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Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee)

Post-monitoring dialogue with Montenegro

Information note by the co-rapporteur Ms Liliana Tanguy following her fact-finding visit to Montenegro (10-12 June 206)

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[1] Document declassified by the Monitoring Committee at its meeting on 1 October 2026.

1. Procedural background

1. Montenegro acceded to the Council of Europe on 11 May 2007, less than a year after declaring its independence.[2] The country was subject to the full monitoring procedure and, in 2012, the Parliamentary Assembly identified five 'priority areas' in which it was encouraged to make progress:[3] the independence of the judiciary; the situation of the media; the fight against corruption and organised crime; the rights of minorities and the fight against discrimination; and the living conditions of refugees and internally displaced persons.

2. In view of the progress made in these areas, the "excellent cooperation established between the Montenegrin authorities and the Organisation, in particular with the Venice Commission"[4] and the "efforts made by the country towards European integration", the Assembly decided[5] in 2015 to close the monitoring procedure and to initiate a post-monitoring dialogue, specifying that this process could be concluded by the end of 2017 if Montenegro fulfilled four conditions, the first three of which had already been mentioned in 2012, to which confidence in the electoral process was added. It concluded that, in the event of failure to fulfil the aforementioned commitments by the end of 2017, it would entrust the Monitoring Committee with the task of examining whether it would be appropriate to reopen the general monitoring procedure.

3. At the conclusion of their fact-finding visit in 2017, the co-rapporteurs of the committee at that time presented a briefing note to the committee:[6] commending the reform efforts undertaken in the area of the rule of law; but emphasising the vital importance of parliamentary dialogue for the transformation of Montenegro, which is incompatible with tactics of boycotting legislative proceedings to express political disagreement; urging the full implementation of legislative provisions guaranteeing the independence of the judiciary; calling for the capacity of the Special Prosecutor's Office to be strengthened to reinforce the priority given to the fight against corruption and organised crime; and expressing concern at the limited progress made in the areas of freedom of expression and the media. Since the adoption of the January 2015 resolution, four fact-finding visits have been carried out in Podgorica, in November 2015, October 2017, September 2019 and July 2022.

4. In its most recent resolution,[7] in 2021, the Assembly recognised the substantial progress made, thanks to legislative measures in line with European standards and the concerns expressed through the Organisation's various monitoring mechanisms, and noted that the situation had continued to improve in areas where Montenegro was generally regarded as a cooperative partner and a good example for the region, particularly with regard to the enforcement of judgments of the European Court of Human Rights. It regretted, however, that in the four priority areas identified in 2015, the impact of the progress made had been offset by opposing negative trends, and it urged the government authorities and the opposition to demonstrate genuine political will to overcome the deadlocks in areas governed by qualified majority voting. It therefore recommended that the post-monitoring dialogue should not be closed, without, however, calling for the general monitoring procedure to be reopened, and that the situation should be reassessed at a later date.

5. Finally, at the conclusion of their fact-finding visit to Podgorica in 2022,[8] the next co-rapporteurs welcomed further progress in the fight against corruption, thanks to the government's support for the Special Prosecutor's Office (SDT);[9] took note of the commitment by all parties represented in Parliament to appoint members of the Judicial Council and the Constitutional Court without delay; took note of the planned electoral reform aimed at bringing the country into line with the majority of the recommendations of the Office for Democratic Institutions and Human Rights of the Organisation for Security and Co-operation in Europe (OSCE/ODIHR) ; noted, on the one hand, the launch of a consultation on a draft reform of the Judicial Council and, on the other, the announcement of amendments to the law on information; encouraged political leaders to adopt the measures crucial to the country's European future and, in this regard, emphasised the historic responsibility resting with the parliamentary forces.

6. Although the potential 2017 deadline for removing Montenegro from the post-monitoring dialogue procedure was first mooted over ten years ago, and whilst significant positive changes have been achieved

[2] Independence was declared on 21 May 2006 following a referendum. The Federal State of Serbia and Montenegro, of which Montenegro was previously one of the two constituent parts, had already been a member of the Organisation since 3 April 2003. The new country had to go through the standard formalities for accession, whilst remaining a *de facto* party to the European Convention on Human Rights.
[3] Resolution 1890 (2012) of 27 June 2012.
[4] European Commission for Democracy through Law.
[5] Resolution 2030 (2015) of 27 January 2015.
[6] AS/MON(2017)31 of 29 November 2017.
[7] Resolution 2374 (2021) of 21 April 2021.
[8] PACE news release of 15 July 2022.
[9] The SDT, a specialised service with national jurisdiction reporting to the Office of the Prosecutor General, is responsible for cases involving organised crime, high-level corruption and money laundering, terrorism and war crimes.

over the years, the committee's heavy workload, the COVID-19 health crisis, the boycott of parliamentary work by large sections of the opposition between 2016 and 2019, as well as the succession of co-rapporteurs (in 2015, 2017, 2018, 2019 and 2020) and the succession of elections (in 2016, 2020 and 2023) have prevented the Assembly from reaching a decision. It has become urgent for it to assess the country's overall situation in order to finally deliver its opinion.

7. It was with this in mind that I undertook a fact-finding visit to Podgorica from 9-12 June 2026. The findings, observations and analyses set out below are largely based on the interviews I conducted during this mission with the President of Montenegro; the Prime Minister and several members of his government; the Speaker of Parliament; the Montenegrin delegation to the PACE, then led by Ms Nađa Laković; representatives of the various parliamentary groups from both the majority and the opposition; the Ombudsman for Human Rights and Freedoms; the heads of two other independent administrative authorities, as well as civil society activists; and members of NGOs and national councils for ethnic minorities. In this briefing note, I also outline the main developments that have taken place since then in Montenegrin political and legislative affairs, with a view to providing the committee members with all relevant background information.

2. Institutional framework and political context

8. Montenegro is a multi-ethnic country, the only one in the world where no single ethnic group accounts for more than 50% of the population.[10] In addition to Montenegrin, four other languages are recognised as official: Serbian, Bosnian, Albanian and Croatian. The current Constitution, ratified and adopted by parliament on 19 October 2007 by a two-thirds majority, officially came into force on 22 October of the same year.[11] It defines Montenegro as a parliamentary republic that is "civil, democratic, environmentally conscious and committed to social justice, founded on the rule of law".[12] Executive power is exercised by the government, under the leadership of the Prime Minister. Legislative power is shared between the government and Parliament.

9. The President is elected for a five-year term by direct universal suffrage. He appoints the Prime Minister, as well as the President and judges of the Constitutional Court, following a vote by parliament. The government is elected by a majority vote in the Skupština Crne Gore, a unicameral parliament.

10. The Skupština Crne Gore comprises 81 members elected for four years by a multi-member proportional representation system using closed lists within a single national constituency. Seats are allocated using the D'Hondt method to all parties that have passed the electoral threshold of 3% of the votes cast. Parties representing an ethnic minority whose members make up at least 15% of a district's population are partially exempt from this threshold, which is then lowered to 0.7% for a maximum of three seats. For parties representing the Croatian minority, the threshold is reduced even further to 0.35%, entitling them to one seat. This system makes it highly unlikely for any single party to win a majority of seats and encourages the formation of coalitions.

11. The most recent election, for 12th legislature, took place on 11 June 2023. Originally scheduled for 2024, it was called early by the Prime Minister following several months of political crisis, as MPs were unable to agree on the formation of a new cabinet after the government led by Mr Dritan Abazović was brought down on 20 August 2022. As a result of this change to the timetable, the parliamentary elections were held two months after the presidential election and just three weeks after the inauguration of Mr Jakov Milatović, who had defeated his predecessor, Mr Milo Đukanović.[13] During this eventful electoral period, the Assembly organised no fewer than four observation missions in four months: a pre-election mission ahead of the presidential election, followed by missions during both rounds of that election and during the parliamentary election.

