

Annual Rule of Law Report - Council of Europe contribution



2026

Directorate General Human Rights and Rule of Law (DG I)

Montenegro

I Justice System

CEPEJ

The European Commission for the Efficiency of Justice (CEPEJ) regularly collects data on judicial systems concerning efficiency and quality of the justice system. In the framework of the Dashboard Western Balkans project, CEPEJ prepares annually Country profiles, including [Montenegro](#).

EXECUTION OF JUDGMENTS OF THE EUROPEAN COURT OF HUMAN RIGHTS

Official statistics on the execution of judgments of the European Court of Human Rights are published in the Committee of Ministers [Annual reports on the execution](#) (next edition to be published in March 2026). The Department for the Execution of Judgments can be consulted for any question on statistics: DGI-Execution@coe.int.

[Dedić and Others](#) group of cases (4847/20) (enhanced supervision): concern violations of the applicants' right to a fair trial and the peaceful enjoyment of their property due to the non-enforcement of domestic judicial decisions rendered since 2006 in the applicants' favour against a socially/State-owned company.

Latest decisions of the Committee of Ministers: [CM/Del/Dec\(2025\)1531/H46-27](#)

Latest submissions: [DH-DD\(2025\)1288](#)

[Siništaj](#) (31529/15) concerns a violation of the applicant's right to fair trial on account of excessive length of proceedings before the Constitutional Court.

Latest submissions: [DH-DD\(2025\)1065](#)

[Bagoje](#) (2890/21) concerns a violation of the right to fair trial due to the inconsistent practice of domestic courts in the period 2017-2020, in relation to civil proceedings the applicant had instituted against the State seeking compensation for non-pecuniary damage caused by ill-treatment he had suffered in 1991 during the war in the former Socialist Federal Republic of Yugoslavia.

Latest submissions: [DH-DD\(2025\)1033](#)

CPT

The Council of Europe anti-torture Committee visited Montenegro in November 2025 to examine the treatment and conditions of detention of persons deprived of their liberty in various places of detention [Council of Europe anti-torture Committee visits Montenegro - CPT](#). It followed up on its serious concerns raised in high-level talks held in February 2024 with the Deputy Prime Minister, Aleksa Bečić and the Minister of the Interior [Council of Europe anti-torture Committee \(CPT\) holds high-level talks in Montenegro - CPT](#) on issues outlined its 2022 visit [Council of Europe anti-torture Committee \(CPT\) publishes report on its 2022 ad hoc visit to Montenegro - CPT](#). These issues included the poor treatment of persons held by the police, the lack of accountability and effectiveness of investigations into allegations of ill-treatment, and the situation facing the system of remand detention, under considerable strain due to poor conditions, severe overcrowding in remand prisons, impoverished regime provided for persons held on remand and the system of restrictions in place hindering regular communication with the outside world.

Independence of judiciary

Montenegro faces structural challenges affecting the independence and accountability of the judiciary. One of the main issues is the transition from the declared reforms into the credible institutional practice, with strengthening the public trust in the judiciary.

Both the Judicial Council and the Prosecutorial Council provided recently more **proactive and prompt responses** to the attempts of interference towards the judiciary. However, these responses are largely limited to public statements and press releases and there is still a **lack of sustained, coordinated and effective initiatives aimed at building stronger institutional safeguards for judicial independence**.

Full professional engagement of the Judicial Council members remains constrained by the fact that most members continue to perform their primary judicial or prosecutorial duties. This dual burden limits their capacity for strategic governance. Professionalisation of the Judicial Council membership with their full-time engagement requires further analysis and consideration.

A significant reform step has been marked by the **introduction of a new evaluation system for judges and prosecutors**, which established more consistent and objective appraisal criteria. However, applying the new framework to judges and prosecutors who were not evaluated prior to the 2024 amendments triggered constitutional disputes. These disputes may slow down the implementation of the new evaluation system. The Council of Europe co-operation project supported the development of the new criteria by **providing expert advice** - to align them with the European standards and the Venice Commission recommendations. Besides, **practical guidelines for their implementation** were prepared. These guidelines are expected to be finalised and adopted shortly, and they will serve as the basis for capacity-building trainings for the members of the evaluation panels.

