

Leading questions for written input, to be addressed in the JFS Subcommittee discussions and to be considered in the context of the 2026 Rule of Law Report – Montenegro

General reference period for the reply to report on: July 2025 – 31 January 2026

Chapter 23: Judiciary and fundamental rights

I. Functioning of the judiciary

Montenegro implements a comprehensive justice reform in line with the EU acquis and European standards on impartiality, independence, accountability, efficiency, professionalism, access to justice and quality.

Report about detailed updates, new developments, and state of play, including on the following areas:

- 1. What has been the progress on the effective implementation of the 2024-2027 Judicial Reform Strategy and action plan for 2024-2025, including mechanisms put in place aiming at ensuring sufficient institutional capacity for the management of judicial reforms?**
 - **Could you please report on the results, planning, deadlines, including an update on the drafting process for Action Plan 2026-2027?**
 - **What is the state of play concerning the work and/or reporting of the monitoring mechanism?**

The Ministry of Justice:

I Implementation of the Action plan for the year 2025

The Council for Monitoring the Implementation of the Judicial Reform Strategy 2024-2027 has held four sessions since July 2025.

At the IV session held on July 22, 2025, the Council considered and adopted the Report on the Implementation of the Action Plan for the Implementation of the Judicial Reform Strategy for the Period January 1, 2024 - June 30, 2025.

At the V session of the Council held on October 23, 2025, the Council considered and adopted the Report on the Implementation of the Action Plan for the Implementation of the Judicial Reform Strategy for the Period January 1, 2024 - October 10, 2025.

At the VI session held on December 8, 2025, the Council considered the level of implementation of the activities from the Action Plan as of December 3, 2025.

At the 7th session held on December 29, 2025, the Council adopted the Annual Report on the implementation of the Action Plan for the Judicial Reform Strategy 2024–2027 for the year 2025. After reviewing the report, the Council concluded that the level of implementation of the activities from the Action Plan 2024–2025 is high. Out of a total of 81 activities, 55 activities were fully implemented (67.90%), 22 activities were partially implemented (27.16%), while only 4 activities remain not implemented (4.94%).

It was assessed that most of the partially implemented activities are in the final stage of implementation, as they mainly concern legislative activities that are in the final phase of harmonisation with the European Commission, or where the set result indicators have largely been achieved. The press release from the meeting, together with the report, has been published on the website of the Ministry of Justice: <https://www.gov.me/clanak/odrzana-sedma-sjednica-savjeta-za-pracenje-sprovođenja-strategije-reforme-pravosuda-2024-2027>

II Drafting process for Action Plan 2026-2027

In order to ensure continuity in the implementation of reforms, the Ministry of Justice established a Working Group in December 2025 to prepare a new Action Plan 2026–2027.

In this context, several meetings of the working group were held, and the Proposal for the Action Plan 2026–2027 was developed.

During the drafting process of the Action Plan, particular attention was given to the findings and recommendations of the independent external analysis of the implementation of the Action Plan 2024–2025, which was prepared and presented to the working group by the expert engaged under the EUROL project.

Due to the short deadlines, the Draft Action Plan was published on 15th of January for public consultation, which will last 20 days, in line with the national legislation.

The Montenegrin version of the Draft Action Plan currently under public consultation is available at the following link: <https://www.gov.me/clanak/poziv-za-javnu-raspravu-o-predlogu-ap-za-sprovođenje-strategije-reforme-pravosuda-2026-2027-godine>

At the same time, the Draft Action Plan has been sent for translation, with the support of the EUROL project, in order to enable the English version to be forwarded to the European Commission for its opinion.

The aim is to adopt the Action Plan for the 2026–2027 period in the first half of February 2026

Independence, impartiality, accountability

- 2. What has been the progress on the independence, accountability, professionalism, access to justice and integrity of the justice system at all levels, including freedom from and resilience of the judicial system to attempts of undue internal and external influence, in line with European standards and Venice Commission recommendations?**
 - **Could you please report on the full and effective implementation of the improved strategic and legal framework to address existing challenges?**
 - **Have there been any developments on the further alignment of the legal framework, including the Constitution, with the EU acquis and European standards on judicial independence, accountability, impartiality, integrity, efficiency, and professionalism of the judicial system, addressing the remaining recommendations from the European Commission, the Venice Commission, and the Council of Europe Group of States against Corruption (GRECO)? Including:**

- **state of play and timeline of the planned constitutional amendments to i) abolish the constitutional role of the Minister of Justice as an ex-officio member of the Judicial Council, ii) to ensure that at least half of the members are majority of judges elected by their peers in the Judicial Council; iii) to enshrine the composition and selection of the Prosecutorial Council in the Constitution**

The Ministry of Justice:

The procedure for amending the Constitution is prescribed by the Constitution of Montenegro and the Rules of Procedure of the Parliament of Montenegro and requires a two-thirds majority in parliament. The Ministry of Justice, in accordance with the conclusions of the meeting with representatives of the European Commission held in December 2025, has drafted a new Proposal to amend the Constitution, which includes amendments to the constitutional provisions relating to the Judicial Council and the Prosecutorial Council. In relation to the Judicial Council, it is envisaged to exclude the Minister of Justice from the composition of the Judicial Council and change the composition of the Council, so that the majority of members are judges elected by the Conference of Judges. It is also proposed that the composition of the Prosecutorial Council be regulated by the Constitution, in the same way as it is currently in the current Law on the State Prosecutor's Office. The proposal was sent to the European Commission on 19 December 2025, together with an overview of the procedures to be implemented, and the innovated text of Proposal drafted in accordance with the EC comments (adding norms regarding the duration of the mandate of both Councils) was sent again to the European Commission on 16 January 2026.

- **state of play on further amendments to the laws on the Judicial Council, State Prosecution Service, and Special State Prosecutor's Office, including via secondary legislation, to fully align the legal framework guaranteeing the independence and impartiality of the judicial system with European Commission, Venice Commission and GRECO recommendations.**

The Ministry of Justice:

The dynamics for amendments to the Law on the Judicial Council and Judges and the Law on the State Prosecutor's Office depends on taking a final position regarding amendments to the Constitution of Montenegro. The Draft Action Plan for the Implementation of the Judicial Reform Strategy for 2026–2027 envisages that the draft amendments to these laws will be adopted by the Government by the third quarter of 2026, with the aim of harmonisation with the constitutional amendments and the opinions of the European Commission and the Venice Commission.

At the end of December 2025, the Ministry of Justice established a Working Group to draft the Proposal for Amendments to the Law on the State Prosecutor's Office, with the aim of aligning this law with the recommendations of the Venice Commission.

The Ministry of Justice also established a Working Group to draft the Proposal for Amendments to the Law on the Special State Prosecutor's Office, with the aim of aligning this law with the recommendations of the Venice Commission. Intensive work is ongoing on the drafting of this law, and four meetings of the Working Group have been held (on 18 November and 5, 12, and 26 December 2025). After the Draft Law

has been prepared, a public consultation process and the necessary coordination procedures with the competent institutions will be carried out.

- **In this regard, an update on the state of play concerning the adoption of a specific legislation on the labour rights, including retirement criteria for judges and prosecutors, in line with European standards, and the existing European Commission and Venice Commission recommendations.**

The Ministry of Justice:

The work of the Working Group responsible for drafting the Proposal for the Law on Salaries and Other Rights Related to the Performance of Judicial and Constitutional Court Functions is in its final phase. The Draft Action Plan for the Implementation of the Judicial Reform Strategy for 2026–2027 envisages that the proposal of this law will be adopted by the Government by the end of the second quarter of 2026. Consultations with the Ministry of Finance are currently ongoing regarding the proposed methodology for calculating salary coefficients.

Independently of the adoption of law on Salaries, and with the aim of strengthening the financial independence of holders of judicial and constitutional court functions, the Government of Montenegro, at its session held on 25 December 2025, adopted the Draft Law Amending the Law on the Judicial Council and Judges, the Draft Law Amending the Law on the State Prosecutor's Office, and the Draft Law Amending the Law on the Constitutional Court of Montenegro. These draft laws provide that judges, presidents of courts, state prosecutors, heads of state prosecutor's offices, and judges and the President of the Constitutional Court shall be entitled to a functional allowance in the amount of 30% of the basic salary until 31 December 2026. The draft laws are currently in parliamentary procedure, and an extraordinary session of the Parliament of Montenegro has been scheduled for 2 February 2026.

- **Could you please report on the monitoring and track record of follow-up of complaints from judges and prosecutors about internal or external attempts of interference. Including:**
 - **Number of cases where a judicial official reported an "appearance of 'interference' or 'pressure'" to competent authorities.**
 - **Follow-up and sanctions (disciplinary proceedings, prosecutions) where interference confirmed and number of cases where no interference was confirmed. What kind of sanctions exist, and do you consider these to be sufficient and deterrent? Have there been instances where cases where politicians publicly comment on case of putting pressure on the judiciary /prosecution? If yes, how many and how were these followed up on? Have there been any public statements by Councils concerning this issue?**

The Prosecutorial Council:

State prosecutors are also faced with daily pressure and attempts to undermine their independence; accordingly, the Prosecutorial Council has established a new Commission to consider complaints submitted by heads of state prosecutor's offices and state prosecutors regarding the endangerment of their independence, and has adopted amendments and supplements to the Rules of Procedure of the

Prosecutorial Council, in order to regulate in greater detail the handling of cases involving threats to the independence of state prosecutors.

Four complaints were submitted by state prosecutors concerning the endangerment of their independence, which originated outside the state prosecution service, and in three cases the Prosecutorial Council, at its session held on 29 December 2025, issued an opinion finding the complaints to be well-founded.

Article 74, paragraphs 4 to 8 of the Rules of Procedure of the Prosecutorial Council stipulate that:

‘In connection with an opinion on external endangerment of independence, the Prosecutorial Council may issue a public statement, convene a press conference, or submit the opinion to the bodies and institutions competent for the election, appointment, assignment, or supervision of the person who committed the act endangering independence, or to professional organizations, chambers, or associations of which that person is a member, etc.

The opinion of the Prosecutorial Council referred to in paragraph 2 of this Article, which contains the reasons relating to internal endangerment of independence, shall be delivered to the state prosecutor or the head of the state prosecutor’s office who submitted the complaint, as well as to the head of the immediately higher-ranking state prosecutor’s office.

If a complaint is found to be well-founded, the Prosecutorial Council shall take measures aimed at protecting the state prosecutor whose independence has been endangered.

The Prosecutorial Council may also recommend measures to prevent future endangerment of independence.

After anonymization of data, the Prosecutorial Council shall publish the opinion on the website of the Prosecutorial Council

The Judicial Council:

In 2025, there were no reports from judges of any improper influence being exerted on them. In two cases, the Judicial Council publicly condemned inappropriate statements published in the media that related to court decisions, considering such statements as exerting pressure on the work of judges and courts due to dissatisfaction with judicial rulings.

- **Could you please provide an update on the level of implementation of the system of appointment, evaluation of performance and promotion of judges and public prosecutors in accordance with the amended Law on Judicial Council and Judges (please provide information also as regards the implementation of Art. 90) and the Law on State prosecution, based on a single, nationwide, transparent, and merit-based system. Please provide an update on existing safeguards ensuring the fairness in these processes, including mechanisms for judicial review.**

The Prosecutorial Council:

Appointments

Within the State Prosecutorial Organisation, progress was achieved during 2024 and 2025 with regard to filling prosecutorial positions. At the beginning of 2024, 85 state prosecutors were employed in the prosecution service, while as of 31 December 2025 this number has increased to 108 prosecutors. In addition to the appointment of state prosecutors, the Prosecutorial Council also selected nine candidates for the position of state prosecutor, demonstrating an active approach to strengthening human resources capacities. At its first session held on January 28, 2026, the Council adopted a decision on the selection and assignment of 9 candidates for state prosecutors in basic state prosecutors' offices, for a period of four years.

The total number of state prosecutors established by the Decision on the Number of State Prosecutors: 145

Total number of filled state prosecutor positions: 117 (80,68%)

Total number of vacant state prosecutor positions: 28 (19,31%)

Three state prosecutors have been temporarily suspended from performing prosecutorial functions.

In 2025, one special state prosecutor was laid off by dismissal, because of a sentence to prison by a final judgment.