12. The election confirmed the end of more than three decades of hegemony by the Democratic Party of Socialists (DPS) – founded in 1990 from the Montenegrin section of the League of Communists of Yugoslavia – in favour of the fledgling 'Europe Now!' Movement (PES!), a centrist, liberal and pro-European party, whose campaign focused on the fight against corruption. The resulting balance of power is as follows:[14] the governing

[10] According to statistics from 2024, the country's population comprises 41% Montenegrins, 33% Serbs, 10% Bosniaks, 5%Albanians, 2% Russians, 2% Muslims, and 3% of the population who do not wish to declare their ethnic affiliation.
[11] Previously, the country was governed by the 1992 Basic Law, which made it a constituent republic of the Federal Republic of Yugoslavia, renamed the State Union of Serbia and Montenegro in 2003.
[12] Article 1 of the Constitution.
[13] The President of Montenegro performs primarily representative and ceremonial functions. He is elected by universal suffrage through a two-round, first-past-the-post system for a five-year term, renewable once. If no candidate secures an absolute majority of the votes cast in the first round, a second round is held two weeks later between the two leading candidates; the candidate who secures the most votes in the second round is declared elected.
[14] Parliamentary groups in the Skupština (www.skupstina.me/en/mps/mp-groups, accessed 18 September 2026).

majority holds 46 seats, whilst the opposition has 35. The government, supported by the 'For the Future of Montenegro' coalition – formed notably with parties from the outgoing majority – is led by Mr Milojko Spajić (PES!). The Parliament is presided over by Mr Andrija Mandić, of the New Serbian Democracy (NSD) party – the second component of the majority coalition – who has been an MP since 2001 and was a member of the Assembly between 2007 and 2009.

13. As the June 2027 general election approaches,[15] it is worth noting that, since the start of 2026, opinion polls have placed the main opposition party, the DPS, and the combined support for the two pan-Serbian parties – one of which is part of the current majority, whilst the other has joined the opposition – ahead of the PES!. The margins are, however, narrow: projected vote shares for each of these three blocs range from 17% to 27%.[16] A change in government or a shift in alliances cannot therefore be ruled out. Given the relative consensus on accession to the European Union (EU), the country's European trajectory should, however, remain unchallenged in any scenario.

3. Progress towards accession to the European Union

3.1. History of relations between the European Union and Montenegro

14. The EU recognised Montenegro on 12 June 2006, twenty-two days after its separation from Serbia and the declaration of its independence. The country immediately and unilaterally adopted the euro as its sole legal tender and subsequently submitted its application for EU membership on 15 December 2008. Like North Macedonia and Serbia, Montenegro secured the lifting of visa requirements for its citizens travelling to the EU on 19 December 2009.[17] Subsequently, the Stabilisation and Association Agreement (SAA) with Montenegro, which had been signed in 2007, entered into force on 1 May 2010.[18]

15. The European Council granted Montenegro official candidate status on 17 December 2010[19] and subsequently decided to open accession negotiations on 29 June 2012,[20] following the favourable opinion issued by the European Commission on 12 October 2011. However, the Commission emphasised the considerable efforts still required in the area of fundamental rights: combating discrimination, freedom of expression, the situation of displaced persons from Croatia, Bosnia and Herzegovina and Kosovo*,[21] etc.

16. Accession negotiations take place within the framework of intergovernmental conferences, known as 'accession conferences', which bring together ministers or ambassadors from the EU Member States and the candidate country. The negotiations, which cover the EU acquis, are divided into various thematic groups and chapters. The rule is that all 27 EU Member States must agree that all requirements have been met. Once negotiations on each point have been finalised, the Commission issues its opinion on the country's readiness to become a Member State. On the basis of this opinion, the EU Member States decide unanimously to conclude the negotiation process. Following the European Parliament's assent, all EU Member States and the candidate country sign and ratify an accession treaty. The negotiation chapters are now divided into six thematic groups: fundamental principles; the internal market; competitiveness and inclusive growth; the environment and sustainable connectivity; resources, agriculture and cohesion; and external relations.

17. In line with the aim of revitalising the negotiation process with the Western Balkan candidate countries – a move to which Ukraine's strong involvement to secure membership through a fast-track process is no stranger – the European Commission, in its proposal for the next multiannual financial framework,[22] covering the years 2028 to 2034, has confirmed that enlargement is a political and geostrategic imperative, and that the new 'Europe in the World' instrument will provide significant financial and political support to help candidate countries progress along this path. It must be noted, however, that in its proposal for a regulation on the future

[15] They must be convened by 30 June 2027 at the latest and are scheduled to take place on 13 June 2027.
[16] Montenegro – Election polls, voting intention polls and current polling numbers, PolitPro (accessed 21 September 2026).
[17] Council Regulation (EC) No 1244/2009 of 30 November 2009 amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders of Member States and those whose nationals are exempt from that requirement (*Official Journal of the European Union* L 108 of 18 December 2009).
[18] Decision of the Council and the Commission of 29 March 2010 on the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part – 2010/224/EU, Euratom (*Official Journal of the European Union* L 336 of 19 April 2010).
[19] Conclusions of the European Council of 16 and 17 December 2010.
[20] Conclusions of the European Council of 28 and 29 June 2012.
[21] *All reference to Kosovo in this document, whether to the territory, institutions or population shall be understood in full compliance with UN Security Council Resolution 1244 and without prejudice to the status of Kosovo.
[22] Communication from the Commission to the European Parliament, the European Council, the European Economic and Social Committee and the Committee of the Regions of 16 July 2025: A dynamic EU budget to deliver on the priorities of the future – The Multiannual Financial Framework 2028–2034 – COM(2025) 570 final.

multiannual financial framework[23] the Council of the European Union refers to this instrument only in relation to the aid to be provided to Ukraine.

3.2. State of play of accession negotiations

18. Since the first session on 29 June 2012, 28 meetings of the accession conference have taken place. All 33 negotiation chapters[24] have been opened, and 18 of them have now been closed.[25] The pace of accession negotiations has accelerated considerably over the last eighteen months: whilst only one chapter had been closed during the first twelve years of the process, five were closed in 2024, six in 2025 and a further six since the start of 2026. The EU recognises the Montenegrin authorities' consistent political commitment to the strategic objective of European integration, which has yielded tangible results in the implementation of the required reforms and is moving the country forward on the path to accession. Thirteen years after the last accession of a country from the Western Balkans sub-region that was part of the former Yugoslavia,[26] Montenegro is by far the most advanced country in this process: among the four other Western Balkan candidate countries, only Albania and Serbia have opened chapters, and they have closed only three and two respectively, whilst chapter-by-chapter negotiations with Bosnia and Herzegovina and North Macedonia are still in their early stages. Montenegro also plays a positive role in stabilising the sub-region; it is regarded as a reliable and constructive partner involved in multilateral initiatives.

19. On 3 March 2026, with the unanimous support of the 53 MPs present, the Montenegrin Parliament adopted yet another resolution in favour of EU integration. On the same day, during a meeting of the European Parliament's delegation for relations with Montenegro, Ms Marta Kos, Commissioner for Enlargement and European Neighbourhood Policy, set the target date of 2028,[27] provided that the current momentum for reform continues and bearing in mind that the final act will have to be ratified by each of the 27 Member States.

20. On 22 April 2026, the Committee of Permanent Representatives (COREPER) announced the establishment of the working group tasked with drafting the accession treaty, which reflects recognition of the progress made by Montenegro and marks a technical yet politically significant step towards the final phase of the negotiations.[28] The task of this body – which has already met on 13 May, 19 May and 2 June 2026 – will consist, in particular, of drawing lessons from previous enlargements to define safeguard mechanisms designed to ensure that Montenegro continues to fulfil its obligations after accession, whether in relation to fundamental policies, budgetary rules or loyal cooperation within the EU's decision-making system. On this last point, the Accession Treaty will need to contain robust safeguards against any backsliding on the commitments made during the negotiations, as well as requirements obliging Montenegro to continue to preserve and make irreversible its achievements in the area of the rule of law.

