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

Honouring of obligations and commitments by Montenegro

Information note by the co-rapporteurs on their fact-finding visit to Podgorica (31 May – 2 June 2011)¹

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¹ This information note has been made public by decision of the Monitoring Committee dated 21 June 2011.

I. Introduction

1. Further to the Opinion No. 261 (2007) on the accession of the Republic of Montenegro to the Council of Europe, the Parliamentary Assembly adopted on 28 April 2010 Resolution 1724 (2010) on Honouring of obligations and commitments by Montenegro, where the Assembly called upon the Montenegrin authorities to maintain the current reform dynamic in order to offset the delays and complete the implementation of the remaining post-accession commitments.

2. We paid a fact-finding visit to Podgorica from 31 May to 2 June 2011. The programme is appended. We would like to thank the delegation of Montenegro to the Parliamentary Assembly and its Secretariat for the preparation of the visits. We would also like to thank the team of the Council of Europe Project Office which facilitated our contacts with local NGOs and medias and the diplomatic community. Our exchange of views with the representatives of the diplomatic community, the EU delegation, the OSCE Mission and the UNHCR Office in Podgorica was also very much appreciated and useful. This information note reflects the main issues discussed during our visit.

II. Recent developments

3. Five years after it became an independent state, Montenegro is actively seeking to become a EU member. After the introduction of a visa-free regime for Montenegro by the EU on 19 December 2009, the Stabilisation and Association Agreement (SAA) between Montenegro and the EU came into force on 1 May 2010. On 17 December 2010, the EU Council granted Montenegro the status of candidate country, as recommended by the European Commission in its Opinion of 9 November 2010.

4. Following this achievement, Prime Minister Milo Đukanović decided to resign on 21 December 2010.² On 29 December 2010 the Parliament approved the new government led by Igor Luksic, composed of representatives of the ruling Democratic Party of Socialists (DPS), Social-Democratic Party (SDP) and MPs representing minority groups. The government was elected by the Parliament without the votes of the three main opposition parties - Socialist People's Party (SNP), Movement for Change (PzP) and New Serb Democracy (NOVA). The priorities identified by the new government remain the Euro-Atlantic integration and the rise in the standard of living.

5. The country will now have to focus on the key priority fields for reforms as identified by the European Commission as being instrumental to preparing the country for the opening of its accession negotiations with the EU. On 17 February 2011, the Government of Montenegro published an "Action plan for monitoring the implementation of recommendations given in the European Commission's Opinion". A first monthly report on "realisation of commitments from the action plan for monitoring implementation of recommendations given in the European Commission's opinion" was published by the Ministry of Foreign Affairs and European Integration on 17 March 2011.³

6. The next progress report on Montenegro will be published on 12 October 2011 by the European Commission and the European Council shall meet on 9 December 2011. The date of the opening of the EU negotiations is yet to be fixed and will be conditioned by the progress achieved by Montenegro.

7. At regional level, Montenegro can play an important role in contributing to the overall political stability of the region. Cooperation with the Western Balkan countries is particularly well-developed as regards economic exchanges, tourism, defense, border management, transport and energy. A joint border crossing, the first in the region, was recently opened between Montenegro and Albania. Montenegro has also signed a comprehensive border crossing agreement with Bosnia and Herzegovina.⁴

8. However, delimitation of borders with Croatia, Serbia, Bosnia and Herzegovina and Kosovo⁵ is still pending. "The former Yugoslav Republic of Macedonia" is the only country in the region with which an agreement on dual citizenship has been concluded. The relationship with Serbia remains difficult and was fuelled by issues related to the status of Serbian citizens in Montenegro, statements issued by Montenegrin and Serbian officials, the issue of dual citizenship and the relationship between the "Serbian Orthodox

² Milo Đukanović was re-elected Chairperson of the Democratic Party of Socialists on 21 May 2011. He remains indicted on the charges of "organized crime and cigarette smuggling" by the Bari Prosecution Department. (VIP, 22 May 2011).

³ See <http://www.gov.me/en/news/104180/Government-adopts-report-on-Action-Plan-new-laws.html>, referred to as the "First Monthly Report on the implementation of the EC opinion, March 2011"

⁴ Analytical report of the European Commission accompanying the communication from the Commission to the European Parliament and the Council, SEC (2010)1334, 9 November 2010, p.33.

⁵ All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

Church Metropolitanate of Montenegro and the Littoral" (headed by Metropolitan Anfilohije Radovic) and the "Montenegrin Orthodox Church" (headed by Metropolitan Mihailo (Miraš Dedeić)) - which has not been recognised by any other Orthodox church. We regret that we did not have the possibility to meet the representatives of both Churches to be informed about their position.

9. Further to the adoption of Resolution 1786 (2011) on Reconciliation and political dialogue between the countries of the former Yugoslavia by the Parliamentary Assembly⁶, we encourage Montenegro to support the establishment of a Regional Commission to Establish the Facts of War Crimes and Other Severe Violations of Human Rights in the Territory of Former Yugoslavia (REKOM) with the participation of all countries involved in the conflicts, with a view to reaching a mutual understanding of past events and to honouring and acknowledging all the victims. We welcome the support given by the Prime Minister Igor Lukšić on 29 April 2011⁷ to this initiative.

III. Co-operation with the Council of Europe and ratification of Council of Europe conventions

10. As of 19 May 2011, Montenegro has signed and ratified 82 Council of Europe conventions (67 in April 2010). We congratulate Montenegro for fully complying with all the requirements contained in PACE Resolution 1724 (2010), paragraphs 7.2 and 7.3., and ratifying 12 Council of Europe conventions since March 2010. We now encourage the authorities to ensure the full and effective implementation of these legal instruments.