The total number of heads of state prosecutor's offices established by decision is 17, of which 16 positions of heads of state prosecutor's offices are currently filled.

At present, the position of head of the Basic State Prosecutor's Office in Ulcinj is vacant.

It is particularly important to emphasize that, in the public call for the selection of 11 state prosecutors in basic state prosecutor's offices across Montenegro, nine out of 23 applicants were selected. The large number of applicants indicates an increased interest in working in the state prosecution service, suggesting that the profession is regaining its reputation and public trust.

Furthermore, the procedures for the selection of state prosecutors and candidates were conducted more quickly and transparently than before, representing a significant step forward in stabilizing the human resources capacities of the State Prosecution and contributing to its further professional strengthening. These processes demonstrate that continuous efforts are being made to address the chronic shortage of prosecutorial positions and to strengthen the system's capacities.

Namely, within the EUROL IV project, the preparation of an analysis is currently underway in order to present the actual situation in terms of organization, functionality, as well as the required number and cost-effectiveness of state prosecutor's offices at the level of Montenegro, all with the aim of ensuring rationality and more effective functioning of the state prosecution service in line with EU standards. All of the above constitutes the basis for drafting a high-quality new Decision on the Number of State Prosecutors, as well as for adopting a new Plan of Vacant Prosecutorial Positions for 2026 and 2027.

At its session held on 11 September 2025, the Prosecutorial Council adopted a Decision amending the Decision on the Number of State Prosecutors, increasing the number of special state prosecutors in the Special State Prosecutor's Office from 16 to 20.

Evaluation

With regards to evaluation, all procedures for the evaluation of state prosecutors and heads of state prosecutor's offices initiated under the provisions of the Law on the State Prosecution ('Official Gazette of Montenegro', Nos. 11/15, 42/15, 80/17, 10/18, 76/20 and 59/21) have been completed.

New Rules on the Evaluation of State Prosecutors and Heads of State Prosecutor's Offices were adopted and published in the Official Gazette (Official Gazette of Montenegro, No. 48/2025) on 19 May 2025.

Pursuant to Article 2 of the Rules on the Evaluation of State Prosecutors and Heads of State Prosecutor's Offices ('Official Gazette of Montenegro', No. 48/25), on 16 December 2025 the Commission for the Evaluation of the Work of State Prosecutors adopted the Plan for the Evaluation of State Prosecutors to be carried out in 2026.

Through amendments to the Law on the State Prosecution, the criteria and sub-criteria for evaluating the work of state prosecutors were revised (the Law was published in the 'Official Gazette of Montenegro', No. 54/2024 of 11 June 2024 and entered into force on 19 June 2024), which necessitated the adoption of new Rules on the Evaluation of State Prosecutors and Heads of State Prosecutor's Offices. These Rules entered into force on 27 May 2025. Furthermore, the mandates of the members of the Prosecutorial Council expired on 5 August 2025, and the members of the Council from among distinguished legal professionals were elected on 19 November 2025. Consequently, it was not possible to establish the Commission for the Evaluation of the Work of State Prosecutors earlier, nor to adopt the Evaluation Plan in accordance with Article 2 of the Rules on the Evaluation of State Prosecutors and Heads of State Prosecutor's Offices ('Official Gazette of Montenegro', No. 48/25). As a result, the evaluation of state prosecutors and heads of state prosecutor's offices was suspended during 2025.

The Judicial Council:

Appointments

On the topic of appointments, the Plan of Vacant Judicial Positions for 2024–2025 was adopted at the XXVII session on 21–22 December 2023, with a supplement on 27 December 2024, and it was published on the website:

In 2025, the Judicial Council published 40 announcements: 5 announcements for the election of court presidents, 18 internal announcements for voluntary permanent transfers of judges from one court to another, 8 announcements for promotion, 8 announcements for the election of candidates for judges, as well as 1 announcement for the election of a Supreme Court judge of Montenegro — a non-career judge.

Based on the Plan, in 2025 the Judicial Council appointed presidents of three (3) courts: the Basic Court in Pljevlja, and the misdemeanor courts in Bijelo Polje and Podgorica.

In the promotion procedure during 2025, fourteen (14) judges were selected: 1 judge of the Supreme Court of Montenegro, 1 judge of the Appellate Court of Montenegro, 11 judges of Higher Courts (10 in Podgorica and 1 in Bijelo Polje), and 1 judge of the Higher Misdemeanor Court of Montenegro.

In the voluntary permanent transfer procedure, 2 judges were transferred: one judge from the Basic Court in Bar was transferred to the Basic Court in Podgorica, and one judge from the Misdemeanor Court in Bijelo Polje was transferred to the Misdemeanor Court in Podgorica.

After completing initial training, the Judicial Council appointed 35 new judges: 2 judges of the Commercial Court of Montenegro, 2 judges of the Administrative Court of Montenegro, 24 new judges in basic courts in Bijelo Polje, Podgorica, Bar, Kotor, Ulcinj, Berane, Cetinje, and Nikšić, and 7 judges in misdemeanor courts in Podgorica and Bijelo Polje.

Additionally, 31 candidates for judges were selected and sent to initial training at the Center for Training in the Judiciary and State Prosecution: 2 candidates for the Commercial Court, 5 candidates for misdemeanor courts, 2 candidates for the Administrative Court of Montenegro, and 24 candidates for basic courts (9 candidates for judges of basic courts in the northern region and 15 candidates for judges of basic courts in the central and southern regions).

In 2025, the termination of judicial office was recorded for 12 judges as follows:

- 5 at personal request,
- 5 due to reaching retirement age,
- 2 due to transfer to another state function.

The Law on the Judicial Council and Judges (Art. 82) stipulates that a judge performs judicial duties in the court to which they are elected. The Judicial Council may, with the judge's consent, assign them for up to 1 year to another court of the same or lower level in cases prescribed by law (e.g., inability to act due to recusal, increased number of unresolved cases, etc.).

During 2025, the Judicial Council did not make any decisions to assign judges for up to 1 year to any court, as no judges expressed interest in the announced assignments.

Evaluation

During 2025, a total of 20 judges were evaluated, of which 11 were in the promotion procedure, 7 judges in the regular evaluation procedure, and 2 judges as candidates for election as court presidents. For 12 judges, the work assessment was determined as excellent, 7 judges were rated good, and 1 judge was rated satisfactory.

Since the amendments to the Law on the Judicial Council and Judges in July 2024, evaluation has also been prescribed for judges of the Supreme Court of Montenegro. During 2025, there were no evaluation procedures conducted for Supreme Court judges.

The Judicial Council, at its XXXVI session on 27 December 2024, adopted the Evaluation Plan for 2025. The new Rules for the Evaluation of Judges were adopted and publicly published on the Judicial Council portal.

At the XXXVI session of the Council on 23 December 2025, the Judicial Council adopted the Evaluation Plan for 2026 and publicly published it on the Judicial Council portal.

- **What has been the progress on the effective implementation of preventive measures including codes of ethics, disciplinary rules, asset declaration and verification systems and awareness raising of the public as regards available complaint mechanisms? Including:**
 - **the level of implementation of GRECO outstanding recommendation from compliance reports;**

The Agency for Prevention of Corruption:

Compliance report on V evaluation round shall be adopted in June 2026.

- **number of assets declarations verified and sanctions; and**

The Agency for Prevention of Corruption:

During 2025, a total of 476 Income and Asset Declarations were submitted by judges on all grounds.

With regard to verifying the accuracy and completeness of the data in the Income and Asset Declarations, during this period 64 judges' declarations were reviewed, and five violations were identified.

In addition, 215 Income and Asset Declarations were submitted by prosecutors on all grounds.

With regard to verifying the accuracy and completeness of the data in the Income and Asset Declarations, during this period 65 prosecutors' declarations were reviewed, and five violations were identified.

An administrative review was conducted for all submitted declarations.

- **how the Anti-Corruption Agency has improved the asset-declaration verification process since last year; including whether substantive checks have now been carried out.**

The Agency for the Prevention of Corruption:

In December 2024, the 2025 Annual Plan for Verification of Income and Asset Declarations was adopted, providing for three types of verification: administrative verification of all received declarations, conducted continuously throughout the year, verification of accuracy and completeness of declarations and in-depth verification, the most complex type of control. In accordance with the recommendations of international experts, verification of accuracy and completeness is carried out on a selected sample using the random selection method – about 488 declarants of income and asset declarations. The number was reduced compared to the previous year in order to focus existing resources on higher-quality verification of declarations.

The Annual Plan for 2025 also provides for the implementation of in-depth verification, which will include a detailed examination of all declarations submitted to the Agency during the performance of public office by a maximum of 30 selected public officials (in previous years there were 20). The selection is made on the basis of received reports, depending on the importance of the position held, and when the verification of accuracy and completeness indicates a significant change in the property situation of the official.

Verification of the accuracy and completeness of income and asset declarations and in-depth verification are carried out in accordance with the Annual Verification Plan, as well as ex officio or upon request (by another state body, a natural or legal person, or anonymously).

Within the framework of project support by the Council of Europe, in April 2025, a specialized training was held for the employees of the APC on income and asset verification: implementation of the verification process in three phases. The aim of the training was to strengthen the capacities of the Agency for the effective identification and understanding of all phases in the process of verification of income and assets, through the analysis of specific cases in accordance with the developed Methodology. Special emphasis was placed on the verification of the accuracy and completeness of submitted declarations, as well as on conducting in-depth verification of income and asset declarations of public officials. A Checklist for the verification of accuracy and completeness of data was also created, serving as a tool for systematic and consistent verification of data. An independent expert was engaged to support capacity building in the verification of assets and income of public officials. Two workshops were organized in 2025.

During 2025, administrative verification has been carried out for all submitted income and asset declarations (10,931). Regarding the verification of the accuracy and completeness of the data in the income and asset declarations, a total of 563 declarations have been checked so far, in which 316 violations of the law were identified:

- In accordance with the 2025 Annual Verification Plan, 466 declarations have been reviewed so far, of which 257 were found to contain violations of the law.
- Ex officio/upon request, 97 declarations have been reviewed so far, of which 59 were found to contain violations of the law.

The Agency has initiated in-depth verification for all 30 planned public officials and has completed 5 verifications so far. Additionally, at the internal request of another state body, in-depth verifications of income and assets were carried out for 3 reporting subjects.

In December 2025, the 2026 Annual Plan for Verification of Income and Asset Declarations. This plan outlines three levels of controls: administrative verification of all incoming reports, conducted continuously throughout the year; verification of the accuracy and completeness of the reports; and the most complex in-depth verification. Following the recommendations of international experts, verification is performed on a selected sample using a random sampling method, which will include approximately 399 public officials for accuracy and completeness checks and a maximum of 36 public officials for in-depth verification. The Plan also covers all persons with top executive functions (PTEFs), in accordance with the GRECO recommendation.

- **Could you please update on the track record of reported and established violations of the Codes of Ethics and of the enforcement of disciplinary accountability of judges and prosecutors? Could you please report on the number of investigations, decisions and on the application of the new codes of ethics for judges and prosecutors? Have the commissions for monitoring the implementation of the ethical codes of the Judicial Council and the Prosecutorial Council been established, and are they fully operational? We understand that the Judicial Council's Ethical**

Commission has not issued decisions on pending cases since August 2022. How did these delays occurred and have any steps been undertaken to address this delay? When can we expect these cases to be resolved?

The Prosecutorial Council:

Ethical Accountability

On 1 November 2025, the Conference of State Prosecutors adopted a new Code of Ethics for State Prosecutors, which was developed in cooperation with the Council of Europe.

Upon the expiry of the mandate of the previous Prosecutorial Council, the positions of Chair and Deputy Chair of the Commission for the Code of Ethics for State Prosecutors became vacant, as the Chair and Deputy Chair are appointed from among the distinguished legal professionals who are members of the Prosecutorial Council.

During the period from the expiry of the mandate until the election of distinguished legal professionals as members of the new Council, the Ethics Commission was unable to act on initiatives to determine violations of the Code of Ethics for State Prosecutors.

On 18 December 2025, the Prosecutorial Council proposed a Chair and Deputy Chair of the Commission for the Code of Ethics for State Prosecutors.

On 24 December 2025, the Conference of State Prosecutors, upon the proposal of the Prosecutorial Council, elected a new Chair and Deputy Chair of the Commission for the Code of Ethics for State Prosecutors, thereby enabling the Commission to function in its full composition.