21. Since 2024, like three other Western Balkan countries with official candidate status – Bosnia and Herzegovina, North Macedonia and Serbia – Montenegro's situation with regard to the rule of law has been analysed as part of the European Commission's comprehensive annual report, which until then had focused solely on the 27 Member States. This is a key element of the gradual integration process aimed at irreversibly embedding democracy in the countries concerned, which are, albeit to varying degrees, the most advanced on the path to European integration. This exercise complements the enlargement reports, which comprehensively cover all aspects of the functioning of democratic institutions, the rule of law and fundamental rights, as well as all chapters of the EU acquis.

[23] Proposal for a Council Regulation of 16 July 2025 laying down the multiannual financial framework for the years 2028 to 2034 – COM(2025) 571 final.
[24] In theory, there are 35 chapters, but Chapter 34 (Institutions), which is in fact a prerequisite for the opening of negotiations, is not subject to negotiation, and Chapter 35 (Other Issues) is only negotiated should specific problems arise.
[25] It is understood that, between now and the conclusion of the overall negotiations, any chapter may be reopened, at the EU's initiative, should it prove necessary to supplement the measures taken by the candidate country; hence the officially used term 'provisionally closed'.
[26] Croatia joined the EU on 1 July 2013.
[27] Dom E. A.-M. (2026), *Montenegro inches closer towards EU membership*, Euronews (accessed 18 September 2026).
[28] Communication from António Costa, President of the European Council, 22 April 2026 (accessed 21 September 2026).

22. The 2025 Communication[29] and its detailed chapter on Montenegro,[30] as well as the other, the traditional annual communication on the progress of accession negotiations[31] – and, again, its detailed chapter on Montenegro[32] – highlight the following key points: the implementation of the improved legal framework guaranteeing the independence, impartiality and accountability of the judiciary has yielded initial positive results; efforts to investigate cases of corruption should be continued and stepped up; further efforts are also needed to create and maintain an environment conducive to investigative journalism and civil society; Montenegro has taken significant steps to strengthen its policies to combat trafficking in human beings by consolidating its legal, institutional and operational framework; it has made progress in the fight against money laundering, although a solid track record in terms of investigations, prosecutions and final convictions has yet to be established; it has also made progress in the design and implementation of its Schengen action plans, but the granting of seasonal exemptions from the visa requirement and authorisation of entry on the basis of a visa or residence permit issued by a third country should be abolished, and a national coordinator responsible for designing, implementing and monitoring the Schengen Action Plan should be appointed; the European Commission, as of 30 July 2025, released funds to Montenegro as part of the first instalment, conditional upon the implementation of its reform programme; then, on 8 October 2025, noting the substantial further progress made, authorised a further disbursement of funds as part of the second instalment;[33] Montenegro's inclusion within the geographical scope of the Single Euro Payments Area (SEPA) systems – which was conditional upon alignment with the EU's key financial rules guaranteeing the integrity and security of transactions – will facilitate euro transfers for the country's financial institutions.

23. Furthermore, in order to manage migration flows, tackle illegal immigration and combat cross-border crime, the EU and Montenegro have concluded an agreement aimed at expanding cooperation on operational activities carried out by the European Border and Coast Guard Agency (Frontex), so that joint operations can be conducted and Frontex staff are able to carry out border checks and register individuals.[34] This agreement, which had been applied on a provisional basis since 1 July 2023, entered into force on 1 March 2025.

4. Enforcement of judgments of the European Court of Human Rights

24. Although several judgments remain unimplemented, Montenegro has a suitable track record regarding the enforcement of the Court's judgments[35] – all things considered, better than that of some older democracies – which is an indication of the country's political and judicial establishment's willingness to bring its legislative framework into line with the fundamental human rights that lie at the heart of the European project.

25. Two binding legal opinions issued by the Supreme Court[36] in 2017 required national courts to clearly state, in decisions ordering or extending pre-trial detention, that there is reasonable suspicion that the defendant has committed an offence, and to comply with the statutory time limits for reviewing the grounds for detention.[37]

26. Under a 2011 Act, the enforcement of final judgments has been entrusted to public officials, with the aim of reducing the courts' workload and increasing the efficiency of enforcement procedures in general. The Act includes special provisions concerning the enforcement of judgments relating to child maintenance, requiring particular diligence.[38]

27. Amendments to the Code of Civil Procedure in 2015 have made civil and labour law proceedings more efficient, in particular through the removal of multiple possibilities for referral, the shortening of procedural time

[29] Communication from the Commission to the European Parliament, the European Council, the European Economic and Social Committee and the Committee of the Regions of 8 July 2025: 2025 Report on the Rule of Law – The rule of law situation in the European Union – COM(2025) 900 final.
[30] Commission staff working document: 2025 Report on the Rule of Law – Country chapter on the rule of law situation in Montenegro – SWD(2025) 929 final.
[31] Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 14 November 2025: Communication from the Commission on the EU's enlargement policy – COM(2025) 690 final.
[32] Commission staff working document: Montenegro 2025 Report – SWD(2025) 754 final.
[33] A third tranche was even allocated on 26 May 2026.
[34] European Council (2023), *Council will sign agreement with Montenegro on Frontex cooperation* (accessed 18 September 2026).
[35] Council of Europe, Department for the Execution of Judgments of the European Court of Human Rights – Country factsheet – *Montenegro* (accessed 18 September 2026).
[36] The Supreme Court is the highest court in the judicial system.
[37] Mugoša (76522/12) – Final judgment of 2017.
[38] Boucke (26945/06) – Final judgment of 2016.

limits, the establishment of alternative dispute resolution mechanisms, and the introduction of effective domestic remedies to challenge the excessive length of proceedings.[39]

28. Amendments to the Criminal Code in 2011 decriminalised defamation and insulting language.[40]

29. The possibility of withdrawing or restricting a person's accrued pension rights if they return to work or take up self-employment was abolished by the 2008 Pension and Disability Insurance Act.[41]

30. In 2020, the Supreme Court revised its case law on property rights in the coastal zone and adopted a legal position of principle regarding the status of private land located there.[42]

31. However, no measures have yet been taken to prevent ill-treatment by the police or to ensure effective investigations into such cases.[43]

32. Poor conditions of detention, breaches of the right to liberty following an indictment not accompanied by a supplementary order, and the lack of sufficient grounds for extending detention remain a cause for concern.[44]

33. The length of proceedings before the Constitutional Court is excessive.[45]

34. The practice of domestic courts in civil proceedings brought against the State to seek compensation for non-pecuniary damage caused by ill-treatment suffered during the war in the former Socialist Federal Republic of Yugoslavia has proved to be inconsistent.[46]

35. Domestic court rulings handed down since 2006 in favour of applicants against public or state-owned enterprises have not been enforced.[47]

36. A domestic judgment and two administrative decisions concerning the demolition of unauthorised structures have not been enforced. Expropriation proceedings and related administrative procedures have not been conducted properly.[48]

5. Latest developments

5.1. Democratic institutions

37. According to the NGO Institut Alternativa (IA), Prime Minister Milojko Spajić has a notably low attendance rate at question-and-answer sessions in Parliament, which are important political events in all mature democracies:[49] by January 2026, two and a half years after taking office, he had attended only eleven of the eighteen scheduled sessions. His cabinet has repeatedly postponed or cancelled sessions, often replacing oral answers with written responses published online, whilst last-minute changes due to overseas travel and obstruction by the opposition have further weakened parliamentary scrutiny. Official rules require a question-and-answer session at least once every two months, and established parliamentary practice dictates that the Prime Minister appears every month during ordinary sessions – a standard that all of Mr Spajić's predecessors had adhered to.

