Resolution on the European integration process of Montenegro

2010/2997(RSP) - 09/03/2011 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution tabled by the Committee on Foreign Affairs on the European integration process of Montenegro, welcoming the European Council decision of 17 December 2010 to grant Montenegro the status of candidate country for accession to the EU. However, Parliament regrets the decoupling of candidate status from the right to open negotiations. It **expects the negotiations to start at the latest after the publication on the 2011 Commission Progress Report,** provided Montenegro makes good progress in fulfilling the benchmarks set by the Commission.

The resolution discusses the achievements and shortcomings of preparation for EU membership. It notes with satisfaction that Montenegro is strongly committed to **regional cooperation** and is a constructive regional partner. Members commend Montenegro on its good relations with its neighbouring countries and its overall stabilising role in the region. They welcome the recently ratified readmission agreements with Croatia and Serbia as well as the recently concluded extradition agreement with Serbia and Croatia, and call on Montenegro to resolve swiftly its border issue with Croatia through the International Court of Justice.

Parliament welcomes the fact that the process of establishing the **legal and constitutional framework** of the country has almost been finalised, but draws attention to the fact that the deadline for harmonising the existing legal system with the new constitution has been extended for the fourth time. Parliament calls on the authorities to adopt swiftly the outstanding legislation.

Parliament also notes good progress in adopting important legislation in the field of fighting corruption but underlines that **corruption is still prevalent in many areas**, especially in the construction, privatisation and public procurements sector. Moreover, the track record of investigations, prosecutions and final convictions in corruption cases remains low. Members stress the importance of establishing a clearly stated comprehensive framework to fight corruption, including better implementation of the law on free access to information and coordination between law enforcement agencies. Members also stress the need for ensuring **accountability and efficiency of the judiciary and prosecutors** as well as their independence from political interference. They call urgently for changes in the system for the appointment of judges and prosecutors, and an end to the practice of nomination of prosecutors and the members of the Judicial and Prosecutorial Councils solely by parliament by simple majority and by the government. The Commission is asked to include in its next progress report an assessment of the impact and results achieved, through the allocation of EU funds, in the reform of the judiciary and the fight against corruption.

The resolution goes on to make some observations on the **need to reform public administration**, calling for energetic steps to be taken to eliminate the cases of conflicts of interest in public administration by strengthening the Conflict of Interest Commission and granting it powers to verify declarations of assets by public officials and to sanction irregularities. Public administration still remains under-resourced and overtly politicised, and Parliament wants in particular for a review of the law on civil servants and state employees in order to establish a comprehensive and merit-based employment system. It underlines, equally, the need to strengthen human resources at the local level of administration and to provide sufficient financing for its functioning.

The resolution underlines the fact that **organised crime, and above all money laundering and smuggling,** remains a problem in spite of improvements in the legal framework and its implementation,

and it calls on the authorities to take steps to boost law enforcement capacities and improve coordination between different bodies as well as cooperation with neighbouring and international authorities in order to establish a solid track record in combating organised crime.

Whilst welcoming the adoption of the general law on prohibition of **discrimination in employment or provision of public services**, Parliament underlines that vulnerable groups such as Roma, Ashkali and Egyptians and persons with disabilities still allegedly suffer discrimination and that discrimination on the grounds of sexual orientation and gender identity persists. It urges the Montenegrin authorities to ensure that the relevant legal provisions, including the law on minority rights and freedoms, are comprehensively implemented. Members call on the authorities to improve the living conditions of Roma, Ashkali and Egyptian communities, as well as providing them with identification documents which is a pre-condition for access to any public services.

Members move on to welcome the **generally good inter-ethnic relations and good general protection of minority rights** in the country, and reiterates that this is a positive basis from which to begin the peace-building process in a region that was, at one time, characterised by inter-ethnic violence and mass population displacement. However, they call for further consultation of the opinions of minority groups by the authorities in order to help reconciliation in the region, and they encourage both political and religious leaders on both sides of the Serbo-Montenegrin border to contribute to a positive inter-ethnic and inter-religious climate by finding compromise solutions on controversial issues including contested religious sites.

Lastly, Parliament calls for further steps to ensure the independence of media outlets, including strengthening the capacity and independence of the public broadcaster. It calls on the Montenegrin authorities to demonstrate their commitment with a view to ensuring that the **media sector operates without political interference** and that the independence of regulatory bodies is guaranteed. Members draw attention to disproportionate fines for defamation, which continue to hamper the freedom of the work of journalists, and stress that reported cases of intimidation and physical violence against journalists as well as against civil society activists must be fully investigated and prosecuted where appropriate.