11. The Committee of Ministers of the Council of Europe decided, on 12 January 2011, in recognition of the progress achieved by Montenegro in the fulfilment of its commitments, that the post-accession monitoring procedure of the Committee of Ministers with respect to Montenegro would be replaced by a dialogue-based regular stocktaking of co-operation and progress in the fulfilment of statutory commitments and democratic processes. The Montenegrin authorities were invited to fulfil, in the shortest possible time, the remaining accession commitments in line with Parliamentary Assembly Opinion No. 261 (2007), in relation to the revision of the electoral legislation in close consultation with the European Commission for Democracy through Law (Venice Commission); the reinforcement of the independence of judiciary, in particular concerning appointment to high judicial functions; the full implementation of the newly adopted Law on Prohibition of Discrimination; the development of effective internal monitoring structures for the implementation of the Action Plan on Internally Displaced Persons (IDPs) and Displaced Persons (DPs) to ensure a genuine enjoyment of the right to return or the meaningful local integration in Montenegro.⁸

IV. Functioning of democratic institutions

i. Functioning of the parliament

12. Most parliamentarians we met recognised that the functioning of the parliament has improved: a Rulebook on the internal organisation of its administration was adopted in July 2010. The Parliament has introduced a live broadcasting of Parliament sessions, a web portal was launched in March, including news, agendas, and reports. Amendments to the Rules of Procedures, adopted on 22 December 2010, increased the number of employees in parliamentary clubs. A working group should draft proposals related to the rights of the opposition in plenary sessions that are expected to be approved by mid-2011.⁹

13. However, the members of parliament we met deplored limited premises, poor technical equipment, a lack of expertise and limited possibilities to carry out investigative research. The Speaker of the Parliament expressed his will to amend the Law on Conflicts of Interests so as to create a stimulating working environment for parliamentarians and prevent them from exercising another profession. We also noted that a new building should be constructed.

ii. Electoral law

14. Montenegro was expected to align its electoral legislation with the 2007 Constitution and European standards by 31 May 2011. This concerns in particular the issue of voters (according to the Constitution, "citizens" can vote, whereas the electoral law refers to "inhabitants") and "authentic representation" of minorities mentioned in Article 79.9 of the Constitution. The adoption of the amendments to the electoral law has already been postponed five times.

⁶ See Resolution 1786 (2011), adopted on 26 January 2011 (Rapporteur : Mr Marcenaro, Italy, SOC).

⁷ A campaign to collect one million signatures in the States of former Yugoslavia is carried out in Montenegro by NGOs.

⁸ SG-Inf (2010)22

⁹ First Monthly Report on the implementation of the EC opinion, March 2011, p. 9

15. In its joint opinion on a new version of the "draft amendments to the law on election of councillors and members of the Parliament"¹⁰ adopted on 17 June 2011¹¹, the Venice Commission highlighted several improvements of the law, in particular the replacement of the term "inhabitant" throughout the law with the term "voter" in the sense of "citizen". However, it pointed out some remaining shortcomings, relating to the specific preferential treatment that would now be reserved to "the minority national community of Croats" (and no longer to "a minority national community participating in the total population to 2%"), the mandate of the State Election Commission, etc. Clarification was also requested concerning the exceptional rule of participation in the allocation of mandates for minority candidates lists¹², the coalitions that can be set up by registered political parties¹³, a more effective mechanism to ensure more gender equality in the candidate lists¹⁴, etc.

16. The draft law failed to be adopted on 31 May 2011: 47 MPs voted in favour of the amendments – which was insufficient to reach the required qualified majority (54 votes) The SNP, which had first agreed on the draft law, requested during the debate that persons without data on citizenship be allowed to provide the necessary evidence of Montenegrin citizenship by 2016 and be entitled to vote in the meantime.¹⁵ During our bilateral meeting, the SNP pointed out that 22 000 cases of persons on the voters' lists that did not / could not prove their Montenegrin citizenship had been resolved since November 2009. We would like to point out that today, 44 000 persons are still in this situation. The OSCE/ODIHR and the Venice Commission suggested that article 69 of the draft law should introduce a "reasonable deadline" regarding the possibility for residents without proof of their Montenegrin citizenship to vote.¹⁶ We recall that in the absence of timely electoral reform, the general elections of 29 March 2009 and the partial local elections of May 2010 were still held in accordance with the 1998 Law on the Election of Councillors and Representatives. We consider that the 2013 national elections must be organised under a new legal framework, consistent with the constitutional provisions.

17. The minority parties did not agree either with the provisions of the draft laws regarding the "authentic representation of minorities". The extension of the "affirmative action" to all minorities induces a loss of seats in parliament for each of them. The coalition of Albanian parties wants a proportional representation in parliament and the Croats were in favour of a lower threshold (0,35%) for their minority. The Minister of Human and Minority Rights however said he was confident that a consensus among minority parties would be reached by providing to all minorities access to affirmative action as foreseen in the law.

18. We regret that the parliament failed, yet again, to adopt the amendments to the electoral law on 31 May 2011. We note that the two contentious issues remain the representation of national minorities and the right to vote/voter lists, as was the case when the Parliament voted on 21 September 2010.¹⁷ We urge all political parties to shoulder their responsibilities, find a compromise and ensure that the new draft takes into account the recommendations of the Venice Commission of 8 June 2010 and 17 June 2011.¹⁸

iii. Ombudsman

19. We would like to congratulate Montenegro for adopting the Anti-Discrimination Law in July 2010 in line with most of the Recommendations of the Venice Commission contained in its successive opinions of December 2009 and March 2010. However this law is not yet operational since no national implementation mechanism has as yet been put in place. The Anti-Discrimination Law defines the Protector of human rights

¹⁰ See Doc. CDL-REF(2011)021 of 9 May 2011

¹¹ See CDL-AD (2011)011

¹² If none of the lists of candidates of the same specific minority or minority national community reaches the general threshold of 3%, but some of the lists individually gain no less than 0,7% of the valid votes, the latter lists take part in the allocation of the seats corresponding to a maximum of 3% of the total number of valid votes. CDL (2011)028 para. 15

¹³ CDL (2011)028, para. 20.

¹⁴ In the present draft, no less than 20% of candidates of the less represented gender in the candidate list but does not specify the rank of these candidates of the under-represented sex. The proposal made by the experts - ie ensuring that every fifth candidate on the list of candidates should be of different gender - is however quite weak. See CDL (2011)028 para. 21.

¹⁵ According to Article 12 of the Law on Montenegrin Citizenship enacted on 14 February 2008, citizens holding Montenegrin citizenship on the day of 3 June 2006 have the right to maintain their Montenegrin citizenship. All those who have acquired citizenship of another country after this date may keep their Montenegrin citizenship until a bilateral agreement is made with the state concerned, but not longer than one year as of the day when the Constitution of Montenegro entered into force. A bilateral agreement on citizenship was concluded between Montenegro and "the former Yugoslav Republic of Macedonia". In 2010, negotiations with Serbia were ongoing.

¹⁶ CDL (2011)028 para. 23

¹⁷ See nf (2010)22 p. 9

¹⁸ See CDL-AD(2010)023 of 8 June 2010 and CDL-AD(2011) of 17 June 2011

and freedoms of Montenegro (Ombudsman) as the national mechanism for prevention of torture and other forms of inhuman treatment and punishment (NPM) under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), as well as the national mechanism for prevention of and protection against discrimination.