38. During extraordinary sessions held on 2 February 2026, Parliament passed 25 laws necessary to meet the key criteria for Montenegro's EU accession process, without any debate, a move that was widely criticised by NGOs and several political parties. President Milatović referred the 25 bills back to Parliament for reconsideration, considering that the adoption of a large number of complex laws without debate undermines the quality and credibility of the reform process. Experience, including in Montenegro, shows that such haste, which falls short of European standards, inevitably leads to the need for subsequent amendments. Moreover, in recent months, the President has on several occasions referred laws back to Parliament for reconsideration.

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[39] Stakić (49320/07+) – Final decision of 2017.
[40] Šabanović (5995/06) – Final decision of 2016.
[41] Lakićević and Others (27458/06+) – Final resolution of 2013.
[42] Nešić (12131/18) – Final resolution of 2023.
[43] Siništaj Group (1451/10+) – Final judgement of 2016.
[44] Bigović (48343/16) – Final judgement of 2019.
[45] Siništaj (31529/15) – Final judgment of 2021.
[46] Bagoje (2890/21) – Final judgment of 2024.
[47] Dedić and others (4847/20) – Final judgement of 2024.
[48] Vlahović (62444/10) – Final judgment of 2024.
[49] Institut Alternativa (2026), *Scheduled, double-booked, postponed: Prime Minister's Questions – an obligation on hold* (accessed 18 September 2026).

39. On 9 March 2026, he referred back two crucial pieces of legislation: amendments to the Law on Internal Affairs, arguing that the legal solutions proposed to enhance the professionalism of the police raised serious concerns under the General Data Protection Regulation[50] and that they had been adopted without public consultation; the National Security Agency (ANB) Act, due to controversial provisions concerning the use of covert surveillance measures, in particular the removal of the requirement to obtain prior judicial authorisation for certain surveillance measures carried out in public spaces.[51] Ten days after they were referred back, Parliament re-adopted both bills. However, the parliamentary crisis and the resulting pressure from the EU forced the government to revise its proposals: as part of an agreement reached with a section of the opposition, the following amendments were notably adopted on 31 July 2026, by a large majority of 63 votes: the composition and appointment procedure of the committee responsible for overseeing security clearances was amended; judicial oversight of certain covert surveillance measures carried out by the ANB was strengthened.[52]

40. However, on the same day, at the end of the sitting, opposition MPs stormed out of the chamber in protest at the timing and procedures of the vote, following the adoption, by a majority of 47 votes, of another bill,[53] which gives an indication of the level of political conflict in the country.

41. Furthermore, on 16 February 2026, the President of Montenegro referred the matter to the Constitutional Court regarding the constitutionality of the legislation on national defence,[54] arguing that it unlawfully assigns to the Minister of Defence powers falling within his own prerogatives and those of the Defence and Security Council, which would constitute a violation of the constitutional system of civilian command and control of the armed forces. In the absence of a response, it reiterated its application on 29 June 2026, but to no avail to date.

42. Since 2023, more than 400 laws have been passed, including more than 250 relating to the European agenda. However, according to a report published by the NGO Centre for Democratic Transition (CDT) in April 2026,[55] the legislative process in Montenegro remains opaque and largely subject to emergency procedures, resulting in legislation that lacks substance and frequent amendments shortly after the texts are adopted. Numerous laws relating to alignment with the EU acquis, notably those concerning the civil service and access to information, had to be revised shortly after their adoption, whilst essential reforms remain incomplete – in particular electoral reform – with just a few months to go before the next election. In 2025 alone, Parliament passed 201 laws, more than half of which were adopted under emergency procedures. Whilst this pace is partly due to obligations arising from the EU, the CDT emphasises that this argument is increasingly being used to justify speed at the expense of quality. Furthermore, MPs often lack information on legislative priorities and timetables, which reduces Parliament's role to that of a mere conduit for government proposals. Parliamentary scrutiny is also weak, with ineffective oversight hearings, inadequate monitoring mechanisms and a lack of engagement from the executive. Finally, the CDT is concerned about the delays and politicisation of appointments to leadership positions in key institutions.

43. On 19 February 2026, the government adopted a bill aimed, for the first time, at systematically regulating the executive branch through a single piece of legislation, as part of the country's European integration programme. The CDT viewed this as a significantly watered-down version compared with previous drafts[56] drawn up during the consultation process and called on Parliament to amend it substantially, so as not to miss the opportunity to strengthen transparency, accountability and the quality of the executive's work. One of the main changes it criticises concerns the removal of a previously envisaged upper limit on the number of

[50] The European Commission itself has alerted the Montenegrin authorities: the text will need to be amended before the conclusion of accession negotiations in order to bring it into line with EU legislation.
[51] The adoption of these two pieces of legislation was roundly criticised by civil society and caused significant political upheaval: Mr Jevto Eraković (DPS) resigned as chair of the parliamentary committee on anti-corruption; Mr Miodrag Laković, although a member of the ruling party (PES!), resigned as chair of the Security and Defence Committee and left his parliamentary group
[52] Law amending and supplementing the Law on Internal Affairs (No. 01-009/26-1411/2) and Law amending and supplementing the Law on the National Security Agency (No. 01-009/26-1387/2) (www.sluzbenilist.me, accessed 18 September 2026) *[in Montenegrin]*.
[53] Law on Weapons and Ammunition (No. 01-009/26-1400/2) (www.sluzbenilist.me, accessed 18 September 2026) *[in Montenegrin]*.
[54] Law of 28 July 2017 on the Armed Forces of Montenegro (No. 01-772/2), as amended by the Law of 12 June 2019 amending and supplementing the Law on the Armed Forces of Montenegro (No. 01-1004/2) (www.sluzbenilist.me, accessed 18 September 2026) *[in Montenegrin]*.
[55] Gvozdenović M., Đurišić J. and Đuranović N. (2026), , Centrar za Demokratsku Tranziciju (CDT – *Centre for Democratic Transition*) (accessed 18 September 2026).
[56] Centrar za Demokratsku Tranziciju (CDT – *Centre for Democratic Transition*) (2026), *Predlog zakona o Vladi neće obezbijediti odgovornost izvršne vlasti CDT* (accessed 18 September 2026) *[in Montenegrin]*.

ministries, in line with the recommendations of the Venice Commission. The draft bill also permits government meetings to be held via teleconference in 'urgent cases', without clearly defining what such situations might entail.

44. On 19 May 2026, the government adopted the draft law on local self-government, which incorporates the recommendations of national and international partners, notably those of the European Commission and the Congress of Local and Regional Authorities of the Council of Europe. It introduces a more rigorous application of the principles of decentralisation and subsidiarity, through a decision-making process that is closer to citizens, and creates the conditions for asymmetric decentralisation, enabling municipalities with sufficient capacity to assume broader powers. No information has been provided regarding the date on which Parliament will examine this bill.

45. On 27 August 2026, the Speaker of the Montenegrin Parliament announced: "I have just sent my condolences to Darko Mladić, on my own behalf and on behalf of the Serbian New Democracy, following the death of his father, General Ratko Mladić."[57] This led to the tabling of a motion of no confidence signed by 35 deputies, spearheaded by the 16 DPS representatives but also including some elements of the majority. An extraordinary session was convened on 24 September 2026 to consider the motion. However, as the quorum of 41 out of 81 deputies was not reached, the text could not be considered. The signatories question the Speaker's general approach to the conduct of parliamentary business, which they regard as "driven by his personal or partisan convictions", and consider that, with his statement, "a line has been crossed", depriving him of "the political and institutional credibility necessary to hold the office of Speaker of Parliament".