The total number of cases under consideration in the period from 1 January 2024 to 1 August 2025 was 15.

In six cases, the Commission determined that the state prosecutor had not violated the principles and rules of the Code of Ethics for State Prosecutors; three cases were concluded by the Commission finding that the initiative should be forwarded to the Complaints Commission for further action; in one case, the Commission did not issue an opinion after the Agency for the Prevention of Corruption (ASK) adopted a decision; while five cases remained pending.

After 1 August 2025, following the expiry of the mandate of the Prosecutorial Council and, consequently, of the Chair of the Ethics Commission, an additional six initiatives concerning the work of state prosecutors were submitted by 31 December 2025, which remained pending.

On January 28, 2026, the Commission for the Code of Ethics of State Prosecutors held a session at which it determined that in 2 cases the state prosecutor did not violate the principles and rules of the Code of Ethics of State Prosecutors, while in 1 case a decision was made to suspend the proceedings until the completion of the disciplinary proceedings, because disciplinary proceedings were initiated against the said state prosecutor in the same matter and the case is pending with the Disciplinary Prosecutor.

The total number of cases under consideration as of 31 January 2026 was 8.

Disciplinary Accountability

With regards to the disciplinary proceedings, as a result of the expiry of the mandate of the previous Prosecutorial Council, and following the election of distinguished legal professionals to the Council, the Prosecutorial Council established a new Disciplinary Council on 28 November 2025, since the amendments to the Law on the State Prosecution prescribe that the Chair of the Disciplinary Council shall be chosen from among the members of the Council who are distinguished legal professionals.

In 2025, there were four disciplinary cases against state prosecutors under consideration.

In two cases, the Disciplinary Council adopted a decision to dismiss the motion to initiate disciplinary proceedings, as the motion had been submitted by an unauthorized person, i.e. by persons who are not authorized to submit a motion for determining the disciplinary responsibility of a state prosecutor. Namely, pursuant to Article 110, paragraph 1 of the Law on the State Prosecution ('Official Gazette of Montenegro', Nos. 11/2015, 42/2015, 80/2017, 10/2018, 76/2020, 59/2021, 54/2024 and 95/2025), if there is a reasonable suspicion that a state prosecutor has committed a disciplinary offence, a motion for determining the disciplinary responsibility of a state prosecutor may be submitted by the head of a state prosecutor's office, the head of the immediately higher-ranking state prosecutor's office, the Supreme State Prosecutor, the Minister of Justice, and the Commission for Monitoring the Application of the Code of Ethics for State Prosecutors.

Accordingly, within the meaning of Article 110, paragraph 1 of the Law on the State Prosecution, the authorized persons to submit a motion for determining the disciplinary responsibility of a state prosecutor are: the head of a state prosecutor's office, the head of the immediately higher-ranking state prosecutor's office, the Supreme State Prosecutor, the Minister of Justice, and the Commission for Monitoring the Application of the Code of Ethics for State Prosecutors, for the purpose of issuing an opinion on whether certain conduct of a state prosecutor is in accordance with the Code of Ethics for State Prosecutors.

One case is currently pending before the Disciplinary Council, while one case is pending before the Disciplinary Prosecutor. In both remaining cases, the motion was submitted by an authorized person, i.e. by heads of state prosecutor's offices.

Note: Disciplinary proceedings against state prosecutors were conducted efficiently, and all completed cases were concluded before the expiry of the statute of limitations.

Reminder:

In 2024, in three cases a decision was adopted to reject the motion due to a lack of evidence that state prosecutors had committed disciplinary offences; in one case a decision was adopted concerning an act that is not prescribed as a disciplinary offence; one motion was submitted by an unauthorized applicant; and in one case the Disciplinary Prosecutor submitted an indictment against a special state prosecutor, in which the Disciplinary Council adopted a decision finding that a state prosecutor in the Special State Prosecutor's Office had committed a disciplinary offence.

Additionally, all resolved cases were concluded before the expiry of the limitation period.

The Judicial Council:

Ethical Accountability

The Commission for Judicial Ethical Responsibility, following the Judges' Conference held on 28 October 2025 and the election of a new Commission composition due to amendments to the Law on the Judicial Council and Judges, has been reconstituted.

The Commission for the Judicial Code of Ethics now consists of two members from among the judges, elected by judges through a secret ballot at the Judges' Conference, and the Chair of the Commission, who is also elected by secret ballot by judges at the Conference from among members of the Judicial Council who are not judges but distinguished legal professionals.

By the end of 2025, the Commission resolved 12 cases: 2 from 2022 and 10 from 2025. In three cases, a violation of the rules of the Code of Ethics was determined, while in eight cases the Commission found that judges had not violated the Judicial Code of Ethics. Six initiatives remain unresolved.

Please find more data on ethical accountability in Annex 6.

Disciplinary Accountability

During 2025, six disciplinary proceedings were initiated based on proposals to determine the disciplinary responsibility of judges. In three proceedings, the proposals to establish disciplinary responsibility were rejected as unfounded. Three cases remain unresolved, and the proceedings are ongoing.

Please find more data on disciplinary accountability in Annex 5.

- **Could you please report on the level of implementation of the ethics codes for notaries, public bailiffs, lawyers, and court interpreters, including revising and adopting a new code of ethics for lawyers?**

The Ministry of Justice:

Code of Ethics for Lawyers

The Bar Association, with the expert support of the Council of Europe, has prepared the Draft of a new Code of Professional Ethics for Lawyers, which was presented to lawyers in January 2026, which will allow them to provide their proposals and suggestions. The adoption of the Code of Ethics is planned at the extraordinary Assembly of the Bar Association of Montenegro, on 22 February 2026.

Code of Ethics for Notaries

In 2025, a procedure was conducted before the Commission for Ethical Issues of the Notary Chamber of Montenegro to determine ethical liability against a notary, which ended with the Commission's opinion that there was no violation of the Code of Notarial Ethics by the notary.

Implementation of the Code of Ethics for Public Bailiffs

During 2025, the Code of Ethics for public bailiffs remained the key instrument defining professional and ethical obligations in the work of public bailiffs in Montenegro, aligned with relevant European standards and recommendations. To support consistent application of ethical principles, professional trainings continued to focus on the practical application of ethical rules in day-to-day work, particularly regarding potential conflicts of interest, impartiality, and integrity. The Ethics Commission monitors compliance with the Code through the review of submitted cases within its remit. In 2025, 32 complaints were received; however, the vast majority did not relate to alleged breaches of the Code of Ethics. Only one submission qualified as a formal request to determine a public bailiff's ethical responsibility, and the matter is currently pending before the Ethics Commission.

Code of Ethics for Interpreters

During 2025, Montenegrin Legal Interpreters and Translators Association (MLITA) did not receive any complaints regarding the work of its members or other certified legal interpreters/translators.

- **How many positions have been filled in for both judges and prosecutors? Please indicate number of vacancies, including yearly vacancy rates, including the concrete steps taken to fill in the vacancies.**

The Ministry of European Affairs:

For the data on the prosecutors please see more on point on appointment, evaluation of performance and promotion above.

For the data on judiciary please see the Annex 1 attached.

- **What is the state of play concerning the implementation of the revised system of evaluation of judges and prosecutors, including for judges of the Supreme Court?**

The Judicial Council:

Since the amendments to the Law on the Judicial Council and Judges in July 2024, the evaluation of Supreme Court judges of Montenegro has been prescribed. During 2025, no evaluation proceedings were conducted for the work of Supreme Court judges.

- **Could you please report on the measures and safeguards in place to ensure the irremovability of judges, including considerations such as transfers as part of the plan for the rationalisation of the court network, dismissal, and retirement regimes and the independence and autonomy of the prosecution service?**

Judicial Council:

The law stipulates that a judge performs his duties in the court to which he was elected. Exceptionally, a judge can be transferred to another court without consent only in the case of reorganization of courts, which reduces the number of courts.

Judicial Council decides on every transfer of judges.

The law prescribes the right to file a lawsuit before the Administrative Court of Montenegro for an unsatisfied judge.

Prosecutorial Council:

Namely, within the EUROL IV project, the preparation of an analysis is currently underway in order to present the actual situation in terms of organization, functionality, as well as the required number and cost-effectiveness of state prosecutor's offices at the level of Montenegro, all with the aim of ensuring rationality and more effective functioning of the state prosecution service in line with EU standards. All of the above constitutes the basis for drafting a high-quality new Decision on the Number of State Prosecutors, as well as for adopting a new Plan of Vacant Prosecutorial Positions for 2026 and 2027.

- **Have there been any developments on measures in place to uphold the independence of the Bar, including chambers or associations of lawyers, and the autonomy of individual lawyers. Effective implementation of preventive measures concerning potential threats to independence within the legal profession and of measure ensuring the accountability of lawyers? Could you, please provide the track record on ethical/disciplinary liability of lawyers?**

The Ministry of Justice:

The Montenegrin legal profession is regulated, except by the Law on legal profession, which protects its autonomy and independence, as well as by the Constitution of Montenegro as an independent and independent profession. This established a valid legislative framework that ensures a certain degree of autonomy and independence of lawyers as individuals.

The Bar Association of Montenegro functions as an independent and independent organization, which is a key factor in preserving the independence of the legal profession. Through its bodies, the Management Board and the Assembly, the Chamber makes decisions related to the regulation of the profession, ethical standards and disciplinary measures, without the influence of external factors. This framework allows lawyers to act autonomously, in accordance with the law and ethical code.

The Bar Association of Montenegro reacts to any activities directly related to undermining the independence and autonomy of the legal profession.

In 2025, 80 disciplinary reports were filed against lawyers to the Bar Association. Complaints about the work of lawyers mainly related to failure to return files to the client and negligent representation.

Three disciplinary proceedings were initiated to the competent authorities of Bar and the Disciplinary Prosecutor dropped charges in all 3 cases, namely:

- In one procedure after the verdict of the Higher Disciplinary Court, following the appeal of the responsible lawyer, when the case was sent back for re-examination, before the trial.
- In one procedure, after the Basic State Prosecutor's Office dismissed the criminal complaint against the lawyer, on which the indictment of the Disciplinary Prosecutor was based.

- In one procedure after the general trial was held, at the trial itself, after the presentation of new evidence and facts.

3. What has been the progresses on the capacity, independence, accountability, and effectiveness of the self-governing bodies of the judiciary, including as regards the composition and decision-making process of the Judicial and Prosecutorial Council, in line with European standards?

- **Could you please report on the high-level judicial appointments in all institutions and bodies in the judiciary? What safeguards are in place to ensure a merit-based and transparent procedure?**

The Parliament of Montenegro:

The Constitutional Court of Montenegro

Pursuant to the Constitution of Montenegro, the Constitutional Court consists of seven judges. Judges of the Constitutional Court are elected and dismissed by the Parliament, as follows: two judges upon the proposal of the President of Montenegro and five judges upon the proposal of the competent working body of the Parliament, following a public call conducted by the proposing authorities.

At the Fourth Session of the Second Regular (Autumn) Session of the Parliament of Montenegro of the 28th convocation, held on 25 November 2025, the Parliament adopted a Decision on the election of a judge of the Constitutional Court of Montenegro. Jovanović Jovan was elected as a judge of the Constitutional Court of Montenegro.

The Constitutional Court currently has five judges, while two positions remain vacant.

Election of a Judge of the Constitutional Court upon the Proposal of the President of Montenegro

Procedure ongoing:

Pursuant to Article 95, item 5 of the Constitution of Montenegro, in conjunction with Amendment V to the Constitution of Montenegro and Article 10, paragraphs 3 and 5 of the Law on the Constitutional Court, on 3 December 2025 the President of Montenegro submitted to the Parliament of Montenegro a proposal for the election of one judge of the Constitutional Court, proposing Predrag Krstonijević.

At the Seventh Session of the Second Regular (Autumn) Session in 2025, held on 31 December 2025, the candidate did not receive the required majority.

Election of a Judge of the Constitutional Court upon the Proposal of the Constitutional Committee

Procedure ongoing:

On 3 December 2025, the Constitutional Committee of the Parliament of Montenegro published a public call for the election of one judge of the Constitutional Court of Montenegro. At the session held on 23 December 2025, the Committee determined the list of registered candidates for the election of one judge of the Constitutional Court of Montenegro. A total of nine candidates applied. A consultative hearing was held on 26 December 2025.