The issues of **pension and salary regulation for judges and prosecutors** remain outstanding. A working group of the Ministry of Justice recently resumed its activity following the 2025 amendments, It allowed for a temporary salary increase for judges. The Council of Europe co-operation project supported this process by **compiling comparative standards, mobilising expertise and facilitating consultations** with the Ministry of Justice to help address Venice Commission recommendations.

Accountability

New codes of ethics for judges and prosecutors were developed and adopted with the Council of Europe support. Their effective implementation is now critical. The Council of Europe co-operation project will provide **targeted training activities for new ethical and disciplinary bodies** in coordination with relevant partners. The disciplinary framework itself was clarified with improved definitions of offences and sanctions. However, the structure of these rules — modelled closely on the criminal law provisions — remains overly complex and rigid, potentially hindering the swift and practical conduct of disciplinary proceedings. It may result in a limited number of resolved cases on disciplinary liability of judges and prosecutors.

The justice reforms also extend to independent legal professions. A **new Code of Professional Conduct for Lawyers** was drafted with the Council of Europe support, grounded on the CCBE standards and the European Court of Human Rights jurisprudence. The Council of Europe offered **targeted training for notaries** on diligence

and anti-money laundering obligations. Substantial Council of Europe assistance was provided in **drafting new legislation on court experts**, incorporating the latest EU directives as well. Further support will focus on establishment of the Chamber of Court Experts and operationalising new training and accountability frameworks. A support will be provided in revising the national **legislation governing the work of court interpreters and translators**.

Transparency

The Council of Europe supported development of the **new Prosecution Communication Strategy 2026–2028** and **communication action plans for 2025 and 2026 for courts and the Judicial Council**, along with the **Crisis Communication Protocol for Courts**. The respective Council of Europe project also supported the **drafting of the Constitutional Court's Communication Strategy 2026–2028**. The effective implementation of these strategies will be important to rebuild trust and to counter political interference narratives, particularly in a context where public perception of judicial independence remains unsettled.

Victims' Rights and Protection

In December 2025, the [Government of Montenegro adopted the Victims' Rights Strategy](#) and its accompanying Action Plan, together with a Fiscal Impact Analysis. This represents a significant milestone aimed at reinforcing the comprehensive protection of victims' rights.

Further advances were made in judicial practice. [Guidelines for courts on sentencing policies for gender-based and sexual crimes](#) were finalised and published, supporting interim reform steps under the Reform Agenda and contributing to Goal 3.4.11 of the Action Plan for the implementation of Final Benchmark III. In close co-operation with the Supreme Court, the Guidelines for judges on handling victims' compensation claims within criminal proceedings were also finalised and presented on 22 December 2025, with the aim of improving the effectiveness of victims' access to compensation within criminal proceedings.

The **Human Rights Legal Clinic** continued to engage law students from three Montenegrin law faculties in practical work on human rights cases, with a particular focus on vulnerable groups, including victims of domestic violence and human trafficking.

HELP Programme

Through the translation and adaptation of 24 HELP courses to the national legislation and practice, the **Council of Europe HELP Programme has enabled 885 legal professionals in Montenegro to access high-quality training on human rights, including its EU dimension**. This has resulted in 615 enrolments and 107 certifications through self-learning, complemented by 33 tutored courses delivered in cooperation with the national partners (the Centre for Training in Judiciary and State Prosecution and Bar Association), reaching 1154 participants with a 79% success rate.

General information

- Number of **users** of HELP Platform from Montenegro: **885**
- Number of **HELP courses** translated and adapted in Montenegrin: **24**
 - **615 enrolments, 107 certifications in self-learning**
 - **33 tutored courses organised since 2017 (1154 participants, 79% success rate)** implemented in partnership with the **Centre for Training in Judiciary and State Prosecution and Bar Association** and in cooperation with various CoE projects (mainly implemented within the *CoE Office in Podgorica*)

HELP in the Western Balkans has a long-established cooperation with the **Centre for Training in Judiciary and State Prosecution** in Montenegro. Each **HELP course implemented in a tutored way** is as a part of the initial and continuous training curricula.

In June 2025, the HELP course on [Ethics for judges, prosecutors and lawyers](#) was launched for 16 legal professionals from Montenegro. The course was launched in cooperation with the EU/Council of Europe project [“Strengthening Accountability of the Judicial System and Enhancing the Protection of Victims' Rights in Montenegro”](#).