46. The image of the executive branch has been tarnished as a result, and this event could herald a more tense parliamentary debate and a reshuffling of alliances in the run-up to the forthcoming elections. Immediately after the unsuccessful extraordinary session, the Democratic Party of Socialists and three other opposition parties issued a statement to international organisations announcing the suspension of institutional cooperation with the parliamentary majority "effective today, and until a session of the Parliament of Montenegro is held at which Members of Parliament are allowed to express their views on the initiative to dismiss the President of the Parliament".

5.2. Electoral framework

47. The process of appointing the chair and the four members of the future Central Electoral Commission (CIK) is proving difficult to finalise. This body, which will be depoliticised, professionalised and endowed with clearly defined powers, will take over the responsibilities of the current State Electoral Commission as part of the electoral reform process. Following the first call for applications, the selection committee[58] unanimously decided in December 2025 that it was unable to propose a chairperson, as it considered that the sole candidate did not meet the required criteria; however, the law stipulates that the chairperson and the four members must be appointed simultaneously. The second round of calls for applications, held in January and February 2026, proved equally unsuccessful: whilst eight of the ten candidates met the required criteria, none had a profile suitable for the role of chairperson. The third round, in April 2026, failed for the opposite reason: one candidate, Mr Boško Nenezić – a lawyer specialising in the study of electoral processes and civil society – met the criteria required for the post of chair, scoring well above the required 60 out of 100, but no other candidate reached the minimum threshold of 50 out of 100 to become a member, which once again prevented the committee from submitting a complete proposal. The fourth round of nominations concluded on 4 June 2026 with another failure, for the same reason. Finally, on 9 July 2026, following a fifth round, the selection committee—having failed to secure the required four-fifths majority to adopt the full list of the future CIK—once again cancelled the selection process.

48. The selection committee also called for an urgent amendment to Article 24 of the Electoral Act: the eligibility criteria should be less restrictive; the range of eligible professional profiles should be broadened; it should be made possible to put forward candidates in several phases, which would allow the CIK to begin operating before all posts have been filled; finally, according to the selection committee, to avoid disrupting the electoral process, the current National Electoral Commission should be maintained until the new CIK is appointed, pending the adoption of these legislative amendments.[59] However, this transitional situation should not be allowed to persist, as the current National Electoral Commission does not meet European expectations regarding transparency and fairness – which is precisely what prompted the decision to establish a new body.

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[57] Andrija Mandić, post on social media platform X, 27 August 2026 *[in Montenegrin]*.
[58] This body is chaired by the Minister of Justice; its four other members are a representative of the opposition, a judge, a university professor and a representative of the NGO CDT.
[59] Matijašević B. and Vučinić Z. (2026), *A solution for the Central Election Commission next week?*, Vijesti (accessed 18 September 2026).

49. Apart from the concerns raised by this deadlock, given that the next general election is due to take place in less than a year's time, the most serious consequence is the uncertainty hanging over the organisation of local elections in the country's 25 municipalities. Indeed, unlike parliamentary elections, which are called by the President of Montenegro, the electoral law stipulates that local elections are called by the CIK, without providing for the scenario in which the CIK is unable to function.

50. On 23 April 2026, the Anti-Corruption Agency (ASK) published guidelines in anticipation of the 2027 electoral cycle,[60] emphasising that public office must be clearly separated from political activities and that state resources must not be used for election campaigning. The use of vehicles, premises, equipment, budgetary funds and civil servants for political promotion is now strictly prohibited, as is the use by civil servants of their position to gain an electoral advantage or to present routine institutional activities in a manner likely to influence voters. The document introduces stricter controls over the financing of election campaigns, requiring all donations and expenditure to be documented and traceable. These guidelines form part of the implementation of the Act, adopted on 25 July 2025, on the funding of political organisations and election campaigns,[61] which aims to strengthen oversight and ensure transparent and fair conditions for all participants. Further measures may be considered after the next election cycle, with a view to strengthening oversight mechanisms.

51. Also on 25 July 2025, the parliament adopted amendments to the electoral framework, partly in response to the recommendations of the Congress of Local and Regional Authorities and the OSCE/ODIHR regarding the oversight of election campaign and media funding, improving the integrity of the electoral administration, increasing gender quotas on electoral lists, and introducing a single date for local elections.[62] Previously, local elections were held almost every three months, which led to a permanent state of election campaigning and encouraged 'electoral tourism'. This is why the term 'general local elections' is now used in Montenegro.

5.3. Abuse of power and corruption

52. According to a 2025 regional survey on the judicial system,[63] 68% of Montenegrin citizens believe that corruption affects the judicial system, whilst 56% consider that political affiliation and economic status influence equal treatment before the courts and public prosecutors' offices. Businesses' perception of judicial independence has deteriorated, with negative views on this issue rising from 27% in 2020 to 40% in 2025. The study also highlights concerns regarding judicial efficiency and access to justice: more than a third of court hearings are perceived as failing to contribute to the resolution of cases or the progress of proceedings; fewer than half of those surveyed consider the judicial system to be financially accessible.

53. On 28 January 2026, at first instance, Ms Vesna Medenica – who served as Attorney General from 2003 to 2007 and subsequently as President of the Supreme Court from 2007 to 2020 – was sentenced to ten years' imprisonment and a fine of 50 000 euros in two separate cases of unlawful influence relating to corruption and judicial interference, having previously been implicated in a similar case in 2024. She lodged an appeal, as did the prosecution, which had sought a twenty-year prison sentence.

54. On 18 May 2026, the Podgorica Court of Appeal sentenced the former director of the ANB, Mr Dejan Peruničić, to five years' imprisonment. He was found guilty of ordering the illegal surveillance and wiretapping of former opposition leaders, journalists and senior religious figures between late 2019 and the parliamentary elections on 30 August 2020. According to the judgement, he unlawfully abused his official authority by giving verbal orders to unidentified staff members leading to the surveillance of telephone communications without the consent of the President of the Supreme Court or a judge authorised to act in that capacity, as required by law.

55. On 5 May 2026, the High Court in Podgorica handed down a first-instance judgement sentencing the former director of the ASK, Ms Jelena Perović, to two years and two months' imprisonment for abuse of power and falsification of official documents. Her former assistant was sentenced to six months' imprisonment for abuse of power, with the court permitting her to serve her sentence under house arrest. The two defendants will also have to pay compensation to the State.

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[60] Agency for Prevention of Corruption (ASK) (2026), *Ahead of the 2027 elections: the APC publishes guidelines for participants in the electoral process* (accessed 18 September 2026).
[61] Law No. 01-009/25-1472/2 (www.sluzbenilist.me, accessed 18 September 2026) *[in Montenegrin]*.
[62] Law No. 01-009/25/1470/2 amending and supplementing the Law on Local Self-Government and Law No. 01-009/25-1471/2 amending and supplementing the Law on the Election of Councillors and Members of Parliament (www.sluzbenilist.me, accessed 18 September 2026) [*in Montenegrin]*.
[63] Study carried out as part of the regional project 'The European Union for the Rule of Law: support for evidence-based policy-making on the performance of the judicial system in the Western Balkans'.

56. On 17 April 2026, Ms Kristina Braletić, a former ASK employee, was appointed head of the organisation after securing four out of five votes from the members of the institution's Board. The Board meeting was heated, marked by disputes between Board members and among the candidates regarding their integrity, alleged conflicts of interest and the assessment criteria. Ms Braletić's appointment came following four calls for applications. The acting director, Mr Dušan Drakić, who had already applied on each of the three previous occasions, has still not secured the necessary support. The first call for applications, launched in December 2025, was cancelled at the last minute because the vacancy notice had not been published on the Employment Agency's website, which risked exposing the entire process to legal challenge.