At the Seventh Session of the Second Regular (Autumn) Session in 2025, held on 31 December 2025, the Parliament of Montenegro adopted a Decision on the election of a judge of the Constitutional Court of Montenegro and elected Dr Nikola Mugoša.

The Judicial Council

(1) Election of a Member of the Judicial Council from among Distinguished Legal Professionals

The Judicial Council of Montenegro informed the Parliament of Montenegro that, at its 20th session held on 5 July 2024, the termination of the mandate of Judicial Council member Fikret Kurgaš was established due to his death.

Taking into account the competences of the Committee on the Political System, Judiciary and Administration, the Committee is obliged to publish a public call for the election of one missing member of the Judicial Council from among distinguished legal professionals, in order to complete its composition.

First public call:

The Committee published a public call for the election of one member of the Judicial Council from among distinguished legal professionals on 1 August 2024. One candidate, Kasim Dizdarević, applied, but did not receive the required majority at the Committee session following the conducted consultative hearing.

Second public call:

On 6 October 2025, the Committee published a second public call for the election of one member of the Judicial Council from among distinguished legal professionals. No candidates applied. In the forthcoming period, the Committee will publish a third public call with the aim of completing the composition of the Judicial Council.

The Prosecutorial Council

1) Election of Members of the Prosecutorial Council from among Distinguished Legal Professionals Who Are Not Attorneys-at-Law

At the Fourth Session of the Second Regular (Autumn) Session of the Parliament of Montenegro of the 28th convocation, held on 17 November 2025, the Parliament adopted a Decision on the election of two members of the Prosecutorial Council from among distinguished legal professionals who are not attorneys-at-law. Sekule Raičević and Veselin Šćepanović were elected as members of the Prosecutorial Council.

2) Election of a Member of the Prosecutorial Council from among Attorneys-at-Law

At the same session, held on 17 November 2025, the Parliament of Montenegro adopted a Decision on the election of a member of the Prosecutorial Council from among attorneys-at-law. Sanja Radulović was elected as a member of the Prosecutorial Council.

3) Election of a Member of the Prosecutorial Council from among Distinguished Legal Professionals – Representatives of Non-Governmental Organizations

First public call:

On 20 May 2025, the Committee on the Political System, Judiciary and Administration published a public call for the election of one member of⁷ the Prosecutorial Council from among distinguished legal professionals – representatives of non-governmental organizations. No candidates applied.

Second public call:

On 15 October 2025, the Committee published a second public call for the same position, to which no candidates applied either.

In the forthcoming period, a third public call will be published for the election of the missing member of the Prosecutorial Council.

The Council of the Agency for Audio-visual Media Services

At the session held on 26 December 2025, the Administrative Committee determined the proposal of the list of candidates for members of the Council of the Agency for Audio-visual Media Services, proposed by authorized nominators, to be submitted to the Parliament of Montenegro for further decision-making, as follows:

- Dragoljub Vukčević, candidate proposed by non-governmental organizations in the field of media;
- Niko Martinović, candidate proposed by the Montenegrin Academy of Sciences and Arts.

The Committee also determined the list of timely and complete proposals for one member of the Council of the Agency for Audio-visual Media Services proposed by the University of Donja Gorica and the University of Adriatic:

Assoc. Prof. Dr Branko Bošković.

At the Seventh Session of the Second Regular (Autumn) Session in 2025, held on 31 December 2025, the Parliament of Montenegro adopted a Decision appointing Assoc. Prof. Dr Branko Bošković as a member of the Council of the Agency for Audio-visual Media Services, as a candidate of the University of Donja Gorica and the University of Adriatic.

Pursuant to Article 153 of the Law on Audio-visual Media Services, on 30 December 2025 the Speaker of the Parliament of Montenegro published a public call for non-governmental organizations engaged in the protection of human rights and freedoms, for the appointment of one member, and for non-governmental organizations in the field of media, for the appointment of one member of the Council of the Agency for Audio-visual Media Services.

- **Could you please provide updates on work of the Judicial and Prosecutorial Councils in 2025, including functioning of both Councils, covering their current composition (complete/incomplete), number of sessions held, transparency rules and practice, and other relevant aspects?**
- **Are there any developments on staffing and resources of both Councils since the last reporting period?**

- **Could you please report on the budget and the level of financial independence of both Councils, and technical and material working conditions?**

The Prosecutorial Council:

Capacities

On 29 July 2025, the new composition of the Prosecutorial Council was proclaimed, consisting of the Supreme State Prosecutor as Chair of the Council, five members from among state prosecutors, and one member representing the Ministry of Justice.

Subsequently, on 17 November 2025, the composition was expanded with the proclamation of three additional members of the Prosecutorial Council: two members from among distinguished legal professionals and one member from among attorneys-at-law.

One additional member from among non-governmental organizations remains to be elected in order for the Council to function in its full composition.

In 2025, a total of 18 regular sessions were held, as well as 25 electronic sessions.

Council sessions are open to the public, with the presence of the media and civil society organizations. The Council regularly publishes its decisions, minutes, and press releases.

Proceeding from the public's right to know, the portal of the Prosecutorial Council publishes all information of importance for the work of the Council, such as minutes of sessions; decisions on the appointment of state prosecutors; decisions on voluntary transfers, assignments, and promotions, as well as decisions on termination of office; public and internal calls for the selection of state prosecutors and heads of state prosecutor's offices; updated guides; requests for free access to information; concluded contracts; and project-related activities and events.

On 13 June 2025, the Prosecutorial Council amended Article 19, paragraph 7 of the Rules of Procedure of the Prosecutorial Council to read: 'Decisions of the Prosecutorial Council shall be published on the website after anonymization.' This amendment enabled the publication of all Council decisions, including decisions on evaluation and disciplinary responsibility, on the website following anonymization.

The Prosecutorial Council adopted the Action Plan for the implementation of the Communication Strategy of the State Prosecution and the Prosecutorial Council for the period 2023–2025, for the year 2025.

The survey "Perception of the State Prosecution in Montenegro" for 2025, conducted with the support of the Mission of the Organization for Security and Co-operation in Europe (OSCE), shows that citizens in 2025 assessed the transparency of the prosecution service more positively. Specifically, a total of 44.3% of respondents stated that the work of the State Prosecution is fully or partly transparent, compared to 39.9% of respondents expressing the same view in 2024.

This survey also confirms the continuity of public trust in the work of the State Prosecution, according to which more than half of citizens have trust in state prosecutor's offices at all levels. As many as 61.8% of

respondents expressed trust in the work of the Special State Prosecutor's Office, while 60.5% of respondents expressed trust in the Supreme State Prosecutor's Office in the same period.

The results also indicate a significant increase in public trust in the Prosecutorial Council compared to previous years, largely linked to increased transparency and accessibility of information about the Council's work. Awareness of the competencies of the Prosecutorial Council increased from 34.4% in 2024 to 44.2% in 2025, while public awareness of the composition of the Council in 2025 increased by 17.5% compared to 2024.

Regarding support for the Prosecutorial Council, more than half of respondents (50.6%) in 2025 stated that they support the current composition of the Council, representing an almost twofold increase compared to 2024, when 24.8% of respondents expressed such support.

Furthermore, the World Bank's Regional Justice Survey for 2025 confirms the position of the State Prosecution of Montenegro as one of the most stable and professional institutions within the judicial system. The results of this survey show that public trust in the judicial system remains stable and relatively high, with a slight decline from 59% to 55% compared to 2020.

With the aim of improving public communication, the Prosecutorial Council, with the support of the Council of Europe, prepared a new Communication Strategy for the State Prosecution and the Prosecutorial Council for the period 2026–2028, which is adopted by the Prosecutorial Council at the session of January 28, 2026.

The Prosecutorial Council regularly adopts a Work Plan, as well as reports on the implementation of the Work Plan, which are published on the website, thereby enabling the public to monitor the work of the Council in this manner as well.

On 2 December 2025, with the support of the EUROL IV project, 56.25% of employees of the Secretariat of the Prosecutorial Council and five members of the Prosecutorial Council underwent training in the field of strategic planning and analytics, with the aim of improving planning and enhancing the efficiency of the Prosecutorial Council.

Under the Rulebook on the Internal Organization and Systematization of the Secretariat of the Prosecutorial Council, civil service positions have been established for 34 employees, of which 31 positions are filled, while three positions remain vacant. The overall staffing rate amounts to 91.17%. Staffing levels in the Secretariat have been significantly improved, thereby continuing the administrative strengthening of the Council.

Secretariat of the Prosecutorial Council

By the Rulebook on the Internal Organization and Systematization of the Secretariat of the Prosecutorial Council, civil service positions have been established for 34 staff members, of which 31 positions are filled, while 3 positions remain vacant. The overall staffing rate is 91.17%. Staffing levels in the Secretariat have been significantly improved, thereby continuing the administrative strengthening of the Council.

Spatial Capacities

The Supreme, Special, and Higher State Prosecutor's Offices in Podgorica, as well as the Basic State Prosecutor's Offices in Rožaje, Bar, and Kotor, operate in inadequate premises. Until recently, the Basic State Prosecutor's Office in Plav had been vacated from its building due to a collapsing roof, and is currently securing its future accommodation through leased premises.

Additionally, the Prosecutorial Council and the Secretariat of the Prosecutorial Council do not have their own offices and currently operate in rented space. In the hope that the old Government building will soon be refurbished, the Special State Prosecutor's Office continues to function under substandard conditions, below minimum requirements and standards, which further complicates working conditions and efficiency.

With the support of the Government, the Basic State Prosecutor's Office in Pljevlja has permanently resolved its spatial needs. Specifically, the State purchased the building previously occupied by the Basic State Prosecutor's Office in Pljevlja and assigned it for use by the said office.

Budget

For the 2024 budget, the State Prosecution was allocated €13,685,205.38.

For 2025, the Prosecutorial Council proposed a budget of €24,509,090.06, while the Budget Law approved €15,398,078.60.

For 2026, the Prosecutorial Council proposed a budget of €24,042,221.55, while the Budget Law approved €16,353,774.94.

Under the amendments to the Law on the State Prosecution, the salaries of state prosecutors were increased by 30% for the period from 15 August to 31 December 2025. This increase has not yet been extended, and for January 2026, state prosecutors will not receive the increased salary.

The Judicial Council:

Capacities

The Judicial Council of Montenegro (hereinafter: the Council) was established by the Constitution of Montenegro, the constitutional amendments of 2013, and the Law on the Judicial Council and Judges ("Official Gazette of Montenegro," Nos. 11/2015, 28/2015, and 42/2018) as an independent and autonomous body that ensures and guarantees the independence, autonomy, accountability, and professionalism of courts and judges.

The Council has 10 members. The President of the Supreme Court and the Minister responsible for justice are ex officio members, while the remaining eight members consist of four judges elected by the Judges' Conference and four distinguished legal professionals elected by the Parliament of Montenegro.

In June 2022, the Judges' Conference elected four judge members of the Council: Predrag Tabaš, Judge of the Appellate Court of Montenegro; Radonja Radonjić, Judge of the Higher Court in Podgorica; Sanja Konatar, Judge of the Higher Court in Bijelo Polje; and Rado Četković, Judge of the Basic Court in Podgorica. One distinguished legal professional, Prof. Dr. Radoje Korać, was appointed by the Presidential Decree of

Montenegro on 1 October 2022 as a member of the Council from among distinguished legal professionals. The remaining three distinguished legal professionals were appointed by Presidential Decree on 27 December 2023. The inaugural session of the Judicial Council was held on 29 December 2023, at which Prof. Dr. Radoje Korać was elected President of the Judicial Council, and Dražen Medojević was elected Deputy.

The ex officio members of the Council are Valentina Pavličić, President of the Supreme Court of Montenegro, and Bojan Božović, Minister of Justice. The Council member – Minister of Justice Bojan Božović – does not participate in Council activities concerning the selection, dismissal, or disciplinary proceedings of judges.

Since 5 July 2024, when the mandate of one member from the distinguished legal professionals ceased due to death, the Parliament of Montenegro has not elected a new member of the Judicial Council.

The Judicial Council conducts its work and makes decisions in sessions. A session may be held if the majority of all Council members are present. In 2025, the Judicial Council held 37 sessions, of which 17 were conducted electronically. Notices of Council sessions are published on the Council's portal, as are press releases after each session. Once the minutes of the sessions are adopted, they are published on the Council's website.