20. A draft Law on the Ombudsman had been submitted to parliament and agreed in principle in December 2010 but sent back by the Speaker of the parliament to be upgraded. The new version prepared by the Minister for Human and Minority Rights however does not seem to please either the Ombudsman, or the NGOs, and was not agreed upon by the opposition parties when discussed in the Committee for human rights and freedoms.

21. We underscore that the adoption of the Law on the Ombudsman is fundamental for the Anti-Discrimination Law to be operational. We urged the Speaker of the Parliament to send the current draft law to the Venice Commission - and take into account its recommendations - before the law is adopted: it is indeed important to ensure that the Law on the Ombudsman is consistent with the Anti-Discrimination Law, that it complies with European standards and it provides the Ombudsman with the necessary competences and resources. In this respect, the increase of 30% of the funds allocated to the operations of the Ombudsman in the 2011 budget¹⁹ is to be welcomed.

V. Rule of law

i. Reform of the judiciary system

22. We recall that, in our last report on Montenegro, we expressed serious concerns concerning the role of the Parliament in judicial appointments, and in particular, the role played by the Parliament when appointing the President of the Supreme Court²⁰ as well as state prosecutors, which could undermine the independence of the judiciary. The Venice Commission took a similar position in 2007.²¹ The European Commission, for its part, pointed out the disproportionate political influence on the judiciary, the excessive accumulation of authority in the persons of the President of the Supreme Court and of the Supreme Public Prosecutor (appointed by a simple majority in the parliament) and the insufficient monitoring of corruption and conflicts of interests rules in the judiciary.²²

23. We welcome the reform of the judiciary system undertaken by the authorities as highlighted in the Action Plan for the implementation of the Strategy of reform of the judiciary from 2007 to 2012. In this perspective, the Montenegrin authorities requested the Venice Commission's expertise on:

- The draft amendments to the Constitution of Montenegro in the field of the judiciary²³
- The draft Law on amendments to the Law on Courts of Montenegro²⁴
- The draft Law on amendments to the Law on Judicial Council of Montenegro²⁵
- The draft Law on amendments to the Law on the State Prosecutor's Office of Montenegro²⁶

24. In its opinion of 17 June 2011²⁷, the Venice Commission acknowledged that the proposed amendments to the Constitution and to the three laws under consideration were steps in the right direction and an attempt to truly improve the existing situation. However, in order to achieve the goal of building a solid and independent judiciary:

¹⁹ First Monthly Report on the implementation of the EC opinion, March 2011, p. 80

²⁰ Article 124 of the Constitution states that the President of the Supreme Court shall be elected "by the Parliament at the joint proposal of the President of Montenegro, the Speaker of the Parliament and the Prime Minister." Article 124 furthermore establishes that: "If the proposal for the election of the President of the Supreme Court fails to be submitted within 30 days, the President of the Supreme Court shall be elected at the proposal of the responsible working body of the Parliament." These provisions make the President of the Supreme Court a political appointee, as the candidatures should be agreed upon between the three most powerful political figures of the country. See Doc. 12192, para.26.

²¹ Doc. CDL-AD(2007)047 adopted at its 73rd plenary session on 14-15 December 2007.

²² SEC (2010)1334, p. 18

²³ CDL-REF(2011)033 dated 24 May 2011. These amendments address notably the appointment and term of office of judges, President of the Supreme Court, Supreme State Prosecutor and state prosecutors, the composition and competences of the Judicial Council and the Prosecutorial Council.

²⁴ CDL-REF(2011)024, dated 18 May 2011

²⁵ CDL-REF(2011)024, dated 18 May 2011

²⁶ CDL-REF(2011)026, dated 18 May 2011

²⁷ See draft opinion CDL(2011)044

"75. the Venice Commission considers that the Constitution should be changed in order to:

- a. provide that the election of the President of the Supreme Court should be done by the Judicial Council alone,
- b. change the composition of the Judicial Council in order to create an adequate balance,
- c. change the composition of the Constitutional Court to ensure greater effectiveness."

76. In addition, as a change in the Constitution would not be sufficient in order to redress the situation of the judiciary in Montenegro, in the Venice Commission's opinion the legislation should also be changed in the way recommended above and in particular concerning:

- a. The transparency and effectiveness of disciplinary proceedings against judges and prosecutors,
- b. The composition of the disciplinary panel inside the Judicial Council and the prosecutorial Council,
- c. The existence of better remedies for victims of judicial misbehavior,
- d. The competencies of the Judicial and Prosecutorial Councils,
- e. The improvement of the processes of appointment of judges and prosecutors."²⁸

25. We encouraged the Speaker of the Parliament and the Minister of Justice to continue this fundamental reform of the judiciary. We understand that, in the past years, the appointment of high level officials in the judiciary by the parliament was perceived as a useful system to endow a democratic legitimacy on there. However, we need to stress that this transition period is now over and the de-politicisation of the appointment of high-level officials is a pre-condition to secure the independence of the judiciary. We also encouraged the Minister to take fully into account the recommendations of the Venice Commission when drafting the new version of the draft laws and draft constitutional amendments that are expected to be adopted in July 2011 and September 2011 respectively.

26. During our visit, we had meetings with high level officials from the judiciary. We noted the progress made to decrease the backlog in courts. The measures taken by the President of the Supreme Court (consisting in a better distribution of cases among all courts and judges and extra working time on Saturdays) and new premises allocated to the Administrative Court are to be welcomed.

27. However, the members of the judiciary all expressed their concern about the lack of funds, the lack of competent staff, the insufficient training of judges on the case law of the European Court of Human Rights and the interference of the executive and the legislative branches in the judiciary. The age and lack of linguistic skills of some judges were also mentioned as obstacles to the implementation of the ECHR decisions.