57. On 16 April 2026, the government adopted a document expanding the list of sectors considered particularly vulnerable to corruption to include the highest echelons of the executive branch, notably the Prime Minister, Deputy Prime Ministers, Ministers, Secretaries of State and Senior Advisers.[64] It builds on the existing framework, which already identified high-risk sectors such as the judiciary, the police, public procurement, town and country planning, local authorities and public enterprises, and provides for an annual reassessment of the classification of these high-risk areas. It takes into account the recommendations of the European Commission and the Group of States against Corruption (GRECO). The implementation of the new measures will be set out in action plans.

58. On 11 May 2026, in accordance with GRECO's recommendations,[65] the government established an Integrity Commission to strengthen mechanisms for preventing corruption amongst the most senior officials in the executive.[66] This body will provide confidential advice and ongoing training to these officials on issues relating to conflicts of interest, integrity and the prevention of corruption. Furthermore, it will draw up guidelines, identify weaknesses in the integrity system and propose measures aimed at strengthening ethics, transparency and accountability amongst senior civil servants.

5.4. Legal system

59. On 20 January 2026, the Constitutional Court adopted a new case-handling plan for the year, introducing for the first time clearly defined deadlines, measurable targets and the appointment of responsible officials. This plan sets out a transparent timetable for the resolution of specific cases and requires public explanations in the event of any deviations. Citizens will have access to a list of pending cases and will be able to find out in advance the order in which they will be dealt with. During 2026, the Constitutional Court plans to rule on more than 1 700 cases across all its areas of jurisdiction, not including priority cases. It should be noted that the Constitutional Court has often been criticised for the slowness of its decisions.

60. On the same day, the Network of NGOs for the Promotion of the Voluntary Sector (MANS) referred a matter to the Constitutional Court requesting that it examine the constitutionality of a legislative provision adopted in late 2025[67] which requires each party to bear its own costs in administrative disputes arising from administrative silence. MANS argues that this rule contravenes current legal principles, undermines the right to effective judicial protection and creates financial barriers to access to justice by penalising even those claimants who win their cases.[68]

61. On 2 April 2026, the Supreme Court appointed a commission tasked with drawing up the list of candidates and organising the electoral process for the selection of members of the Judicial Council from

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[64] Annex to the Anti-Corruption Strategy 2024–2028 *[in Montenegrin]*.

[65] In its second compliance report for the fourth evaluation cycle concerning the "corruption prevention in respect of members of parliament, judges and prosecutors" [GrecoRC4(2019)27], adopted on 6 December 2019 and published on 6 February 2020, GRECO considered that 6 out of 11 of its recommendations had been satisfactorily implemented, 2 had been partially implemented and 3 had not been implemented (www.coe.int/en/web/greco/evaluations/round-4). As for the first compliance report of the fifth evaluation cycle on "Preventing corruption and promoting integrity in central governments (top executive positions) and law enforcement agencies" [GrecoRC5(2024)10], adopted on 21 June 2024 and published on 8 August 2024, it still presented a rather harsh assessment, with only 3 out of 22 recommendations satisfactorily implemented, 11 partially implemented and 8 not implemented (www.coe.int/en/web/greco/evaluations/round-5). However, at its 103rd plenary meeting, held on 8-12 June 2026, GRECO adopted a second compliance report taking into account the progress made since 2024, which has not yet been made public.

[66] Office of the Deputy Prime Minister for Political System, Judiciary, and Anti-Corruption – Government of Montenegro (2026), *Government of Montenegro establishes integrity commission in line with GRECO recommendations* (accessed 18 September 2026).

[67] Law No. 01-009/25-2498/2 of 29 December 2025 on Free Access to Information (www.sluzbenilist.me, accessed 18 September 2026) *[in Montenegrin]*.

[68] MANS (2026), MANS podnio inicijativu Ustavnom sudu: Ukinuti član Zakona o SPI kojim se ohrabruje skrivanje informacija, press release (accessed 18 September 2026) *[in Montenegrin]*.

among the judges. The members of this commission must be appointed no later than three months before 11 July 2026, the date on which the Judicial Council's current term of office expires, and their term of office will last for four years. The appointment of the members of the Judicial Council is an essential condition for the closure of Chapters 23 and 24 of Montenegro's EU accession negotiations.

62. On 6 April 2026, during the presentation of his annual report,[69] the President of the Judicial Council, Mr Radoje Korac, stated that the efficiency of the courts in Montenegro remained unsatisfactory, even though they were processing more cases than they were receiving. The system continues to face a backlog of 70 358 unresolved cases – representing some 43% of the caseload – and a shortfall of 37 judges. Staffing increases, transparency and digitisation remain essential to improving the judicial system.

63. On 19 June 2026, the Attorney General, the Minister of the Interior and the Chief of Police signed a protocol establishing a coordinated framework for communication with the public regarding criminal cases of common institutional interest.[70] This document sets out common principles, procedures and coordination mechanisms for the dissemination of information, with the aim of ensuring that the public receives timely, accurate and transparent information, whilst respecting the presumption of innocence, the right to privacy, the integrity of criminal proceedings and the protection of all those involved in investigations.

64. On 16 July 2026, Parliament reached a consensus to elect two new members to the Constitutional Court, thereby bringing to an end a legal and political controversy concerning a judge who had exceeded the retirement age but whose term had been extended pending the election of the missing members, and thus rectifying a serious shortcoming in Montenegro's democratic functioning in relation to the Council's standards.

65. Most importantly, on 24 August 2026, as part of the obligations under Chapters 23 and 24 of the EU accession negotiations and in accordance with the recommendations of the Venice Commission and GRECO, Parliament adopted Amendments XVII to XXI to the Constitution. In addition to establishing a constitutional basis to guarantee the full operational independence of the Central Bank of Montenegro (CBCG), the following measures were adopted concerning the legal system.

66. Firstly, the Minister for Justice is no longer an *ex officio* member of the Judicial Council – the incumbent, Mr Bojan Božović, had already voluntarily stepped down, but there was no guarantee that his successors would act in the same manner – and judges will now constitute the majority of the Council's members: five of them, instead of the current four, elected by the Judges' Conference, will sit alongside the President of the Supreme Court and four eminent legal experts elected by Parliament.

67. Secondly, a qualified majority in Parliament is now required to adopt a decision on the election of members of the Public Prosecution Service Council from among individuals recognised for their professional qualifications and integrity, in order to ensure that they can contribute fully to the institution's constitutional and statutory powers; in addition, the composition of the Council and the procedure for the election of its members by Parliament are now laid down in the Constitution.

68. Furthermore, two proposed amendments to the Constitution are currently under discussion in Parliament. The first aims to clarify the scope of the immunity enjoyed by the President and members of the Government: it is proposed to exclude any protection in the event of criminal offences committed in the course of their duties, including, in particular, abuse of power, the acceptance or offering of bribes or other acts of corruption, even if the prison sentence incurred is five years or less, the threshold currently in force for immunity – it being made clear that the text draws a clear distinction between functional immunity, which remains applicable to opinions expressed and votes cast in the course of their duties, and criminal liability for unlawful conduct committed in the course of official duties.[71] The second proposal aims to introduce a requirement for a prior integrity assessment of candidates for the post of Prime Minister and for membership of the government: a person who does not meet the integrity requirements laid down by law may not be nominated for the post in question.

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[69] Annual report on the activities of the Judicial Council and the general state of the judicial system for the year 2025 *[in Montenegrin]* (http://zakoni.skupstina.me/zakoni/web/dokumenta/zakoni-i-drugi-akti/962/4130-24027-00-72-26-6.pdf, accessed 18 September 2026) *[in Montenegrin]*.

[70] State Prosecutor's Office, Montenegro (2026), *State Prosecutor's Office, Ministry of the Interior and Police Directorate Establish a Unified Framework for Public Information* (accessed 18 September 2026).

[71] With regard to this first proposal, as Parliament had already approved the principle of constitutional amendment on 3 September 2026, it now falls to the Government to draft the specific text and then submit it to Parliament.