In implementation of the recommendations from the Montenegro Progress Report, the Judicial Council adopted an Amendment to the Rules of Procedure of the Judicial Council ("Official Gazette of Montenegro," No. 136/25 of 26 November 2025), stipulating that decisions of the Commission for the Judges' Code of Ethics and the Disciplinary Board, after becoming final and anonymized, are to be published on the Council's portal. Currently, a Rulebook on the anonymization of decisions is being prepared, which will be published on the Council's website upon adoption.

Council sessions, according to the session plan, are held twice monthly and more frequently if needed. Minutes are kept for each session, along with transcripts of audio recordings conducted during interviews with candidates for judicial appointments, candidates for court presidents, and other judicial candidates. Agendas, minutes, decisions, and press releases are published on the Council's website after sessions or after the adoption of minutes and decisions. Decisions of the Judicial Council are final and may be challenged through administrative proceedings unless otherwise provided by law.

The Judicial Council prepares an annual report on its work, which includes information on the Council's activities, a description and analysis of the state of the judiciary, detailed data for each court regarding the number of cases received and resolved during the reporting year, problems and shortcomings in their work, and measures to address identified deficiencies. A draft of the annual report is sent to all courts for comments. The annual report is submitted to Parliament no later than 31 March of the current year for the previous year and, once adopted, is published on the Council's website.

During 2025, there were no changes in the accommodation capacities of courts or the Judicial Council. The Council and its Secretariat continue to operate in insufficient and inadequate premises.

Secretariat of the Judicial Council: To professionally perform the Council's expert, financial, administrative, IT, analytical, and other functions, as well as matters of joint interest for the courts, the Secretariat of the Judicial Council was established.

As of 31 December 2025, the Secretariat employed 38 officials out of a total of 56 planned positions, organized as follows: Department for Expert Support to the Work of the Judicial Council (3), Department for Information and Communication Technologies and Multimedia (20), Department for Internal Audit (3), General and Human Resources Service (7), Finance and Accounting Service (5). During 2025, there were no new recruitments. The number of staff decreased by three compared to 2024 (the Secretary's mandate ended, one employee retired, and one employee passed away). There are currently 18 vacant positions in the Secretariat.

Budget

Under the Budget Law for 2025, funds approved for the Budgetary Unit "JUDICIAL COUNCIL" amount to €34,283,995.28. The budget for the Judicial Council with the Secretariat amounts to €2,876,798.94.

The budget for 25 courts amounts to €31,409,196.34.

The budget for 2025 is higher by €1,564,091.14 compared to 2024 (an increase of 4.78%).

Under the Budget Law of Montenegro for 2024, funds approved for the Budgetary Unit "JUDICIAL COUNCIL" amounted to €32,719,904.17. The proposed budget for 2024 requested €42,504,356.32.

The budget for the Judicial Council with the Secretariat was €3,145,917.08.

The budget for 25 courts amounted to €29,573,987.09.

The budget for 2024 was higher by €2,085,766.43 compared to 2023.

The increase of €497,308 in the Judicial Council position relates to the item "construction works," which courts do not have in their own budgets.

The increase of €1,588,458.26 in the 25-courts position relates to current expenses and the settlement of unfulfilled obligations from previous years.

Under the Law on Salaries in the Public Sector, depending on the level of the court, salary levels are classified into pay grades, which determine a judge's salary. The law also prescribes allowances for judges depending on the subject matter they handle. For example, judges of the Special Department of the Higher Court in Podgorica, the Appellate Court, and the Supreme Court of Montenegro are entitled to a so-called special allowance of 60%.

Judges who complete more cases on a monthly basis through overtime work are entitled to overtime compensation.

Judges at all court levels who are designated as on-duty judges under the Annual Work Plan are entitled to an on-call allowance for handling investigative cases, determining detention, extending detention, or other urgent cases.

New: From 14 August 2025 to 1 January 2026, by supplementing Article 5 of the Law on the Judicial Council, a judicial allowance of 30% of the basic salary was introduced as a functional allowance due to the responsibility and complexity of judicial work.

The Law on the Rights, Obligations, and Salaries of Holders of Judicial Functions has not yet been adopted.

- **Could you please provide update on the disciplinary proceedings conducted by the specialised departments in the Judicial and Prosecutorial Councils, to meet a specific closing benchmark? We understand that there are instances of judges of missing legal deadlines without the possibility of initiating any procedure against such acts, pursuant namely to Art 108 of the Law on Judicial Council and Judges. Is this understanding correct and could you please provide more information on this?**

The Judicial Council:

During the year 2025, 6 disciplinary procedures were conducted based on proposals for determining the disciplinary responsibility of judges. In 3 procedures, proposals for determining disciplinary responsibility were rejected as unfounded. 3 cases are unresolved and the procedure is ongoing.

Your understanding is correct. Grounds for disciplinary responsibility of judges prescribed in Article 108 of the Law. There are cases when judges miss legal deadlines without disciplinary liability.

The reasons for this can be objective (excessive workload of judges, insufficient number of judges in the court) or subjective (sickness, parental leave, etc.).

- **Could you please provide information on any rules concerning adequate reasoning for assessments of decisions and their publication (including any relevant statistical data)? Have any reforms been introduced or considered to improve concretely the effectiveness of disciplinary proceedings for judges and prosecutors since the last reporting period?**
- **Could you please provide a track record data?**

The Judicial Council:

There were no changes in this part.

The Judicial Council adopted the Amendments to the Rules of Procedure of the Judicial Council and prescribed the publication of decisions on the disciplinary responsibility of judges after they have become final and anonymized. In January 2026, the Rulebook on the anonymization and pseudonymization of decisions made in the disciplinary procedure and the procedure for determining the ethical responsibility of judges was adopted.

All decisions made in the period 2020-2025 are anonymized and publicly published on the website of the Judicial Council.

https://sudovi.me/static//sdsd/doc/Odluke_Disciplinsko_vijece

Publication of court decisions and data

Online access to court data, including the publication of anonymized court decisions, has been operational for many years. Our goal is to improve this process through the use of AI tools for automated anonymization, which would significantly reduce the time required to publish decisions and increase public access to judicial data.

To date, a total of 589,042 final court decisions of all types and levels have been publicly published on the website sudovi.me, of these, 39,809 decisions were published during 2025.

Professionalism, competence, efficiency

4. What has been the progress on the overall efficiency of the justice system? Including the Courts and prosecution service and offices, with judges and prosecutors delivering quality decisions and indictments within a reasonable time period, the existence of a well-functioning integrated case management system, including a reduction in the backlog of cases, financial and human resources including adequate support staff, an effective and qualitative judicial training system in place and effective enforcement of court decisions, with alternative dispute resolution being widely and appropriately used.

- **Could you please report on the level of resources, including staffing and budget, work-related rights and the applicable rules for the working conditions for judges and prosecutors and investment in infrastructure? Including namely:**
 - **Budgetary trends comparing 2024 to 2025;**
 - **Detail information on the budget of individual courts/prosecution offices, Judicial Council, Prosecutorial Council, Judicial Training Centre;**

The Judicial Council:

For more detail information on the budget of the judiciary please find Annex 2 attached.

The Prosecutorial Council:

The individual budgets of state prosecutor's offices for 2025 and 2026 are shown in the table below:

Prosecutor's Office	Budget Law of Montenegro 2025 (€)	Budget Law of Montenegro 2026 (€)
Supreme State Prosecutor's Office	1,980,829.27	1,984,722.72
Special State Prosecutor's Office	3,358,571.90	3,393,052.57
Higher State Prosecutor's Office Podgorica	1,277,629.29	1,419,876.30
Higher State Prosecutor's Office Bijelo Polje	666,975.13	636,886.23
Basic State Prosecutor's Office Podgorica	1,888,689.28	1,886,380.13
Basic State Prosecutor's Office Bijelo Polje	578,733.68	716,390.68
Basic State Prosecutor's Office Bar	600,116.96	753,704.23
Basic State Prosecutor's Office Ulcinj	326,345.73	399,508.87

Basic State Prosecutor's Office Kotor	843,124.25	823,641.47
Basic State Prosecutor's Office Herceg Novi	334,971.19	336,278.47
Basic State Prosecutor's Office Cetinje	423,959.87	512,185.98
Basic State Prosecutor's Office Nikšić	649,729.39	746,924.34
Basic State Prosecutor's Office Pljevlja	362,501.34	399,320.84
Basic State Prosecutor's Office Plav	266,676.81	286,708.37
Basic State Prosecutor's Office Berane	386,460.29	437,151.55
Basic State Prosecutor's Office Kolašin	264,566.81	319,912.24
Basic State Prosecutor's Office Rožaje	285,028.70	319,219.26
Management and Administration of the Prosecutorial Council	651,926.76	745,499.41
Implementation of the System for the Selection and Promotion of State Prosecutors	251,241.96	
	236,411.28	
Total: 15,398,078.60 16,353,774.94		

The Ministry of European Affairs:

For the data on the *budget assigned to the Training Centre* please see a dedicated question on the topic below.

- **Number of systematised and filled judicial/prosecutorial positions per every individual court/prosecution office.**

The Judicial Council:

Please find attached a detailed table on numbers of vacant/filled judicial positions in Annex 1.

The Prosecutorial Council:

Supreme State Prosecutor's Office

- Under the Decision on the Number of State Prosecutors: head + 10 state prosecutors
- Filled positions: head and 7 state prosecutors

Special State Prosecutor's Office

- Under the Decision on the Number of State Prosecutors: head + 20 state prosecutors
- Filled positions: Chief Special Prosecutor and 8 special state prosecutors, while 5 state prosecutors are temporarily assigned to work in the Special State Prosecutor's Office.
- One special prosecutor was temporarily suspended from office on 13 December 2022, while one special prosecutor was temporarily assigned to work at the Judicial and State Prosecution Training Centre.

- One special prosecutor was dismissed from office on 5 June 2025, following a final court judgment sentencing her to an unconditional prison sentence.
- Two special prosecutors resigned during 2025.

Higher State Prosecutor's Office in Podgorica

- Under the Decision on the Number of State Prosecutors: head + 16 prosecutors
- Filled positions: head and 12 state prosecutors.
- Two state prosecutors were temporarily suspended from office, on 19 October 2018 and 7 October 2025.

Higher State Prosecutor's Office in Bijelo Polje

- Under the Decision on the Number of State Prosecutors: head + 6 prosecutors
- Filled positions: head and 5 state prosecutors

Basic State Prosecutor's Office in Podgorica

- Under the Decision on the Number of State Prosecutors: head + 24 state prosecutors
- Filled positions: head and 18 state prosecutors
- Four state prosecutors are temporarily assigned to work in the Special State Prosecutor's Office, while one state prosecutor is temporarily assigned to work in the Basic State Prosecutor's Office in Cetinje.

Basic State Prosecutor's Office in Bijelo Polje

- Under the Decision on the Number of State Prosecutors: head + 7 state prosecutors
- Filled positions: head and 7 state prosecutors

Basic State Prosecutor's Office in Nikšić

- Under the Decision on the Number of State Prosecutors: head + 8 state prosecutors
- Filled positions: head and 8 state prosecutors

Basic State Prosecutor's Office in Bar

- Under the Decision on the Number of State Prosecutors: head + 7 state prosecutors
- Filled positions: head and 6 state prosecutors

Basic State Prosecutor's Office in Berane

- Under the Decision on the Number of State Prosecutors: head + 4 state prosecutors
- Filled positions: head and 1 state prosecutor

Basic State Prosecutor's Office in Kotor

- Under the Decision on the Number of State Prosecutors: head + 9 state prosecutors
- Filled positions: head and 4 state prosecutors
- One state prosecutor is temporarily assigned to the Special State Prosecutor's Office.