In October 2025, the HELP in the Western Balkans project launched the HELP course [Prohibition of Ill Treatment](#) for 44 legal professionals from Montenegro.

In January 2026, CoE Justice and Human Rights Training Division and HELP in the Western Balkans started the discussions with the **Centre for Training in Judiciary and State Prosecution** on the integration of HELP courses into the e-learning Platform of the Centre initially developed with the support of International Development Law Organisation (IDLO). The process of integration will begin in February 2026. The HELP courses will be used in the initial and continuous education of judges and prosecutors in Montenegro.

In February 2026, the HELP course on [Child friendly Justice](#) was translated and adapted to Montenegrin that will support the legal professionals in representing minors at courts in Montenegro.

The HELP in the Western Balkans project is targeting the implementation of the HELP courses that correspond to the priorities of the [Department for the Execution of Judgments of the European Court of Human Rights](#). In 2026, HELP in the Western Balkans will seek the support from other Council of Europe projects and actions for the implementation of the following priority topics as defined by the Department for the Execution of Judgments of the European Court of Human Rights country [factsheet](#):

- Alternative Measures to Detention
- Actions of security forces - effective investigations
- Length of Judicial proceedings
- Non-enforcement of final judicial decisions

VENICE COMMISSION

[CDL-AD\(2025\)051](#) Follow-up Opinion to the Opinion on some questions relating to the procedure of early termination of the mandate of Constitutional Court judges due to age limits.

[CDL-AD\(2025\)029](#) Opinion on some questions relating to the procedure of early termination of the mandate of Constitutional Court judges due to age limits.

GENDER EQUALITY

Western Balkans - Judicial training institutions in Albania, Montenegro, Serbia, North Macedonia are applying new competencies to enhance equal access to justice for women and men through an innovative peer-to-peer mentoring programme for legal professionals, supported by the cooperation project, "[Women's access to justice in the Western Balkans](#)".

II Anti-corruption framework

PACE

Monitoring committee

Montenegro | [Doc. 16316](#)

Montenegro remains under GRECO's Fifth Evaluation Round "preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies". A compliance report, adopted and authorised for publication in 2024, noted partial progress and set a deadline of 31 December 2025 for Montenegro to report further implementation, after which a Second Compliance Report will be prepared. Reforms of the executive and police integrity framework are expected.

III Media pluralism

DEMOCRACY AND HUMAN DIGNITY

The Project [“Protecting freedom of expression and of the media in Montenegro” \(PROFEX-M\)](#) helped advance transparency, accountability, and cooperation between the judiciary, media, and relevant state institutions in Montenegro. Through a series of targeted activities, the project strengthened communication practices, built professional capacities, and supported legislative and ethical frameworks aligned with European standards. This action is implemented by the [Council of Europe Division for Cooperation on Freedom of Expression](#) within the joint programme of the European Union and the Council of Europe “Horizontal Facility for the Western Balkans and Türkiye” running from 2023 until 2026.

Currently the Ministry of Culture and Media is carrying out the process of harmonization with the Digital Service Act and European Media Freedom Act. The country’s position has been presented to EU authorities in Brussels in January 2026. Montenegro’s legal and institutional framework formally guarantees freedom of expression and media pluralism, and recent policy initiatives show some alignment with European standards. The government adopted a comprehensive Media Strategy (2023-2027) aimed at strengthening independent journalism and improving the professional environment for media actors, and a yearly Action Plan for its implementation. In addition, at the beginning of 2026 the Council of Agency for Audiovisual Media Services has been established in full capacity. After the previous Director of the Media Directorate resigned in early, the new Acting Director was appointed in January 2026. Institutions have also taken steps to enhance legal responses to violence against journalists, including the adoption of prosecutorial instructions prioritising such cases and the signing of a Protocol on the Protection of Journalists between media unions, public authorities and broadcasters to establish a coordinated safety mechanism with a 24/7 hotline and specialised training for law-enforcement and judicial officials. These measures mark notable institutional progress in addressing systemic weaknesses in monitoring, reporting and responding to threats against media workers.

