Resolution on the 2011 progress report on Montenegro

2011/2890(RSP) - 29/03/2012 - Text adopted by Parliament, single reading

The European Parliament adopted by 537 votes to 38 with 57abstentions a resolution tabled on behalf of the Committee on Foreign Affairs on the European Integration Process of Montenegro.

General remarks: Parliament welcomes the European Council's decision to aim to start accession negotiations with Montenegro in June 2012. It calls on the Member States **not to unreasonably delay the launch of talks**, given that Montenegro has achieved significant progress to date in fulfilling the required benchmarks. Members note with satisfaction that Instrument for Pre-Accession Assistance (IPA) works well in Montenegro.

They underline the necessity of pursuing comprehensive and qualitative efforts in implementing reforms, with a particular focus on the area of the rule of law and fundamental rights. The most important target for such efforts is that of measures to **combat corruption and organised crime – these measures will remain essential throughout Montenegro's accession process.** Parliament welcomes the Commission's new accession negotiations strategy to open Chapters 23 and 24 at the start of negotiations and hopes that these two chapters will be opened as soon as possible.

Political criteria: Parliament stresses the problem that women continue to be severely under-represented in the parliament, in top government posts and in decision-making positions in the public and private sector. It welcomes the new provisions that provide for 30 % of female candidates on the candidate list, but is concerned that gender equality is not guaranteed in practice. It is also concerned about the widespread violations of women's employment rights, including the right to equal pay.

Members commend the adoption of amendments to the Law on Education, which puts an end to a long political controversy over the status of the Serbian language in Montenegro's education system.

With regard to the judiciary, Parliament invites the Montenegrin Parliament to adopt constitutional provisions which would **reinforce the legal independence and accountability of the judiciary**, enhance judicial independence and the professional autonomy of the Judicial and Prosecution Council. It underlines the need to more efficiently monitor corruption and conflict-of-interest rules. It also voices some concerns about the new public procurement law, which may be more restrictive than previous legislation and might therefore discourage reporting on corruption.

Members encourage the government to implement in a consistent manner **anti-corruption legislation** as well as laws on the financing of political parties and election campaigns. It encourages the Montenegrin Parliament to strengthen its oversight of the anti-corruption authorities. It calls on the authorities to shed more light on allegations of corruption, especially concerning cases of privatisation, and invites the Commission to assess the impact and results achieved through the allocation of EU funds in the reform of the judiciary and the fight against corruption.

The resolution also underlines the need to **intensify the fight against organised crime**, in particular with regard to the strengthening of the administrative and investigative capacities of police and prosecution authorities in order to improve the efficiency of these bodies.

It goes on to note alleged cases of **intimidation and physical violence against journalists** and a reported limitation of media freedom, and invites the authorities to ensure the independence of regulatory bodies

and provide all necessary conditions for the self-regulatory media body to start functioning based on the best European standards.

Whilst welcoming the generally good situation as regards inter-ethnic relations, including the management of sensitive issues like ethnicity and language in the population census, Parliament calls on the Montenegrin authorities to take additional measures to ensure **better representation of minorities,** given that persons belonging to minorities remain under-represented in public institutions. It also calls on the authorities to combat discrimination against the Roma, Ashkali and Egyptian communities and improve their living conditions, access to social security, health, education, housing and employment services.

Economic criteria: Parliament commends Montenegro for maintaining its macroeconomic stability, but encourages the government to accelerate the recovery from the severe economic downturn of 2009 while maintaining fiscal stability with the **pursuit of more prudent fiscal policies and reducing public debt.** It encourages Montenegro to **continue structural reforms**, in particular strengthening the rule of law, physical infrastructure and human resources, and to pursue further measures to remove business barriers and improve the business environment as well as to increase labour market flexibility and boost export competitiveness.

Abilities to assume the obligations of membership: Members invite the Montenegrin government to substantially enhance institutional and administrative capacities, as well as accession-related cooperation and coordination between the relevant State institutions. They call on the authorities, in this respect, to reinforce the administrative capacity of the Ministry of Foreign Affairs and European Integration and strengthen the capacities of ministries dealing with key areas of the acquis, as well as tackling the fragmentation of the administrative system and overlapping competences.

Parliament urges the authorities to **accelerate progress in the area of security of energy supply** and energy efficiency, and on aligning national legislation with the acquis as regards access to environmental information, access to justice, environmental liability and strategic environmental assessment provisions on trans-boundary aspects. The resolution calls on the Montenegrin authorities to reconsider plans to build large-scale hydropower plants and to mainly rely on energy provided by such sources, and always to conduct environmental and social impact assessments prior to any decision on the construction of new plants.

Regional cooperation: Parliament commends Montenegro for its commitment and constructive role in contributing to regional stability and strengthening good neighbourly relations with other Western Balkan countries, underlining Montenegro's signing of extradition agreements with Croatia, the former Yugoslav Republic of Macedonia and Serbia, the cooperation agreements with financial intelligence services of other countries and the declaration of November 2011 of the foreign ministers of Serbia, Montenegro, Croatia and Bosnia and Herzegovina aimed at finding solutions to the refugee issue in the region.