Basic State Prosecutor's Office in Pljevlja

- Under the Decision on the Number of State Prosecutors: head + 4 state prosecutors
- Filled positions: head and 2 state prosecutors

Basic State Prosecutor's Office in Rožaje

- Under the Decision on the Number of State Prosecutors: head + 3 state prosecutors
- Filled positions: head only

Basic State Prosecutor's Office in Herceg Novi

- Under the Decision on the Number of State Prosecutors: head + 3 state prosecutors
- Filled positions: head and 2 state prosecutors

Basic State Prosecutor's Office in Cetinje

- Under the Decision on the Number of State Prosecutors: head + 3 state prosecutors
- Filled positions: head and one state prosecutor assigned from the Basic State Prosecutor's Office in Podgorica

Basic State Prosecutor's Office in Ulcinj

- Under the Decision on the Number of State Prosecutors: head + 2 state prosecutors
- Filled positions: 2 state prosecutors
- Vacant position: head

Basic State Prosecutor's Office in Plav

- Under the Decision on the Number of State Prosecutors: head + 1 state prosecutor
- Filled positions: head only

Basic State Prosecutor's Office in Kolašin

- Under the Decision on the Number of State Prosecutors: head + 1 state prosecutor
- Filled positions: head and 1 state prosecutor
 - **New developments over the past year concerning the remuneration/bonuses/rewards for judges and prosecutors.**

The Ministry of Justice:

Independently of the adoption of law on Salaries, and with the aim of strengthening the financial independence of holders of judicial and constitutional court functions, the Government of Montenegro, at its session held on 25 December 2025, adopted the Draft Law Amending the Law on the Judicial Council and Judges, the Draft Law Amending the Law on the State Prosecutor's Office, and the Draft Law Amending the Law on the Constitutional Court of Montenegro. These draft laws provide that judges, presidents of courts, state prosecutors, heads of state prosecutor's offices, and judges and the President of the Constitutional Court shall be entitled to a functional allowance in the amount of 30% of the basic

salary until 31 December 2026. The draft laws are currently in parliamentary procedure, and an extraordinary session of the Parliament of Montenegro has been scheduled for 2 February 2026.

- **Could you please inform whether there was an update on the legal framework concerning the accessibility of courts? Have there been any developments in relation to the level of court and legal fees, availability of legal aid, and language support services for individuals navigating the justice system?**

The Ministry of Justice:

Based on the Report on the Engineering Assessment of the Condition of Judicial Buildings in Montenegro (UNOPS), the Ministry of Justice prepared an Analysis of the Accessibility of Judicial Buildings for Persons with Disabilities, in accordance with the Strategy for the Protection of Persons with Disabilities from Discrimination and the Promotion of Equality for the Period 2022–2027.

Although the applicable construction laws and regulations—particularly the Rulebook on the Detailed Conditions and Manner of Adapting Buildings for Access and Movement of Persons with Reduced Mobility and Persons with Disabilities—have, since 2008, prescribed mandatory accessibility of public buildings, as many as 25 out of 38 judicial buildings are completely inaccessible to persons with reduced mobility and persons with disabilities, while only two buildings can be considered accessible.

The analysis will serve as a basis for future activities in this area.

Could you please report on the allocated working spaces and working conditions at all levels of the judiciary? Could you also provide information on the level of equipment and what IT systems, assessment tools used within the justice system, particularly in terms of ICT systems for case management, transparency in court statistics, and mechanisms for monitoring and evaluating the efficiency of judicial processes?

The Ministry of Justice:

The assessment of the condition of facilities in which judicial authorities operate in Montenegro is part of the project “Enhancing the Capacity and Preparedness of the Montenegrin Judiciary for European Integration”, financed by the European Union and implemented by UNOPS in partnership with the Ministry of Justice.

The assessment was carried out in accordance with the “Methodology for Assessing the Condition of Judicial Facilities in Montenegro”, developed by UNOPS in December 2024, and aims to provide an engineering analysis of 38 facilities in which 61 judicial authorities operate across 17 cities in Montenegro.

Of the 38 assessed facilities in Montenegro, only five were recorded as spatially and programmatically adequate in relation to the needs of the judicial authority using them. This refers to the size and number of individual rooms, as well as the overall floor area and functional organization of spaces intended for staff, as well as spaces intended for parties, in relation to contemporary requirements for this purpose.

No facility was recorded as being fully technically and technologically compliant with contemporary requirements of the judiciary. This refers to the condition of all installations, systems, finishes, equipment, and other building elements in relation to current regulations and standards for this intended use.

Nevertheless, it was assessed that 10 out of the 38 facilities have the potential, with appropriate interventions, to be successfully adapted to regulatory and contemporary requirements for this purpose; however, it remains necessary to reduce the current number of user institutions housed within them.

The key findings of the engineering assessment of judicial infrastructure are addressed through recommendations that can be grouped into two categories: recommendations for the construction of new spatial capacities, and recommendations for bringing existing spatial capacities into compliance with regulations, as well as for their improvement and maintenance.

IT systems

At the Ministry of Justice, adequate working conditions exist for ICT staff in the Directorate for ICT of the Judiciary and Data Security, which manages the process of digitalizing the judiciary in Montenegro. These conditions were established in 2025, when some staff from the old Ministry of Justice building moved to the new premises.

In the Administration for the Enforcement of Criminal Sanctions, certain working conditions exist but need to be improved.

Regarding the level of equipment, judicial institutions have basic working tools, particularly in terms of computer and network communication equipment. The total number of computers used by end-users is 2,000; however, their average age is around six years. The plan is to reduce this average age to 5.2 years by the end of 2026 with support from IPA II funds.

The Ministry of Justice operates an old Data Center hosting IT infrastructure, which has solid processing power and resources; however, the facility does not meet TIER 2 and ISO/IEC 27001:2022 standards. Therefore, it is planned to adapt a new Data Center space at the Ministry of Justice premises, as outlined in the Judiciary Digitalization Strategy 2025–2028 and the 2026 Action Plan.

Courts have their own Data Center, which has excellent server and storage infrastructure resources.

The State Prosecutor's Office does not have its own Data Center; its equipment is hosted in the Ministry of Public Administration's data center. The Administration for the Enforcement of Criminal Sanctions has a server room, which does not meet basic standards and must be improved in the near future.

Courts use the CMS system for case management, which was upgraded to version 2 – PRIS v2 in 2025. The State Prosecutor's Office currently uses IBM Case Manager for case management, but in 2025, development of a new prosecutor CMS system began with support from the Ministry of Justice, with completion planned by the end of 2026.

The Ministry of Justice operates several newer-generation information systems covering most business processes under its authority:

- Criminal Records Registry
- Fines Registry
- Conditional Release Application
- System for Recording Cases from International Legal Assistance
- E-Monitoring System for Convicted Persons

Additionally, the Ministry's information property includes the SAPA system for recording persons deprived of liberty, used in the Administration for the Enforcement of Criminal Sanctions.

To assess the efficiency and transparency of judicial work, a Data Warehouse / Business Intelligence system is used, which has been in production since 2025 and is located at the Ministry of Justice.

The Judicial Council:

The judiciary currently uses over 1,500 computers/workstations, as well as more than 100 laptops. About 95% of locations are connected via fiber-optic cables, allowing speeds of up to 1 Gbps, providing a strong foundation for planned projects involving the participation of remote participants in court proceedings. The judiciary has its own data center with standard climate control systems for data centers, a generator, and UPS systems, as well as standard IT infrastructure, which forms the basis for the operation of such a large system in terms of security and availability.

In the second half of December 2025, the data center was upgraded with an AI server, which during 2026 will enable the implementation of multiple projects aimed at increasing transparency, improving access to court practice, and optimizing and automating administrative processes in the judiciary (e.g., speech-to-text). In parallel, the DR (disaster recovery) site was technically adapted, with climate control, UPS, and generator provided. However, the budget currently does not include funds for purchasing servers and storage, nor for firewalls and necessary network equipment, making it important to secure donor funding to fully implement the judiciary's business continuity plan.

Regarding equipment for digitalization, the judiciary currently has over 1,000 printing and scanning devices, mostly with limited performance. In the previous year, sufficient funds were not provided to purchase a larger number of dedicated scanners, which limited the launch of the mass digitization project for case files and court archives. During 2026, the renewal of multimedia equipment for trials and video conferences is planned, which, due to lack of budget, has not been systematically updated since 2015, representing an operational risk for stable trial support.

Regarding information systems, the existing Case Management System (CMS) has been improved by introducing measurable indicators for statistics and analytics, with expanded reporting to all interested parties. The CMS and the random case assignment mechanism are now available in 100% of courts, after a project in 2025 included misdemeanor courts. Additionally, in November 2025, an application for accelerated case resolution was activated for cases where judgments/decisions can be generated from standardized templates for specific registries (Administrative Court and misdemeanor courts). At the

beginning of 2026, the e-hearing application is planned to be launched, which will show judges and council members available time slots and facilitate hearing scheduling.

To improve information accessibility and transparency, in 2026 it is planned to launch an upgraded judiciary portal and mobile applications, which will allow parties and participants in proceedings to access cases and track case progress. The portal will include multilingual content, improved accessibility, and implementation of a semi-automatic anonymization system, which will increase the number of published decisions and improve public access to court practice. Planned functionalities also include a calculator for court fees and procedure costs, electronic payment of fines and fees (e-payment), and notifications to parties and participants.

The upgraded portal and mobile applications form the foundation for the development of e-service and e-filing. The plan is to begin implementation during 2026 so that by 2027, e-filing can be applied in all courts. Further improvements to e-services are planned, including a register of digital evidence, an ERP system for the judiciary, and further development of the e-filing system in the Pledge Registry. Additionally, the goal is to enable the issuance of certificates and confirmations, and other certifications in electronic form where applicable. In 2026, funding is planned to equip a computer lab for digital testing of judicial candidates, along with the development of an internal testing system.

During 2026, the Monetary Fines Register will be connected to the PRIS system, and after the completion of the State Prosecutor's Office system, it is planned to connect that system to PRIS as well.

Publication of court decisions and data: Online access to court data, including publication of anonymized court decisions, has been functioning for many years. The goal is to improve this process through the use of AI tools for automated anonymization, which would significantly reduce the time required to publish decisions and increase public access to judicial data.

To date, 589,042 final court decisions of all types and levels have been publicly published on the site sudovi.me, with 39,809 decisions published publicly during 2025.

The Prosecutorial Council:

The first year of the project being implemented by the State Prosecution, with financial support from UNDP, is currently underway. The project involves the development of an application for case management in state prosecutor's offices with a document case management system (CMS).

This system will enable full digitalization of state prosecutor's offices, encompassing comprehensive information and data related to cases, as well as planning and monitoring of case proceedings. It will also include the development of analytical tools that allow integrated access to databases with advanced search capabilities and automated report generation. Additionally, the system will provide direct access to the databases of institutions that cooperate with state prosecutor's offices, including the Ministry of Justice, Ministry of Interior, Police Administration, Court of Justice (FOJ), Customs Administration, Tax Administration, and the Central Bank of Montenegro.

Regular monthly reports are being prepared by the team developing the system. A Commission has also been established at the level of the Prosecutorial Council to monitor and oversee the case management system.

The CMS Monitoring and Oversight Commission, together with the Secretariat of the Prosecutorial Council, conducted an analysis of the technical and personnel capacities of state prosecutor's offices in the process of establishing the Case Management System.

Additionally, pursuant to a conclusion of the Prosecutorial Council and with UNDP support, a process is underway to engage experts to integrate artificial intelligence into the CMS.

The deadline for CMS implementation is the end of 2026.

Within the Secretariat of the Prosecutorial Council, a unified database has been established for all state prosecutors, as well as records maintained by the Secretariat. Work is also ongoing to establish a unified electronic database containing all data related to the work of the Prosecutorial Council, the Secretariat, and all commissions formed by the Council.

Furthermore, with the support of UNOPS, the implementation of the ISO 27001:2022 information security management standards in the Secretariat of the Prosecutorial Council has been completed.

- **Are there any developments on the upgrade of the court information system (PRIS) to improve efficiency and transparency?**

The Ministry of Justice:

In June 2025, the upgrade and implementation of the judicial PRIS case management system to version 2 – PRIS v2 was completed, ensuring 100% coverage, including misdemeanor courts.

- **Has there been any progress on the use in all courts, including misdemeanour courts, of the random allocation of cases system, access to justice and of publication of court decisions, including transparent and clearly defined procedures for case allocation in place? Also please provide an update on a unified online access to court data including decisions.**
Progress has been achieved: the PRIS v2 system version has been implemented in all misdemeanor courts in Montenegro.

The Ministry of Justice:

The PRIS v2 system has been upgraded in terms of metadata and reporting, ensuring 100% coverage with current case assignment and other segments provided by the information system for misdemeanor courts, as well as in data entry validation. This has created the preconditions for higher-quality statistical reports and reduced errors in data entry across all courts.