5.5. Good-neighbourly relations

69. Certain bilateral issues with neighbouring countries arising from the break-up of the former Yugoslavia, notably the restitution of property claimed by Croatia, remain unresolved. If no agreement is reached, this could lead Croatia to block Montenegro's accession to the EU. For this reason, on 7 May 2026, the government decided to set up a commission tasked with addressing the status of the training ship Jadran,[72] which Montenegro regards both as a cultural and historical asset and as an important military symbol of the state, but to which Croatia also lays claim. The commission's mandate will be to draw up proposals for the government aimed at regulating relations with Croatia regarding the vessel's status, as well as to engage in dialogue with its neighbour. In December 2025, Croatia set up a similar commission tasked with addressing the return of the training ship Jadran and other unresolved issues relating to military succession.

70. On 12 May 2026, as a sign of solidarity with the Serbian and Montenegrin communities in Kosovo, the municipal assembly of Zeta, a municipality near Podgorica, adopted – with the unanimous support of the councillors present – a declaration revoking the recognition of Kosovo within its territory. The mayor, Mr Mihailo Asanović, expressed the hope that this decision would be followed by other municipalities and by Parliament.

71. On the proposal of the Speaker of the Montenegrin Parliament, a commemoration marking the Day of Remembrance for the victims of the Jasenovac, Mauthausen and Dachau concentration camps was organised for the first time this year and is due to be held again every 21 April. This initiative, which has drawn criticism from the Croatian authorities, does not reflect Montenegro's official position. Indeed, in 2024, following a meeting with his Croatian counterpart Zoran Milanović, the President of Montenegro stated:[73] "We agreed that our mutual duty is to remember all the victims of the Jasenovac genocide with reverence; and not to engage in political posturing at the expense of the victims and the crimes, which no one denies and whose anniversaries have been officially commemorated for decades."

72. Speaking more generally about foreign policy, he added: "Montenegro's priorities are good neighbourly relations and integration into the EU. The Republic of Croatia is the EU neighbour closest to us, which is why we must pay particular attention to maintaining good mutual relations."

73. On 9 June 2026, representatives of the Court of Bosnia and Herzegovina and the country's Ministry of Justice visited the Supreme Court of Montenegro to discuss regional cooperation on the prosecution of war crimes and measures to improve support for witnesses and victims. The participants – judges, representatives of the Ministries of Justice and civil society organisations from both countries – expressed their support for the conclusion of a cooperation agreement on support for witnesses and victims, modelled on an existing agreement between Bosnia and Herzegovina and Serbia, with a view to strengthening witness protection, facilitating the exchange of expertise and improving institutional collaboration.[74]

74. In addition to the indignation mentioned above, which was felt amongst a significant section of the Montenegrin population and political class, the condolences sent to the family of Mr Ratko Mladić by the Speaker of the Parliament were perceived in several neighbouring countries and, beyond that, by the vast majority of the international community as an inappropriate tribute to a war criminal whose actions have been documented, recognised and strongly condemned by international justice.

5.6. Protection of human rights

75. On 25 February 2026, the CPT published its preliminary observations following its visit to Montenegro from 19 to 27 November 2025,[75] during which it examined the treatment and conditions of detention of persons deprived of their liberty in various places of detention: prisons, detention centres, educational and correctional institutions for children and young adults, psychiatric institutions and social care facilities. The preliminary observations are particularly critical of the situation of persons on remand, who are subjected to ill-treatment and held in appalling conditions, sometimes for several years. At the Dobrota psychiatric hospital, overcrowding and accommodation conditions are unsuitable. With regard to social care homes, concerns remain about the shortage of care staff and the management of agitated residents. In a letter dated 22 January

[72] Montenegrin government press release of 7 May 2026 (accessed 22 September 2026).
[73] Jakov Milatović, post on social media platform X on 29 June 2024 *[in Montenegrin]*.
[74] Court of Bosnia and Herzegovina (2026), *The Court of Bosnia and Herzegovina and the Supreme Court of Montenegro Improve Co-operation in War Crimes Trials* (accessed 18 September 2026).
[75] "Preliminary observations made by the delegation of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) which visited Montenegro from 19 to 27 November 2025 and Response of the authorities of Montenegro", CPT/Inf (2026) 08.

2026, the Montenegrin authorities responded to the various issues raised by the CPT delegation. The full report on the November 2025 visit will be forwarded to the Montenegrin authorities in July 2026.

76. According to its annual report,[76] the Ombudsman's Office, headed by Mr Siniša Bjeković, dealt with 1 269 complaints in 2025 – the highest number since its establishment – of which 88 914 were closed following investigation. The majority of complaints concerned the functioning of public administration bodies and most frequently related to civil rights, the right to a fair trial, economic and social rights, children's rights and the fight against discrimination. The report highlights that delays in administrative procedures constitute a recurring structural problem, with citizens frequently criticising their excessive length, the repeated annulment of decisions and the inefficient handling of cases, which raises concerns regarding the right to a fair trial in the light of both national and European legal standards.

77. The police have banned a peaceful rally organised by the Union of Free Trade Unions of Montenegro (USSCG) which was due to take place in Tivat on 5 June 2026, on the sidelines of the EU–Western Balkans Summit. The authorities justified this measure on security grounds, stating that it was necessary to prevent potential disturbances to public order, criminal offences and security risks. Arguing that freedom of assembly is a fundamental right protected by Article 11 of the European Convention on Human Rights and that the aims of the demonstration could only be achieved by holding it in Tivat, the trade union filed an application for interim relief with the administrative court and stated that this ban would not deter it from pursuing its campaign for a new general collective agreement and an increase in the coefficient used to calculate public sector pay.

5.7. Media

78. According to the opposition, 80% of the media are owned by foreign capital, and some of them routinely resort to falsified information. During the summer of 2025, for example, a clearly coordinated campaign was conducted in these media outlets to create the impression that Europe did not want Montenegro and that all the population's efforts towards the adoption of European standards were in vain.

79. In the latest World Press Freedom Index, published in May 2026 by Reporters Without Borders (RSF), Montenegro ranks 41st out of 180 countries,[77] marking a decline from the 37th place it held last year. Although the Constitution guarantees freedom of expression, media freedom remains hampered by political influence, unsolved attacks on journalists, economic pressure and targeted smear campaigns, originating from both the government and the opposition. Concerns persist regarding potential interference by the executive in the independence of the public broadcaster RTCG, particularly following legislative changes that have allowed its Director-General, Mr Boris Raonić, to remain in his post despite court rulings questioning the legality of his appointment. The report also highlights the risks associated with foreign ownership of certain media outlets, suggesting that editorial policies could be influenced by external political and state interests. On the economic front, RSF points out that the state remains a dominant advertiser, often favouring media outlets perceived as aligned with the authorities.

80. On 21 August 2026, the RTCG Council failed to elect a new chairperson, as the sole candidate received only one vote. The vice-chairperson will exercise decision-making powers until a new chairperson is elected. The selection process will be restarted at the Council's next meeting, scheduled for September. It had previously failed, as the former chairperson, Mr Veselin Drljevic, had been forced to step down following a final court ruling concerning the unlawful reappointment of the Director-General, based on falsified documents.

81. On 3 February 2026, Ms Andrijana Nikolić was elected chairperson of the Board of the Audiovisual Media Services Agency (AMU), with the support of three Board members whilst two others abstained. The previous week, the Board had failed to elect a chairperson, as none of the candidates had secured the required majority. On 4 December 2025, the chairperson of the AMU had been forced to resign after the ASK ruled that he had breached the law by voting for himself.