28. Concerning access to justice, we were informed that notwithstanding the Law on Free Access to Information, NGOs find it hard to receive official information about investigations. We therefore welcome the decision of the Administrative Court to annul the decision of the Minister of Justice that confirmed the decision of the Supreme State Prosecutor to refuse to inform the NGO Human Rights Action about action taken in relation to the prosecution of 14 cases of violations of human rights and cases of abuses in a Public Institution called "Komanski most". The Court stated that the Law on Free Access to Information aims at ensuring transparent and open action of authorities and enabling the exercise of the right of access to public information, thus ensuring public scrutiny of bodies exercising public authority. The Court noted that the administrative authorities (the Supreme State Prosecutor and the Ministry of Justice) failed to provide relevant reasoning for the denial of access to information in these cases, and ordered the adoption of new legal solutions to these requests.²⁹

ii. *Corruption, money laundering, criminal financing*

29. We welcome the steps taken to reinforce the fight against corruption and organised crime, and notably:

- the adoption of a Strategy for Combating Corruption and Organised Crime (2010-2014) together with the Action Plan for its implementation (2010-2012) by the Government on 29 June 2010;

²⁸ CDL(2011)044

²⁹ <http://www.hraction.org/?p=463>, 1 June 2011

- the setting-up of a National Commission for the fight against corruption³⁰ on 30 September 2010 responsible for monitoring the implementation of the Action Plan;
- the introduction of new anti-corruption measures (such as whistleblower protection, control of privatisation processes, party funding as well as specific actions in particularly sensitive sectors such as the health system, public procurement, licenses and local governance);
- the amendments to the Criminal Code in April 2010 and the adoption of a new Criminal Procedure Code in July 2010 - which should facilitate the prosecution of corruption offences by consolidating the leading role of the Prosecutor in criminal investigations, including the use of special investigative means, reversing the burden of proof for property of suspicious legal origins and extending confiscation of criminal assets;
- the ratification of the Council of Europe Convention on Cybercrime and its Protocol which entered into force in July 2010.

30. However, we remain concerned about the level of corruption in Montenegro which, according to the Transparency International 2010 Corruption Perception Index (CPI), ranks at place 69, with a CPI score of 3.7, which represents a drop from last year (when it got 3.9).

- We had information indicating that corruption affects the education system, the police, the health system, etc.
- The Law on the Prevention of Conflicts of Interests, adopted in December 2008, allows exceptions for members of Parliament, who may sit on the Board of Directors of companies owned by the State and hold executive positions in public companies or agencies;
- The independence of the Commission for the Prevention of Conflicts of Interest whose members continue to be elected by the Parliament and its enforcement capacity are also open to question;
- The implementation of the Law on Financing of Political Parties in practice has still only a limited impact, especially at the local level.³¹

31. The authorities acknowledged that corruption exists in the education and health system. A sectoral action plan to fight corruption in education has been drawn up and the Directorate for Anti-corruption Initiative is carrying out a risk assessment analysis in six areas, including in the health sector that should lead to concrete measures.

32. We also heard Member of Parliament Nebojša Medojević explaining that he had been subject to physical assault after making public a case of smuggling and alleged corruption of a chief of police which was denounced by four policemen. These policemen were then removed from office. Two of them decided to flee to Sweden after being threatened by the mafia. We were shocked to learn that no criminal investigation has been launched against the perpetrator of the assault, who ended up with a 500€ fine and a 450€ fine for the threats.

33. We raised this issue with the Minister of Interior, who was informed about the case and explained that the policemen had not been fired but their contract had come to an end. The Supreme State Prosecutor added that a criminal case can be prosecuted provided that 1) there is evidence that the threats sufficiently jeopardize life, and that 2) the victim *feels* jeopardized. We were rather puzzled by this explanation.

34. In the field of money laundering and corruption, we would like to refer to the conclusions of the recent reports by MONEYVAL and GRECO. The MONEYVAL Committee adopted, in March 2010, recommendations in order to strengthen the confiscation regime in Montenegro, amending the law on Prevention of Money Laundering and Terrorist Financing. MONEYVAL also highlighted the need for visible results and a consistent track record of prosecution, notably of high-level offenders and for a credible advocate of transparency and integrity in public affairs and for an effective, independent oversight of the implementation and impact of anti-corruption measures.³² In December 2010, the Council of Europe's Group of States against Corruption (GRECO) published its Third Round Evaluation Report on Montenegro, in which

³⁰ This commission is chaired by the Minister for European Integration and includes representatives of NGOs. In addition the Directorate for Anti-corruption Initiative (DACI) and the Commission for the Prevention of Conflict of Interest are also responsible for fighting corruption.

³¹ According to the European Commission, the 2008 Law on Financing of Political Parties still raises the question of the transparency and accountability of political parties. In SEC (2010)1334, Analytical report of the European Commission accompanying the communication from the Commission to the European Parliament and the Council, 9 November 2010, p.10.

³² SG-Inf (2010)22 p.12/13

it concludes that anti-corruption legislation is not effectively applied and that there is a pressing need to establish an independent monitoring mechanism of political financing.³³

35. We took note of a number of laws which are under preparation with a view to complying with the GRECO and MONEYVAL recommendations, in particular³⁴ :

- The draft Law amending the Criminal Code implementing the recommendation of GRECO's Third Evaluation Round;
- The draft Law on Civil Servants and State Employees (including the adoption of integrity plans in the public sector and the protection of whistleblowers);
- Proposal for amendments to the Labour Law (that should protect whistleblowers in the private sector);
- The draft Law amending the Law on Prevention of Conflict of Interests;
- The draft Law on Political Parties Financing – amending the Law to reflect GRECO recommendations.

iii. Other reforms undertaken

36. We have been informed by the Minister of Public Administration that many draft laws should be adopted by the end of the year, in particular the Laws on the State Administration, Internal Affairs, NGOs, the Road Safety, the Land Registry, etc.

37. We were also pleased to hear that the Law on Territorial Organisation should be adopted by the end of the year. In this respect we need to refer to the conclusion of the recent Recommendation 293(2010)³⁵ on the state of local democracy in Montenegro adopted recently by the Congress of local and regional authorities of Europe. The European Commission moreover pointed out in November 2010 that decentralisation is at an early stage; lack of administrative capacity, corruption and inefficiency at municipal level remain; transparent and fully accountable administrations at local level remain to be established and the adoption of the Law on territorial organisation and of the amendments to the Law on local finances and other sectoral laws is still pending.³⁶

VI. Human rights

i. Freedom of expression and media

38. We are concerned about the cases of violence and pressure exerted against journalists presented by media representatives we met, and also pointed out by the European Commission³⁷ and the South East Europe Media Organisation (SEEMO).³⁸ Journalists deplored the lack of prosecution and investigation. We expect the authorities to resolve unsolved cases of attacks and violence against journalists, in particular investigative journalists. In this respect, we welcome the initiative of the Supreme Court which has required all courts in Montenegro to deliver statistics on cases of violence against journalists in order to prepare a report on investigation and violence against journalists.³⁹

39. Self-regulation of the media needs to be strengthened: media representatives expressed their dissatisfaction with the Council of the Journalists self regulatory body (NST) established in 2003, which is currently not functioning as three very influential media are no longer represented since May 2010.⁴⁰ Media representatives we met mentioned that they would need to have two separate regulatory bodies, for print and non print media. The Deputy Minister of Culture recalled that the Agency for regulation of the electronic media had been set up by law, and that journalists were not prevented from setting up other bodies. However, we pointed out that a legal framework should regulate the existence and competences of these self-regulatory bodies. They should also be allocated sustainable resources to function effectively.