Transparency of judicial proceedings through the publication of anonymized decisions and processes:

A comprehensive redesign of the portal <https://www.sudovi.me/> is underway, covering both the public (external) and internal parts of the portal. Accessibility functionalities (e.g., support for screen readers,

contrast and font size adjustments, ARIA support) will be implemented and launched in production together with the new portal in Q3 2026.

Development and implementation of an automatic personal data anonymization system:

A pilot phase of part of the automatic personal data anonymization service has already been established in one court.

It is expected that the system will reach full functionality over the next year, enabling broader use in courts, which will directly contribute to increasing the percentage of published anonymized decisions.

Courts are continuously working to increase the percentage of published anonymized decisions, in line with the strategic commitment to greater transparency in judicial work. Full implementation of the automatic personal data anonymization system is expected to further accelerate and facilitate the publication of decisions, reducing the workload on court administration and judges, thereby directly improving the achievement of this activity.

In the Judiciary Digitalization Strategy 2025–2028, the development of the (e-Filing) system is planned for 2026.

- **Could you please report on the clearance rate, disposition time and case backlogs at the different courts, notably the Constitutional Court, Appellate Court, the High Court of Podgorica? Additionally, please provide an update on the clearance rate for administrative cases and proceedings and whether any measures were taken to improve it. Please provide also information on the backlog reduction strategy since the last annual report of the 2025 enlargement package, based on the CEPEJ's "Backlog Reduction Tool".**

The Judicial Council:

Efficiency of courts (Clearance rate, case resolution time, and number of pending cases)

In 2025, according to preliminary results from the Draft Report, Montenegrin courts had 165,978 cases pending, of which 91,300 were new cases.

A total of 93,430 cases were resolved, representing 102.33% of incoming cases (Clearance Rate, CR) (92.32% in 2024), of which 14,036 cases were older than 3 years. The number of unresolved old cases was 8,282.

In 2025, Montenegrin courts increased the timeliness of case handling by 10% compared to 2024.

The number of unresolved enforcement cases (Registry I) at the end of 2025 was 223 cases.

Compared to the Administrative Court of Montenegro, the case clearance rate (CR) has significantly improved. In 2025, the clearance rate was 156.18% (compared to 106.69% in 2024). Additionally, the time required to resolve cases decreased from 882.29 days in 2024 to 616.07 days in 2025.

At the Appellate Court of Montenegro in 2025, the clearance rate was 99.15% (compared to 98.85% in 2024). However, the time required to resolve cases increased slightly from 13.33 days in 2024 to 14.84 days in 2025.

At the Higher Courts, the clearance rate in 2025 was 92.36% (compared to 90.59% in 2024). The time required to resolve cases increased from 165.15 days in 2024 to 174.31 days in 2025.

Please find general preliminary performance data for the judiciary for 2025 in Annex 7.

The Constitutional Court:

In 2025, the Constitutional Court of Montenegro achieved the set goal related to promptness in resolving old cases.

In this year, the Constitutional Court received 1115 constitutional appeals, while in the same period it resolved 1462 constitutional appeals. Only 3 cases from 2023 remain pending, and these are expected to be resolved by the end of January, 705 cases from 2024 and 948 cases received in 2025.

In the area of abstract normative control, Constitutional Court also achieved efficiency in decision-making, with 84 received cases in which an assessment of the constitutionality of laws and by-laws was requested, while in the same period 100 cases from this jurisdiction were resolved.

- **Could you please provide an update on the enforcement in practice of court's decisions and the track record data?**

For data on this point please find Annex 8 attached.

- **Could you please update on the use of alternative dispute resolution and mediation system, number, resolution rate and duration of procedures?**

Centre for Alternative Dispute Resolution:

In the recent years, Center for Alternative Dispute Resolution has experienced steady growth in the number of cases. There is a growing number of citizens, businesses and institutions who are recognizing mediation as a faster and more efficient alternative to court proceedings.

In the past year, Center worked on promoting mediation, strengthening international cooperation and improving the skills of mediators.

Memorandums of cooperation were signed between the Center for Alternative Dispute Resolution and the Ministry of Economic Development, the Croatian Centre for Peaceful Dispute Resolution and the AIRE Centre. The purpose of established partnerships is to promote mediation as a faster and more efficient method of dispute resolution, to enable joint educational programs and the exchange of knowledge and experiences.

Over the past year, Center organized a series of advanced training programs aimed at improving the knowledge and skills of mediators. Some of these trainings are "Mediation in commercial disputes", "Specification of family mediation and domestic violence in partner relationship". And "The use of

psychotherapy techniques and interventions in mediation". In addition, Center organized a conference and a round table on the advantages of resolving commercial disputes through mediation, and further promoting sharing insights among professionals in this field.

In 2025, the Center for Alternative Dispute Resolution received 7144 cases, which clearly indicates a growing level of trust in the alternative dispute resolution system and its importance for the overall legal system.

One of the fundamental principles guiding the Center is the principle of procedural economy. Special attention is given to family cases, because of their specific nature. On average, these cases are resolved within a period of two months. However, deviation may occur depending on the complexity of the case and the level of cooperation between the parties.

In the certain number of cases, additional actions are required, such as engagement of expert or obtaining consent from the Protector of Property-Legal Interests of Montenegro, which may lead to an extension of the mediation process. Furthermore, in cases where the parties reach a settlement through mediation, the agreement is submitted to the competent court for verification, which also affects the overall duration of the procedure.

Based on the above, it can be concluded that mediation, supported by the dedicated work of the Center for Alternative Dispute Resolution, represents an important component of the national legal system and has significant potential for further development.

Pursuant to Article 57 of the Law on Alternative Dispute Resolution ('Official Gazette of Montenegro', Nos. 77/20 and 53/25), the Centre for Alternative Dispute Resolution performs professional and administrative tasks related to mediation, early neutral evaluation of disputes, and other methods of alternative dispute resolution; informs the professional community and the wider public about the possibilities and advantages of alternative dispute resolution; initiates the adoption or amendment of regulations in order to ensure alignment with international standards in the field of alternative dispute resolution; provides opinions on the work of mediators and dispute evaluators in procedures for the extension and termination of licences for mediators and licences for dispute evaluators; monitors and evaluates the work of mediators and dispute evaluators and prepares reports thereon, which it submits to the Ministry of Justice; conducts training for mediators and dispute evaluators, as well as for other persons conducting other alternative dispute resolution procedures, and organises their professional development; adopts the Statute and the act on internal organisation and job systematisation, with the consent of the Ministry of Justice; adopts the Code of Ethics for Mediators and the Code of Ethics for Dispute Evaluators; maintains records on alternative dispute resolution, in aggregate and by individual types of proceedings; receives complaints regarding the work of mediators and dispute evaluators; publishes materials related to alternative dispute resolution and organises professional and scientific conferences in this field; and performs other tasks prescribed by law and the Centre's general acts.

Within the Department for Alternative Dispute Resolution, out of ten positions envisaged by the Rulebook on Internal Organisation and Job Systematisation, six positions are filled. In accordance with the approved

budget for 2026, the Centre planned to initiate, in 2026, the procedure for filling two (2) civil service positions, namely: Senior Independent Adviser I and Adviser II.

The engagement of new employees – civil servants/support staff – during 2026 is necessary due to the increased workload related to the implementation of activities falling within the Centre's competences under the Law on Alternative Dispute Resolution ('Official Gazette of Montenegro', Nos. 77/20 and 53/25), particularly those related to the administration of cases referred to mediation, as well as the keeping of records and statistics regarding received cases and initiated mediation proceedings. Specifically, the approval of funds for the above-mentioned positions will ensure the uninterrupted operation and functioning of the Centre, as the current situation (staff shortages and a high number of cases – the Centre received 7,144 cases in 2025) cannot fulfil the purpose of alternative dispute resolution (efficiency, cost-effectiveness, and access to justice).

Currently, six employees are engaged in numerous activities related to the conduct of mediation proceedings and are, on an annual basis, responsible for over 2,000 cases, which indicates the need and necessity to increase the number of employees in the department dealing with mediation. Furthermore, daily communication with parties (lawyers, citizens, representatives of legal entities), receipt and delivery of documents, calculation of payments for mediators' fees, and other daily activities also affect the need to increase the number of employees in the Financial Affairs Service.

Through the implementation of the Judiciary Digitalisation Strategy 2025–2028, it is envisaged that the Centre for Alternative Dispute Resolution will be digitalised and, for the purpose of efficient conduct of mediation proceedings, connected through a unified information system with relevant institutions (courts conducting the confirmation of settlements concluded before the Centre, the institution of the Protector of Property and Legal Interests, etc.).

For the purposes of the above, a Business Analysis of the development and implementation of an information system for the needs of the Centre for Alternative Dispute Resolution has been prepared, reflecting the Centre's urgent need for a new information system. The analysis was conducted on the basis of interviews with representatives of the Centre, mediators, representatives of the courts, and the Protector of Property and Legal Interests.

- **Update on the judicial training for judges, prosecutors, legal advisers, lawyers, other legal professions, court staff and clerks that have a role in the correct implementation of the EU acquis. Please provide a number of special trainings delivered.**

The Centre for Training in Judiciary and State Prosecution Service:

Throughout 2025, the Centre placed particular emphasis on strengthening the knowledge of holders of judicial office – judges and state prosecutors, candidates for judicial and prosecutorial positions, legal advisers in courts and state prosecution offices, as well as judicial trainees – in the field of European Union law, the case law of the Court of Justice of the European Union, and the exchange of experience with counterparts from EU Member States. In this regard, it was implemented 38 training activities. The aforementioned training activities were conducted by the Centre independently or in cooperation with

international and national non-governmental organizations and the funds for the implementation hereof were provided from the Centre's budget and through international cooperation and projects.

A detailed overview of the aforementioned activities follows.

Initial training programme

During 2025, ten days of training in EU law were delivered, in accordance with the EU Law Curriculum, to two different generations of participants. The participants included: 23 candidates for judges of Basic Courts, one candidate for judge of the Commercial Court of Montenegro, one candidate for judge of the Administrative Court of Montenegro, nine candidates for State Prosecutors, and six candidates for Misdemeanor Judges.

Continuous training of judges and state prosecutors and international cooperation

7 April 2025 – Podgorica:

The Judicial and State Prosecutorial Training Centre organized a seminar entitled "Cooperation and the Provision of International Legal Assistance in Criminal Matters". The seminar was organized within the framework of the 2025 Continuous Training Programme for Judges and State Prosecutors. A total of 17 participants attended (8 judges, 2 State Prosecutors, 6 advisers from courts and 1 adviser from the State Prosecutor's Office).

9 May 2025 – Podgorica:

Within the 2025 Continuous Training Programme for Judges and State Prosecutors, the Centre organised training on "International Legal Assistance in Civil and Commercial Matters – Harmonization Based on the Hague Conventions". The training was attended by six (6) representatives of the Montenegrin judiciary: two (2) judges of the Commercial Court of Montenegro, two (2) judges of the Basic Court in Podgorica, one (1) judge of the Basic Court in Nikšić, and one (1) judge of the Basic Court in Kotor.

2 June 2025 – Podgorica:

The Centre organized follow-up training on "International Legal Assistance in Civil and Commercial Matters – The Hague Convention on the Recognition and Enforcement of Foreign Judgments", as a continuation of the training delivered in May. The training was attended by eleven (11) representatives of the Montenegrin judiciary.

The majority of activities were implemented through cooperation with the EJTN, representing a continuation of the excellent collaboration with this EU body.

