to better protect the most valuable areas in particular as regards biodiversity and the construction of hotels and hydropower plants; urged the Government to protect the Ulcinj Salina;

12. Expressed its further support for increased regional cooperation under the "Berlin Process", especially on security, which featured prominently on the agenda of the London Summit; welcomed the unequivocal support to the European perspective of the Western Balkans reaffirmed in the declaration from the Sofia Summit of 17 May 2018; recalled the EU's determination to increase its assistance to Montenegro and other Western Balkan countries subject to tangible progress in the area of rule of law, as well as socio-economic reforms.