³³ Greco Eval III Rep (2010) 7E Theme I and II

³⁴ First Monthly Report on the implementation of the EC opinion, March 2011, p. 43

³⁵ <https://wcd.coe.int/ViewDoc.jsp?id=1696775&Site=COE&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864>

³⁶ SEC (2010) 1334, p. 14

³⁷ In its November 2010 report, the European Commission deplored that incidents of severe violence against journalists in Montenegro have not always been satisfactorily investigated and followed-up, investigative journalists in particular facing intimidation, SEC (2010) 1334, p. 26.

³⁸ On 28 September 2010, SEEMO condemned the alleged threats received by 5 staff members from the Vijesti Publishing Group, known for its investigating reporting and critical coverage of the government. These incidents followed many others targeting journalists, including the murder of Dusko Jovanovic, director of the daily Dan in 2004- see <http://www.seemo.org/activities/pressfreedom/10/press1056.html>

³⁹ First Monthly Report on the implementation of the EC opinion, March 2011, p. 69

⁴⁰ Quarterly Report on the State of Human Rights 2011, Youth Initiative for Human Rights, p. 13

40. The criminalisation of defamation needs to be addressed. We were pleased to learn that the Government of Montenegro submitted, on 24 March 2011, amendments of the Criminal Code to decriminalise defamation which are expected to be adopted "soon" by the Parliament. However, we understood that this issue remains problematic, since some parliamentarians, and even some journalists and NGOs do not favour such decriminalisation, which is seen as a tradition in Montenegro. We would like to recall the position of the Parliamentary Assembly (especially its Resolution 1577 (2007) *Towards decriminalisation of defamation*.⁴¹) and of the European Commission which, in November 2010, pointed out that law suits for defamation and hefty fines, although less frequent, are still used to exert pressure on media.⁴²

41. The financial sustainability of the media was also seen as a matter of concern. One complaint concerned the fact that the newspaper Pobjeda has not yet been privatised, as foreseen in the 2002 Law on media, and benefits from the publication of governmental advertisements. The Deputy Minister of Culture explained that, despite two calls for tenders, the privatisation of Pobjeda could not be achieved due to a lack of interest. He stressed that Pobjeda does not receive state funds. He acknowledged that Pobjeda is facing huge financial difficulties and that the authorities are currently seeking to improve its position on the market to make it more attractive.

42. We took note that a new Law on Electronic Media and amendments to the Law on Electronic Communication were adopted in July 2010. The Government of Montenegro also adopted, on 3 March 2011, an "Information on award of state aid to emitters/electronic media".⁴³

ii. *Minority rights*

43. The Montenegrin approach to ethnic minority issues has been shown as an example in the region for the integration of minorities. The Ministry for Human and Minority Rights has played an active role in establishing Albanian, Bosnian, Croat, Muslim, Roma and Serbian Minority Councils and a Minority Fund. Unfortunately, we could not meet representatives of the Bosniak Minority Council.

44. The Law on minority rights and freedoms defines minorities on a citizenship basis, which is not in line with the general principle of the Framework Convention for the protection of national minorities.

45. One issue relates to the "authentic representation" of minorities. This was addressed in the draft amendments to the law on the election of councillors and members of the Parliament submitted to the Venice Commission on 9 May 2011. The draft considered by the Venice Commission in May 2011 maintained the system which had been proposed under the draft law of 2010, ie:

- affirmative action is extended to all minority groups (not only the Albanian minority as previously);
- not only political parties and coalitions, but also groups of citizens may submit lists of candidates;
- two different kinds of measures of affirmative action are foreseen for larger minority groups and for the smaller group (the Croatian);
- the declaration of belonging to a minority group is purely voluntary;
- each national minority is eligible to benefit from the affirmative measures provided in the law and the limitation in a previous draft that excluded a national minority constituting more than 1/6 of the population has been removed;
- the votes expressed in favour of a particular minority are not lost if the number of votes received by the minority reaches the minimum requirement of 0.7% of the valid votes (0,4 % for the Croatian);
- there are no reserved seats and in order to obtain a seat it is necessary to have received a minimum number of votes; in certain conditions, however, the smallest minority (the Croatian) is guaranteed a seat, provided that a candidates list of this minority reaches a minimum threshold of votes⁴⁴.

⁴¹ See also Doc. 11305 of 25 June 2007, Towards decriminalisation of defamation (Rapporteur: Mr Jaume Bartumeu Cassany, Andorra, Socialist Group)

⁴² SEC (2010) 1334, p. 26

⁴³ In accordance with the decisions of the State Aid Control Commission, the debt of commercial emitters to Agency for Electronic Communications and Postal Services (AECPS) and Broadcasting Centre (BC) will be assumed to the amount of nearly € 4,5 millions Euros and 880 000€ was allocated to bankrupt Bega Press for enforcement of representation contracts with the publishers Pobjeda AD, Daily Press, Jumedia Mont and Monitor, First Monthly Report on the implementation of the EC opinion, March 2011, p. 68/69

⁴⁴ CDL(2011)028, para. 7

46. The Albanian coalition of parties regretted that the law on minorities is not implemented: whereas the Albanians represent between 5 and 7% of the population, they only represent 0,3% of employees in public administrations and enterprises.

47. The Serb representatives considered that the amendments to the Law on general education of July 2010 remained problematic and constituted a discrimination against 64% of the population which speaks Serbian. The Minister of Education and Sport however explained that optional classes are proposed to minorities and Montenegro opted for a flexible use of the Montenegrin language after the break up of former Yugoslavia.

48. The representatives of the Roma, Ashkali and Egyptians (RAE) community deplored the lack of implementation of the legislation and international instruments at local level, and the absence of political representation at parliamentary and local level. In addition, the Roma community has to face poor housing, ghettoisation and discriminatory practices, lack of basic civil documents (which impedes access to basic services such as health, education and social protection), low enrolment rates of RAE children in education (25.2 % in primary education, as compared with 96.9% of the general population), high drop out rates (only 18% of RAE children complete primary education, versus 98 % of all children in Montenegro), and segregation. The living conditions in the Konik settlements outside Podgorica were described as "very alarming" by the European Commission.⁴⁵ We were informed that these camps should be closed in 2011 and the 1387 Roma people living there should be resettled.