82. On 20 February 2026, the AMU imposed a six-month restriction on the reception and retransmission of morning programmes broadcast by the Serbia-based TV Pink channel, citing repeated hostile and discriminatory remarks directed at members of the Montenegrin nation and the Croatian minority, in breach of the European Convention on Transfrontier Television,[78] which requires respect for human dignity and fundamental rights. Similarly, on 15 May 2026, the AMU banned, for a period of six months, the reception and

[76] Activity report for 2025 by the Ombudsman for Human Rights and Freedoms (www.ombudsman.co.me, accessed 18 September 2026) *[in Montenegrin]*.
[77] Reporters Without Borders (RSF), Montenegro country profile (accessed 18 September 2026).
[78] European Treaties Series – No. 132. Treaty ratified by Montenegro on 26 February 2008 (accessed 18 September 2026).

retransmission of all programmes from the Serbian channel Informer TV, citing the repeated broadcasting of content that undermines the dignity of Montenegrins, denies Montenegrin national identity, encourages hate speech and discrimination, and undermines state institutions. At the same time, the AMU initiated proceedings against the Montenegro-based television channels TV Adria and TV Prva for broadcasting the film *Referendum – A Story of Invented Freedom, citing elements of hate speech, incitement to national intolerance and discrimination, as well as content calling into question the legitimacy of Montenegro's national identity and the country's constitutional order.

6. Conclusions

83. At the end of my fact-finding visit to Podgorica in June 2026, I had concluded that the positive picture of Montenegro's progress in all areas of interest to the Organisation was overshadowed by worrying recent political, legislative and legal deadlocks of three kinds: the failure of the Constitutional Court to function; obstacles to the adoption of a package of laws essential to fundamental rights; and the absence of any electoral oversight body. However, over the summer, as explained above, the first obstacle was fully overcome, as parliament reached a consensus to elect two new members to the Constitutional Court. The second obstacle has also been largely removed, with the adoption of constitutional amendments concerning the Judicial Council and the Public Prosecution Service Council.

84. Two issues remain to be addressed with due diligence: completing the constitutional revision process concerning the consolidation of the rule of law, through the adoption of the two amendments currently under discussion in parliament relating to the regulation of immunity for all executive authorities and the integrity criteria required of members of the government; finding a legal solution to ensure that the CIK can be established and that the general local elections are called in good time, and that all electoral operations on 13 June are properly monitored.

85. Due to the procedures governing our committee, the dual context of Montenegro holding the Chairmanship of the Committee of Ministers for a six-month term from 10 November 2026, and the general elections scheduled to take place in the country on 13 June 2027, will unfortunately not allow for the committee to finalise a report and for the Assembly to adopt a resolution within the coming year. I recommend that this process be finalised as soon as possible after these two events, so that a decision can be taken on whether to remove Montenegro from the post-monitoring dialogue before the negotiations on accession to the European Union are concluded.

APPENDIX I: PROGRAMME OF THE VISIT

Fact-finding visit to Podgorica
Programme
(9–12 June 2026)

Co-rapporteur:
- Ms Liliana TANGUY, France, Alliance of Liberals and Democrats for Europe (ALDE)

Secretariat:
- Mr Damien CESSELIN, Secretary to the Monitoring Committee

Main topics:
- Political situation
- Negotiations on accession to the European Union
- Effectiveness of the judicial system
- Fight against corruption
- Checks and balances
- Execution of judgments of the European Court of Human Rights
- Freedom and pluralism of the press
- Role of civil society
- Good neighbourly relations
- Rights of ethnic and religious minorities
- Conditions of detention

Tuesday, 9 June 2026

16.00–17.00 Meeting with **H.E. Mr Johann SATTLER**, Ambassador of the European Union Delegation of the European Union

6.30 pm Working dinner with **Ms Lejla DERVIŠAGIĆ**, Head of the Programme Office at the Council of Europe

Wednesday, 10 June 2026

8.30–9.45 Working breakfast with **H.E. Ms Anne-Marie MASKAY**, French Ambassador (*)

10.00–11.30 Round-table discussion with **NGOs** on the independence and effectiveness of the **judiciary** and on **anti-corruption** policy (*)
- **Ms Amra BAJROVIĆ**, Legal Adviser and Programme Coordinator for Judicial Independence at Human Rights Action (HRA)
- **Mr Dejan MILOVAC**, Deputy Executive Director of the Network for Affirmation of the NGO Sector (MANS)
- **Mr Ivan RADULOVIĆ**, Human Rights and Justice Programme Coordinator at Civic Alliance (CA)
- **Mr Ivan VUKČEVIĆ**, Human Rights Programme Coordinator at the Centre for Civic Education (CCE)

11.45–12.45 Round-table discussion with **NGOs** on the credibility of **the electoral system** in relation to democracy and on **media** freedom (*)
- **Mr Ranko VUJOVIĆ**, Executive Secretary of the Media Council for Self-regulation (MCSR)
- **Ms Tamara RADUNOVIĆ**, public policy researcher at the Centre for Monitoring and Research (CEMI)

1.00 pm Working lunch hosted by the Chairperson of the PACE delegation, accompanied by members of the delegation
- **Ms Nađa LAKOVIĆ** (EPP/CD), Chairperson of the Delegation

- **Mr Dragan BOJOVIĆ** (NR)
- **Mr Nikolla CAMAJ** (ALDE)
- **Ms Edina DEŠIĆ** (EPP/CD)
- **Ms Aleksandra VUKOVIĆ KUČ** (SOC)

14.30 Round-table discussion with the majority parliamentary groups
- **Mr Vasilije ČARAPIĆ**, Chair of the Europe Now! (PES!) Group
- **Mr Dejan ĐUROVIĆ**, Chair of the New Serbian Democracy (NSD) Group
- **Ms Anđela VOJINOVIĆ**, member of the Democratic Montenegro (DCG) group
- **Ms Edina DEŠIĆ**, member of the Bosniak Party (BS) group
- **Ms Slađana KALUĐEROVIĆ**, member of the People's Socialist Party – Citizens' Union (SNP-CIVIS) group
- **Mr Nikolla CAMAJ,** member of the Albanian Forum group

16.00 Round-table discussion with the opposition parliamentary groups
- **Ms Aleksandra VUKOVIĆ KUČ**, member of the Democratic Party of Socialists (DPS) group
- **Mr Vladislav BOJOVIĆ**, member of the 'For the Future of Montenegro – Democratic People's Party' (DNP) group
- **Mr Boris MUGOŠA**, Chair of the European Alliance Group

17.30 Round-table discussion with the National Councils of Ethnic Minorities
- **Mr Faik NIKA**, President of the Albanian Council of Montenegro
- **Mr Mensur ŠALJAJ**, President of the Roma Council of Montenegro
- **Mr Sabrija VULIĆ**, President of the Muslim Council of Montenegro

Thursday, 11 June 2026

10.00 **Mr Ervin IBRAHIMOVIĆ** (BS), Deputy Prime Minister, Minister for International Relations and Foreign Affairs

11.00 **Mr Andrija MANDIĆ** (NSD), Speaker of Parliament

12.00 **Mr Milojko SPAJIĆ** (PES!), Prime Minister

13.00 **Mr Aleksa BEČIĆ** (DCG), Deputy Prime Minister, Minister for Security and Home Affairs

14.00 **Mr Siniša BJEKOVIĆ**, Commissioner for Human Rights and Freedoms

15.00 **Mr Jakov MILATOVIĆ**, President of Montenegro

16.30 **Ms Andrijana NIKOLIĆ**, Chair of the Audiovisual Media Council (AMU)

17.30 **Mr Bojan BOŽOVIĆ** (PES!), Minister of Justice

Friday 12 June 2026

9.00 **Ms Maida GORCEVIĆ** (PES!), Minister for European Affairs

10.00 **Ms Snežana ARMENKO**, President of the Constitutional Court

12.00 **Mr Pavle ĆUPIĆ**, Chair of the Anti-Corruption Agency (ASK) Council

(*) *Meetings organised by the Secretariat of the Monitoring Committee and the Council of Europe Programme Office in Podgorica*