Despite these developments, the media environment remains fraught with persistent challenges that undermine freedom of expression and press independence. Recent reporting indicates a significant rise in attacks and threats against journalists, with civil society recording a record 33 incidents in 2025, including both physical assaults and sustained political and online harassment, and many cases continue to suffer from slow, ineffective judicial follow-up and impunity. Political pressure, economic insecurity and polarisation further weaken media sustainability, while unresolved high-profile cases and limited institutional accountability continue to erode journalists’ confidence in the state’s capacity to protect fundamental rights. Independent assessments, including from the U.S. State Department and local watchdogs, highlight ongoing verbal threats from officials, restrictions on critical reporting, and uneven implementation of media transparency laws, signalling that legal reforms have yet to fully translate into tangible improvements in practice.

IV Other institutional issues related to checks and balances

PACE

Monitoring committee

Montenegro | [Doc. 16316](#)

In April 2024, the committee appointed as co-rapporteur Ms Liliana Tanguy (France, ALDE), alongside Mr Nicos Tornaritis (Cyprus, EPP/CD), to prepare the second and final post-monitoring dialogue on Montenegro. The first post-monitoring dialogue resolution, adopted in 2021, identified areas of improvement regarding the independence of the judiciary, trust in the electoral process, fight against corruption and the situation of the media. Following the last country visit in 2022, the co-rapporteurs had hailed advances in the fight against corruption and encouraged political leaders to adopt a set of critical measures.

In 2025, Montenegro has been the subject of several developments across Council of Europe bodies, mainly on constitutional/judicial reform, anti-discrimination, trafficking, and execution of decisions of the European Court of Human Rights.

On 7 October 2025, the Committee of Ministers adopted a resolution on execution of the European Court of Human Rights decision in *Brahim Kovačević and Others v. Montenegro*, illustrating Montenegro's ongoing process of implementing and complying with earlier judgments and rulings from the European Court of Human Rights. Montenegro is still working on addressing previous findings regarding the excessive length of judicial proceedings and ensuring guarantees of fair trials. This involves putting in place remedies for violations found by the European Court of Human Rights, such as reducing case backlogs, improving judicial efficiency, ensuring transparency, and safeguarding fair trial rights throughout the court system.

In June 2025 the Venice Commission adopted an opinion for Montenegro “On some questions relating to the procedure of early termination of the mandate of Constitutional Court judges due to age limits”, in accordance with the political agreement signed on 15 March 2025 between the government and opposition representatives to end a controversy as regards the termination of the mandate of a judge of the Constitutional Court on the grounds that she reached the retirement age. A legislative reform is required to ensure that a similar situation should not arise again, and the Venice Commission’s opinion contains proposals to include in the future reform. On 28 October 2025, the minister of Justice of Montenegro, Mr Bojan Božović, submitted the draft of this reform for a follow-up opinion to the Venice Commission and the opinion is scheduled for discussion and adoption in December 2025.

In June 2025, the Venice Commission adopted a follow-up opinion on the draft Law on the Government. The Commission welcomed the fact that the revised draft law addressed most of its 2023 key recommendations but drew the attention of the authorities to some key recommendations, including the requirement of a constitutional revision.

In October 2025 the sixth-cycle ECRI report on Montenegro was published. ECRI requests priority implementation from the authorities of Montenegro on two specific recommendations: to ensure the full independence of the Protector of Human Rights and Freedoms, and to complete the registration of all displaced Roma and Egyptians from Kosovo*Note present in Montenegro, including their children.

In 2025, the Group of Experts on Action against Trafficking in Human Beings (GRETA) adopted its new evaluation report on Montenegro for the 3rd round (2021-June 2025), following a December 2024 country visit and consideration of government comments in June 2025. While the report welcomes positive developments in a number of areas, GRETA once again urged the Montenegrin authorities to take action regarding the compensation of victims of human trafficking, on the access to a recovery and reflection period, and on strengthening the criminal justice response to traffic of human beings.

A country visit from the co-rapporteurs is scheduled in 2026, with a view to adopt the second and final report on post-monitoring dialogue before the end of the year.

A fact-finding visit should be carried in the framework of the post-monitoring process in the near future.

VENICE COMMISSION

[CDL-AD\(2025\)030](#) Follow-up Opinion to the Opinion on the draft Law on the Government

[CDL-AD\(2025\)051](#) Follow-up Opinion to the Opinion on some questions relating to the procedure of early termination of the mandate of Constitutional Court judges due to age limits

[CDL-AD\(2025\)029](#) Opinion on some questions relating to the procedure of early termination of the mandate of Constitutional Court judges due to age limits