49. The results of the census conducted from 1 to 15 April 2011 are expected to be published by 15 July 2011. They will be important given the fact that the Constitution provides for a "proportionate representation" of national minorities in public services, state authorities and local self-government bodies - a provision that would need to be clarified and implemented, according to the European Commission.⁴⁶

iii. LGBT rights

50. It is a good thing that the Anti-Discrimination Law of July 2010 includes a reference to sexual orientation and gender identity. There are strong concerns about the situation of LGBT persons in Montenegro who are still the target of discrimination, with reported cases of intimidation and violence, as pointed out by Thomas Hammarberg, Council of Europe Commissioner for Human Rights.⁴⁷

51. We were appalled to learn that, following the assault on Mr Cimbaljevic, a LGBT activist in November 2010, no criminal case was filed by the Prosecutor. The civil complaint led to a pecuniary fine of the perpetrator in December 2010. Surprisingly, Mr Cimbaljevic only received a copy of the decision of the Court after the European Union brought his case to the attention of the authorities. At the end of January 2011, the Prosecutor finally decided to file a criminal complaint. However, on 6 April 2011, Mr Cimbaljevic was again attacked by the same perpetrator and continues to be the target of threats on Facebook, which are not prosecuted, since internet is not recognised as a public space by the Prosecutor.

52. We were told that the LGBT community in Montenegro remains invisible due to the high level of homophobia. Cases of discrimination and violence against the LGBT community are rarely reported by the victims themselves, who fear being persecuted further because of their sexual orientation or gender identity. However, within the last few months, there have been increased public debates and more visibility regarding discrimination against the LGBT community in the country. A coalition for LGBT rights, called LGBT Forum Progress, was set up and could contribute to articulating the interests of the LGBT community.

53. Unfortunately, despite the political will expressed officially by the authorities, the situation of LGBTs remains difficult: unknown groups threw tear gas cans in the crowd that was celebrating the International Day against Homophobia in Podgorica on 17 May 2011 and two members of the public were attacked in the centre of town.⁴⁸ As the Government of Montenegro failed to provide concrete measures to support the organisation of the Gay Pride Parade scheduled on 31 May 2011 - as announced by Vice-Prime Minister Dusko Markovic on 13 April 2011⁴⁹ - and to be represented at the official opening, the LGBT Forum Progress decided to postpone this event. NGO representatives also deplored homophobic statements made by the Ministry for Human and Minority Rights. Such statements are quite surprising and are not acceptable.

⁴⁵ SEC (2010)1334, p. 31

⁴⁶ SEC (2010) 1334, p. 30

⁴⁷ See Letter of the Commissioner addressed to the Montenegrin authorities on 9 November 2010 and the subsequent reply of Mr Djukanovic, Prime Minister www.coe.int/commissioner

⁴⁸ Information provided by ILGA

⁴⁹ See : <http://www.gov.me/en/search/104969/Government-vows-support-to-Montenegro-s-first-gay-parade-police-to-ensure-safety.html>

54. The Montenegrin authorities should, without delay, react and take effective measures to investigate all reported cases of violence against the LGBT population, create a safe environment for the LGBT population and an atmosphere of tolerance, acceptance and fairness. Educational programmes at schools must be developed to teach tolerance to the youth. Such programmes should also be included in professional training - such as for the police and the judiciary - to ensure appropriate behaviour of the law enforcement agencies towards LGBTs. In this respect, we welcome the media campaign to raise awareness against discrimination launched by the Ministry of Human and Minority Rights, which is a first positive step. However a lot of work remains to be done by the authorities to reach European standards.

iv. IDPs and refugees

55. According to the latest figures, after deregistration in Montenegro on 1 March 2011, there are 5 127 persons registered as "displaced persons" (DPs) from Croatia and Bosnia and Herzegovina, and 10 788 persons are registered as "Internally Displaced Persons" (IDPs) from Kosovo.⁵⁰

56. Montenegro's accession commitments relate directly to the issuing of documents to refugees and displaced persons and the prevention of statelessness. Montenegro ratified the CoE Convention on the Avoidance of Statelessness in relation to State Succession on 28 April 2010. However, around 1 500 of the domiciled RAE persons risk statelessness due to the lack of personal documents. Likewise, many DPs and IDPs are at risk of *de facto* statelessness due to the combination of the inability to exercise their right to citizenship in their home country and the lack of an accessible mechanism to gain Montenegrin citizenship.

57. According to the Law on Foreigners, the deadline for submitting applications for the status of foreigner with temporary or permanent residence is 7 November 2011. However, to date, the number of persons who have been granted resident status is low, due to the difficulties to fulfill the very demanding document requirements and it is quite worrying that only 20% of the DPs and not even 10% of the IDPs have a legal status. Apart from 71 requests for temporary residence that are currently being examined and 16 families (84 members) that expressed their wish to return voluntarily to their country of origin⁵¹, 2.104 requests for acquisition of the status of foreigner with permanent residence have been submitted.⁵²

58. We were explained that a number of documents are requested from the IDPs in order to obtain a status. Some documents require that IDPs and refugees travel back to the country they fled. We have been informed that the Montenegrin authorities and the UNHCR are providing transportation and facilitating the collection of documents; however we have the feeling that this procedure ought to be simplified in order to allow most of the IDPs to obtain a legal status, integrate locally and have an effective access to social rights.

59. In this respect, we welcome the setting up of working groups that should draft a study on sustainable solutions for refugees and displaced persons and residents of the Konik camp in Montenegro and define precise data on internally displaced persons who do not have documents (required for regulating the new status) and internally displaced persons who are not registered in civil registers (its work was to be finished by the end of March). An information campaign targeting IDPs and refugees should also be launched.

60. We encourage Montenegro to pursue its co-operation with the UNHCR and other stakeholders concerned, and also to implement the so-called "Sarajevo Declaration"⁵³ in order to further contribute actively to the regional settlement of the return of refugees.

⁵⁰ First Monthly Report on the implementation of the EC opinion, March 2011, p. 97

⁵¹ Information collected by the Refugee Care and Support Office First Monthly Report on the implementation of the EC opinion, March 2011, p. 105. Information collected by the Refugee Care and Support Office.

