

A YEAR OF ACHIEVEMENT: Montenegro's Progress Toward Opening EU Accession Negotiations 2010-2011

1) Strengthening Rule of Law

Montenegro has amended the legislation governing the Public Prosecutor's Office, the Judicial Council and the courts. The new framework strengthens the personal and institutional independence of public prosecutors and ensures merit-based (non-political) appointments of prosecutors and Judicial Council members. It also increases autonomy, efficiency and accountability for judges.

In addition, Montenegro has passed constitutional amendments that strengthen the independence of the judiciary.

2) Combating Corruption

Montenegro has delivered measurable results in the fight against corruption. High-profile prosecutions include the "Zavala Invest" case, which concerns the unlawful construction of 40 luxury villas on Montenegro's Zavala Cape. In March 2011, Montenegrin authorities charged 12 people with abuse of office, abuse of corporate power and tax evasion in relation to the project. The indictees include three senior members of the ruling Democratic Party of Socialists.

Authorities are currently investigating 11 other major corruption cases.

3) Fighting Organized Crime

Montenegro is winning the battle against organized crime. A prime example is the Šarić case, which is directly related to the infamous Balkan Warrior cocaine-smuggling affair of 2009. The investigation led Montenegrin police to arrest three suspects in November 2010. Two people are now indicted in relation to laundering €21.3 million in drug proceeds and the court has ordered the confiscation of criminal assets worth more than €13 million.

The Kalić money-laundering investigation offers further evidence of Montenegro's success in uprooting organized crime: In July 2011, Montenegrin police arrested two people in connection with laundering more than €7 million through Montenegro's banking and financial system; a third suspect has been charged in absentia. The court ordered temporary confiscation of assets in this case as well.

4) Improving the Election Law

Montenegro's new Law on Election of Members of Parliament and Councillors advances the legislative framework for elections in accordance with the recommendations of the OSCE - ODIHR and the Venice Commission.

Montenegro has also adopted an action plan to boost Parliament's legislative and oversight role.

5) Overhauling Public Administration

Montenegro laid the legal groundwork for a more professional and de-politicized public administration by passing the Law on Civil Servants and Government Employees in July 2011. The law strengthens transparent and merit-based employment and promotion.

Amendments to the Public Administration Law reduce the number of public administration bodies and facilitate their functional integration. The changes cut costs and promote accountability and efficiency.

Parliament amended the General Administrative Procedure Law to simplify and shorten administrative proceedings, in line with the European Commission's recommendations.

6) Enhancing Media Freedom

Montenegro remains deeply committed to upholding the freedom of the press. Notable efforts include the decriminalization of libel and defamation in March 2011. Furthermore, the courts are now obliged to closely follow European Court of Human Rights jurisprudence in media-related cases.

The administration has also offered financial help to the media community in constituting the Media Self-Regulatory Body.

7) Anti-Discrimination

Montenegro has set up the Anti-Discrimination Council, a top-level government body chaired by Prime Minister Igor Lukšić himself.

The administration has implemented a two-pronged solution to the issue of refugees' and displaced persons' status: Each individual can either voluntarily return to his country of origin or continue to reside in Montenegro as a foreigner with permanent resident status.

Montenegro has also made strides in the field of human rights protection for members of the LGBT community. The prime minister has appointed Jovan Kojičić, an international scholar and LGBT rights specialist, as an adviser. In September 2011, the government hosted a milestone conference on LGBT rights; it also lent its full support to efforts to organize Montenegro's first-ever Pride Parade. As a result of these efforts, the Council of Europe has selected Montenegro as one of five beneficiaries of a Europe-wide project on combating discrimination against the LGBT population.