⁵² First Monthly Report on the implementation of the EC opinion, March 2011, p. 96. By mid-September 2010, the figures were following: 300 applications for the new status were received.; 81 were granted permanent residence, while 4 requests were rejected for "constituting threat to national security". In SG-Inf (2010)22.

⁵³ On 31 January 2005, Bosnia and Herzegovina, Croatia, and the erstwhile Serbia and Montenegro came together and signed the so-called "Sarajevo Declaration" in which they agreed to find a solution to the problem of IDPs and refugees by the end of 2006. "Road maps" were drawn up for each of the states parties but little action was subsequently taken to find a durable solution. An International Conference on "Durable Solutions for Refugees and Displaced Persons" was convened in Belgrade on 25 March 2010, and Ministers from Bosnia and Herzegovina, Croatia, Montenegro and Serbia attended. A follow-up meeting was held on 16 September 2010 in Podgorica, where concrete plans to find a durable solution were drafted.

VII. Conclusions

61. The co-rapporteurs would like to praise Montenegro's willingness to honour its commitments and obligations and meet at the same time the requirements of the European Union in the field of human rights, rule of law and democracy in order to start the EU accession negotiation process. Montenegro has engaged in many substantial reforms that should be achieved within a few months. We welcome the openness and readiness of the authorities to co-operate with the Venice Commission, MONEYVAL and the GRECO and to take into account their recommendations. That said, the swift adoption of numerous laws should not occur at the detriment of the quality of laws. Special attention should be paid to the effective implementation of these laws, which require adequate funding and training of the competent bodies tasked with applying them.

62. The co-rapporteurs would also like to stress the important role that Montenegro can play in securing stability in the region. We encourage its authorities to continue their constructive dialogue and co-operation with neighbouring countries and in particular with Serbia. We encourage Montenegro and the states of the region to conclude bilateral agreements (as regards dual citizenship) and settle the remaining border issues.

63. We intend to pay a second fact-finding visit in the first part of 2012 with a view to preparing our report that could be submitted to the Assembly by mid-2012. We will in particular pay attention to the progress made on the following issues :

- amending of the electoral law in line with the recommendations of the Venice Commission ;
- revising and ensuring the proper functioning of the judicial system in line with the recommendations of the Venice Commission, including effective access to the justice system;
- improving the legal framework related to the fight against corruption and organised crime, including the setting up of independent and efficient monitoring bodies;
- strengthening of the freedom of media, notably by decriminalising defamation and prosecuting all acts of violence against journalists;
- following the 2011 census, ensuring an adequate enforcement of minorities' constitutional and legal rights;
- amending the Law on the Protector of human rights and freedoms of Montenegro in compliance with the Venice Commission's Recommendations, implementing and monitoring of the newly adopted Law on Prohibition of Discrimination, and taking effective measures to promote tolerant attitudes in society and prosecution of violence perpetrated on any ground, including sexual orientation;
- adopting the Law on Territorial Organisation and establishment of a genuine local democracy, in line with the European Charter of Local Self-Government;
- working out adequate solutions proposed to IDPs and refugees, ensuring that most IDPs and DPs obtain a legal status by 7 November 2011 and are in a position to enjoy full rights, including social rights, the right to return or the right to integrate in Montenegro.

APPENDIX 1

Montenegro needs to address 'serious remaining issues' to meet its Council of Europe commitments and obligations

Strasbourg, 09.06.2011 – “While we congratulate Montenegro for undertaking many essential reforms and understand that the country is eager to open the negotiations to join the EU, we consider that serious issues still need to be addressed by the authorities if Montenegro is to honour its commitments and obligations to the Council of Europe,” declared Jean-Charles Gardetto (Monaco, EPP/CD) and Serhiy Holovaty (Ukraine, ALDE), co-rapporteurs for the Parliamentary Assembly of the Council of Europe (PACE), following a fact-finding visit to Podgorica from 31 May to 2 June 2011.

“We regret that the parliament failed to adopt the amendments to the electoral law by 31 May 2011 and hence align its legislation to the Montenegrin Constitution and European standards. We urge all political parties to show responsibility, find a compromise and ensure that the new draft takes into account the recommendations of the Venice Commission to be adopted on 17 June 2011,” the co-rapporteurs said.

They welcomed the current drafting of constitutional amendments and changes to laws on the judicial system. “The de-politicisation of the appointment of high-level officials is a pre-condition for an independent judiciary. We therefore encourage the Montenegrin authorities to pursue their co-operation with the Venice Commission and ensure that the final version of these laws fully complies with European standards.”

“We are concerned about the levels of corruption, organised crime, conflicts of interest and discrimination – notably against Roma and LGBT people – which exist in Montenegro, as well as pressure against journalists. All related violations of human rights should be adequately prosecuted and sanctioned. In this respect we welcome the announcement made by the authorities that defamation will soon be decriminalised – which would be a positive step to strengthen freedom of expression.”

“We also encourage the Montenegrin authorities to take all measures to enhance the effective enforcement of national legislation and incorporate into it the case-law of the European Court of Human Rights. We would like to congratulate Montenegro for adopting the Anti-Discrimination Law in July 2010. However this law is not yet operational since no national implementation mechanism has yet been put in place. We therefore strongly invite the Montenegrin parliament to send the draft law on the Ombudsman to the Venice Commission and adopt it rapidly once it has been evaluated by the Commission – so as to ensure that it is consistent with the Anti-Discrimination Law, it complies with European standards and it provides the Ombudsman with the necessary competences and resources. We are also worried about the fate of refugees and displaced persons, who should obtain identification documents and a legal status by November 2011 and thus have effective access to social rights”, added the co-rapporteurs.

During their visit, the co-rapporteurs met the Speaker of Parliament, the Deputy Prime Minister and Minister of Justice, the Ministers of the Interior and Public Administration, Human and Minorities Rights, Education and Culture, the State Secretary for Political Affairs, the Montenegrin parliamentary delegation to PACE, representatives of political parties, the judicial authorities, the Ombudsman, representatives of state agencies and the Roma community as well as representatives of international organisations, the diplomatic community, NGOs and the media.

Mr Gardetto and Mr Holovaty were informed that several laws in the field of justice, internal affairs and local self-government should be adopted by the end of the year 2011. They thus intend to pay a second fact-finding visit to the country before submitting their report on Montenegro to the Parliamentary Assembly by mid-2012.

APPENDIX 2

Programme of the fact-finding visit to Podgorica (31 May – 2 June 2011)

Mr Jean-Charles GARDETTO, Counsellor

Mr Serhiy HOLOVATY, member of Parliament

Ms Sylvie AFFHOLDER, Secretary of the Monitoring Committee of the Parliamentary Assembly

Tuesday, 31 May 2011

18:00 Roundtable with NGOs and human rights activists (organised by the Council of Europe Secretariat):

- Ms Vanja ČALOVIĆ, Network for the Affirmation of the NGO Sector (MANS)
- Mr Stevo MUK, Institute Alternative
- Ms Tea GORJANC-PRELEVIC, Executive Director, Human Rights Action
- Ms Daliborka ULJAREVIĆ, Center for Civic Education
- Mr Boris RAONIĆ, Youth Initiative for Human Rights
- Ms Ivana GAJOVIC, Nansen Dialogue Center
- Ms Jelena ČOLAKOVIĆ, Program director, and Mrs Danielj KALEZIĆ, Project coordinator, Juventa
- Mr Alexander Saša ŽEKOVIĆ, independent expert, member of the Council for Civil Control of Police

20:00 Working dinner with representatives of international organisations:

- Mr Florian HORNER, Acting Head of Political Section, Delegation of the European Union to Montenegro
- Mr Waldemar FIGAJ, Deputy Head of the OSCE Mission in Montenegro
- Ms Katja SAHA, Protection Officer at UNHCR Representation in Montenegro

Wednesday, 1 June 2011

08:00-08:30 Meeting with NGOs and human rights activists (cont'd)
Mr Zdravko CIMBALJEVIĆ, Executive Director of the LGBT Forum "Progress"

08:30-10:00 Roundtable with media representatives:

- Mr Ranko VUJOVIC, Executive Director, Association of Independent Broadcast Media of Montenegro (UNEM)
- Mr Radojica BULATOVIC, Executive Director, Media Institute of Montenegro
- Mr Branko VOJICIC, Director, RTCG
- Mr Mihailo JOVOVIĆ, Editor in Chief, Vijesti
- Mr Marko VEŠOVIĆ, journalist, Dan
- Mr Milka Tadić MIJOVIĆ, Executive Director, Monitor

10:00 Meeting with Mr Ranko KRIVOKAPIĆ, President of the Parliament of Montenegro

10:45 Meeting with Mrs Valentina RADULOVIĆ-ŠĆEPANOVIĆ, Chairperson, and the members of the delegation of Montenegro to PACE

11:15 Meeting with Mr Budimir ALEKSIĆ, Vice-Chairman of the Committee on Human Rights and Freedoms

12:00 Meeting with Mr Milo ĐUKANOVIĆ, President of the Democratic Party of Socialists (DPS)

12:45 Lunch hosted by Mrs Valentina RADULOVIĆ-ŠĆEPANOVIĆ, Head of the Delegation of the Parliament of Montenegro to PACE

13:45 Meeting with Mr Raško KONJEVIĆ, Social Democratic Party (SDP)

- 14:15 Meeting with Ms Marija VUCINOVIĆ, Chairperson the Croatian Civic Initiative (HGI), and Ms Ljerka DRAGICEVIĆ, member of parliament
- 14:45 Meeting with Mr Mustafa SULJO, Mr Kemal PURIŠIĆ and Dr Amer HALILOVIĆ, members of the Bosniak Party (BS)
- 15:15 Meeting with Mr Srđan MILIĆ, President of the Socialist People's Party (SNP), and Mr Aleksandar DAMJANOVIĆ, member of parliament
- 15:45 Meeting with Mr Nebojša MEDOJEVIĆ, member of parliament, Movement for Changes (PzP)
- 16:15 Meeting with Mr Andrija MANDIĆ, President of the New Serb Democracy (NOVA), and Mr Slaven RADUNOVIĆ, Vice-President
- 16:45 Meeting with Mr Ferhat DINOSHA, President, and Mr Mehmet ZENKA, Democratic Union of Albanians (DUA)
- 17:15 Meeting with representatives of the Albanian MPs Club (FORCA, DSCG, Koalicioni Shqiptar perspektiva)
- 18:00 Meeting with Mr Šučko BAKOVIĆ, Protector of Human Rights and Freedoms
- 18:30 Meeting with Mr Isen GAŠI, President of the National Council of Roma and Egyptians of Montenegro
- 20:00 Working dinner with representatives of the diplomatic community:
- Mr Michele MISTO, Counsellor of the Embassy of Italy
 - Mr Vladimir TSYBULNYK, Counsellor of the Embassy of Ukraine
 - Ambassador Sue K. BROWN, United States

Thursday, 2 June 2011

- 10:00 Meeting with Mrs Vesna MEDENICA, President of the Supreme Court and of the Judicial Council
- 10:30 Meeting with Mr Milana MARKOVIĆA, President of the Constitutional Court
- 11:00 Meeting with Mr Branislav RADULOVIĆ, President of the Administrative Court, and Mr Dragutin ČOLAKOVIĆ, President of the Appeal Court
- 11:30 Meeting with Mrs Ranka ČARAPIĆ, Supreme State Prosecutor and the President of the Prosecutorial Council, and Mrs Đurđina IVANOVIĆ, Special Prosecutor for the Fight Against Organized Crime
- 12:00 Meeting with Mr Predrag MITROVIĆ, Director of the Anti-Money Laundering and Terrorist Financing Agency, Mrs Grozdana LAKOVIĆ, Secretary of the National Commission Secretariat in the Anti-Corruption Initiative Agency, and Mr Zoran ULAMA, Head of Government Office for Combating Human Trafficking
- 12:30 Meeting with Mr Željko ŠOFRANAC, Director of the Bureau for the Care of Refugees
- 13:30 Press briefing
- 14:00 Lunch hosted by Mrs Valentina RADULOVIĆ-ŠĆEPANOVIĆ, Head of the Delegation of the Parliament of Montenegro to PACE
- 15:15 Meeting with Mr Ferhat DINOSHA, Minister of Human and Minority Rights
- 15:45 Meeting with Mr Željko RUTOVIĆ, Deputy Minister of Culture

- 16:15 Meeting with Mr Slavoljub STIJEPOVIĆ, Minister of Education and Sports
- 16:45 Meeting with Mr Ivan BRAJOVIĆ, Minister of Interior Affairs and Public Administration
- 17:15 Meeting with Ambassador Nebojša KALUĐEROVIĆ, State Secretary for Political Affairs, Ministry of Foreign Affairs and European Integration
- 17:45 Meeting with Mr Duško MARKOVIĆ, Deputy Prime Minister of the Government of Montenegro and Minister of Justice