Representatives of the Montenegrin judiciary participated in one-hour online seminars organized by the European Judicial Training Network (EJTN) on the following topics:

"EU Fundamental Freedoms from the Perspective of Direct Taxation Law" – attended by one (1) representative of the Montenegrin judiciary, the President of the Court of Appeal of Montenegro;

“Victims’ Rights: Sexual Abuse of Minors/ the Barnahus Model” – attended by three (3) representatives: one (1) judge of the Administrative Court of Montenegro and two (2) trainees from the Basic State Prosecutor’s Office in Bijelo Polje;

“The Use of Clear and Understandable Language in Judicial Proceedings” – attended by one (1) representative, the President of the Court of Appeal of Montenegro;

“Time Management” – attended by five (5) representatives: the President of the Court of Appeal, two (2) IT advisers from the Basic State Prosecutor’s Office in Podgorica, the Head of the PR Service of the same office, and one (1) public relations adviser;

“Assessment of Evidence in Asylum Procedures” – attended by one (1) judge of the Administrative Court of Montenegro;

“Electronic Service of Documents and the Conduct of Hearings via Video Conference” – attended by three (3) representatives: the President of the Court of Appeal, one (1) judge of the Commercial Court of Montenegro, and one (1) judge of the Administrative Court of Montenegro;

“Fundamental Rights of LGBTIQ+ Persons” – attended by one (1) representative, the President of the Court of Appeal of Montenegro;

“Legal English in the EU: The Road Ahead” – attended by two (2) representatives: one (1) judge of the Administrative Court of Montenegro and one (1) judge of the Basic Court in Podgorica;

“Generation Gap? – Challenges in Judicial Training in the Context of Adapting to Generation Z” – attended by one (1) judge of the Basic Court in Podgorica;

“Digitalization and Its Impact on Civil Proceedings in the EU” – attended by two (2) representatives: one (1) judge of the Administrative Court of Montenegro and one (1) judge of the Basic Court in Bar;

“Access to Effective Remedies and Legal Assistance under the EU Pact on Migration and Asylum” – attended by one (1) judge of the Administrative Court of Montenegro.

In total, 21 representatives of the Montenegrin judiciary participated in these one-hour online seminars.

Furthermore, in cooperation between Centre and the European Judicial Training Network (EJTN), within the “Western Balkans II” project, representatives of the Montenegrin judiciary participated in the following six (6) activities:

Training on “Protection of Intellectual Property in the European Union – in the Context of the Legal System of Montenegro”, attended by ten (10) representatives: three (3) judges of the Supreme Court of Montenegro, five (5) judges of the Commercial Court of Montenegro, one (1) adviser from the High Misdemeanor Court of Montenegro, and one (1) adviser from the Commercial Court of Montenegro;

Training of Trainers on EU Administrative Law in the Context of the Legal System of the Republic of Serbia, attended by two (2) judges of the Administrative Court of Montenegro;

Training of Trainers on the Charter of Fundamental Rights of the European Union in the Context of the Legal System of the Republic of Serbia, attended by six (6) judges from Montenegro;

A two-and-a-half-hour online conference entitled “Gender Equality in the Judiciary: How to Achieve It Through Training?”, attended by nine (9) representatives of the Montenegrin judiciary;

A study visit on combating organised crime, attended by two (2) State Prosecutors from the Basic State Prosecutor’s Offices in Podgorica and Kotor;

A two-day training-of-trainers programme on judicial skills, attended by two (2) judges (one from the Court of Appeal and one from the High Court in Podgorica).

Other training activities:

Within the CLEUIM project (Jean Monnet Chair in Law of the EU Internal Market), in cooperation with the Faculty of Law of the University of Montenegro, training on “The EU Internal Market and Environmental Protection” was organised, attended by twelve (12) representatives of the Montenegrin judiciary. The main topic was “Environmental EU Law”.

Another training on environmental law was organized, within the project “Mainstreaming Biodiversity into Sectoral Policies and Practices and Strengthening the Protection of Key Biodiversity Areas in Montenegro” (GEF 7), implemented by the Ministry of Ecology, Sustainable Development and Northern Region Development, in cooperation with the Centre for Training in Judiciary and State Prosecution and the Centre for the Protection and Research of Birds of Montenegro (CZIP). A two-day training entitled “Strengthening Cooperation and Mutual Understanding among Judges, Prosecutors, Inspection Authorities, Rangers and the Police in the Enforcement of Nature Protection Legislation” attended by nine (9) representatives of the Montenegrin judiciary.

Representatives of the Montenegrin judiciary also participated in:

- WIPO (World Intellectual Property Organization) national workshop on the enforcement of intellectual property rights organized by WIPO and the Ministry of Economic Development of Montenegro which was intended for law enforcement officials and representatives of the Montenegrin judiciary: three (3) representatives of the Montenegrin judiciary participated, namely one (1) State Prosecutor from the Basic State Prosecutor’s Office in Podgorica and two (2) judges of the Commercial Court of Montenegro.
- In cooperation with the Centre for Democracy and Human Rights (CEDEM), at the invitation of the Macedonian Centre for International Cooperation (MCMS) and the SELDI.net network, within the EU-funded project “How Much Does Corruption Cost?”, training was organized on the topic “The Needs of the Montenegrin Judiciary, Police and Customs in Enhancing Judicial Cooperation in Criminal Matters and Measures to Combat Corruption”. The training was attended by ten (10) representatives of the Montenegrin judiciary, namely four (4) judges, two (2) State Prosecutors and four (4) advisers from State Prosecutor’s Offices.

In cooperation with German Foundation for International Legal Cooperation (IRZ), two (2) training sessions were organised, as follows:

- training on “Private International Law”, attended by six (6) judges
- training on “Efficiency of Court Proceedings and Prevention of Abuse of Rights”, attended by nineteen (19) judges

In cooperation with the Agency for Protection of Competition, Centre organized a round table entitled “Protection of Competition Rights and State Aid”, attended by seven (7) representatives of the Montenegrin judiciary, namely four (4) judges and three (3) advisers from courts.

Training programme for trainees

In 2025, within the Trainees Training Programme, one training session was organised on “European Law – Case Law of the European Court of Human Rights and the Court of Justice of the European Union”, attended by 23 trainees from courts and State Prosecutor’s Offices (11 judicial trainees and 12 prosecutorial trainees).

- **What are the resources and budget assigned to the Training Centre? Has there been any change compared to the last reporting period?**

The Centre for Training in Judiciary and State Prosecution Service:

According to the Budget of Montenegro for 2025, for the Centre was allocated €826,274.90, which is less than the amount prescribed by the Law on the Centre for training in Judiciary and State Prosecution. The Law prescribes that the funds for the work of the Center shall be allocated in a special portion of the Budget of Montenegro in the amount of 2% of the allocated budget for judiciary and state prosecution. The allocation for 2025 corresponds to 1.66% of the legally prescribed level.

With regard to the budget for 2026, the Ministry of Finance demonstrated responsiveness to the Centre’s stated financial needs and allocated funds in a higher amount. Budget for the Centre for 2026 is amounted to €926,180.22. The aforementioned sum equals 1.84% of the budget allocated for judiciary and state prosecution. In addition, the Ministry of Finance has given assurances that, upon the Centre’s request, it will secure the missing funds from the current budget reserve up to the amount prescribed by law, should such a need arise.

- **Could you please provide information on the level of implementation of the Plan for the rationalisation of court network and the 2025-2028 Judicial Digitalisation Strategy? Please provide an update on the adoption of digital technology and electronic communication tools and on measures ensuring the access to judgments online and the adherence to procedural rules in the digital environment.**

The Ministry of Justice:

Plan for the rationalisation of the court network

Following the completion of the public consultation process, the Draft Law on Amendments to the Law on Courts was submitted to the European Commission on 16 September 2025 for its opinion. This law envisages the rationalisation of the judicial network, including the abolition of the Basic Court in Žabljak.

In order to ensure the right of citizens of the Municipality of Žabljak to access to a court, an organisational unit of the Basic Court in Pljevlja will be established in Žabljak. This will contribute to a more efficient organisation of the judicial network and to the effective and efficient exercise of the right to judicial protection.

Judicial Digitalisation Strategy

At the Government session held on September 25, a Decision was made on the establishment of a Coordination Body for monitoring the implementation the Strategy for the Digitalization of Justice 2025-2028, with an Action Plan for its implementation, for the period 2025-2026.

So far, two meetings of the Coordination Body have been held, the Rules of Procedure have been adopted, and work is ongoing on the implementation of activities from the AP, which will be presented in the annual report on the implementation of the AP 2025-2026 in the first quarter of 2026.

Important activities completed within the framework of the Action Plan for 2025:

- Implementation of the court case management system (PRIS 2 solutions) in misdemeanor courts;
- Through IPA II support, under the auspices of the UNOPS project, a server device was delivered for the purpose of applying artificial intelligence (AI) tools in the judiciary;
- Development of a new case management system began in the State Prosecutor's Office;
- Implementation of the ISO 27001:2022 information security management standard was completed in the Ministry of Justice, the Secretariat of the Judicial Council and the Secretariat of the Prosecutorial Council, while the second-party audit was conducted in UIKS.

The preparation of the annual report on the implementation of the Judiciary Digitalization Strategy 2025–2028 is currently underway. The report is expected to be completed in Q1 2026 and submitted to the Government for adoption.

It can be stated that out of 28 activities planned for 2025, 11 activities (39.28%) have been fully implemented, 7 activities have been partially implemented, and 10 activities have not been implemented. It will be necessary to revise the 2026 Action Plan in accordance with the available budget.

In the Judiciary Digitalization Strategy 2025–2028, the development of the (e-Filing) system is planned for 2026. This system will enable the online submission of acts and documents by stakeholders in proceedings, as well as by citizens.

The development of integrated e-services with online payment support on the judicial portal is planned for this year as part of the functional and visual enhancement of the portal sudovi.me. These activities are being coordinated with the development of other services (e filing, notifications, accessibility) to ensure a unified user platform.

- **Please provide an update in case of new developments in the organisation of the justice system and the prosecution system and the geographical distribution and number of courts/prosecution office.**

The Ministry of Justice:

Following the completion of the public consultation process, the Draft Law on Amendments to the Law on Courts was submitted to the European Commission on 16 September 2025 for its opinion. This law envisages the rationalisation of the judicial network, including the abolition of the Basic Court in Žabljak.

In order to ensure the right of citizens of the Municipality of Žabljak to access to a court, an organisational unit of the Basic Court in Pljevlja will be established in Žabljak. This will contribute to a more efficient organisation of the judicial network and to the effective and efficient exercise of the right to judicial protection.

Handling of domestic war crimes cases

- 5. What has been the progress on a credible and sustained track-record of effectively investigating, prosecuting, and trying cases of war crimes, including high level cases in line with international law and standards, in full cooperation with the International Residual Mechanism for Criminal Tribunals, and ensures access to justice and reparations to victims?**

The Supreme Court:

In 2025, the Specialized Department of the High Court in Podgorica, responsible for trials related to organized crime, corruption, terrorism, and war crimes, handled two cases concerning war crimes.

The High Court in Podgorica, after a three-year trial, adjudicated a war crimes case involving crimes against the civilian population under Article 142, Paragraph 1 of the Criminal Code of the Federal Republic of Yugoslavia (FRY). The accused, S.P.Ć. (Slobodan Peković, born Ćurčić), was sentenced to 20 years of imprisonment for war crimes against civilians committed in 1992 on the territory of Bosnia and Herzegovina. The case is currently under appeal before the Court of Appeal of Montenegro (case initiated in October).

Although still at first instance, the verdict holds exceptional significance for the Montenegrin judiciary as it represents the first conviction for war-related sexual violence and the harshest sentence for war crimes since the 1996 verdict related to the murder of members of the Klapuh family.

Additionally, following amendments and supplements to the Criminal Procedure Code, the High Court in Podgorica is conducting criminal proceedings against the accused Z.G. (Zoran Gašović) for crimes against humanity under Article 427 of the Criminal Code of Montenegro, in conjunction with Article 16/2 of the Constitution of the Federal Republic of Yugoslavia. The case is currently at the trial stage.

In November 2025, the President of the Supreme Court of Montenegro, Valentina Pavličić, met with Kevin Hughes, Deputy Prosecutor of the United Nations International Residual Mechanism for Criminal Tribunals (IRMCT).

The meeting focused on the work of the Montenegrin judiciary in war crimes cases, challenges in their prosecution, and the importance of international cooperation to ensure fair and efficient judicial proceedings.

War crimes cases are treated as a priority, with consistent application of international standards throughout the proceedings. The objective of the Montenegrin judiciary is to ensure fair trials within a reasonable timeframe, protect the rights of victims, and uphold consistent application of the law.

During the meeting, further cooperation was agreed upon between Montenegrin judges and the International Residual Mechanism, including training, exchange of experiences, and best practices in war crimes cases. This cooperation aims to enhance professional capacities and ensure uniform application of international standards.

Considering the importance of protecting victims' identities, particularly in cases of sexual violence—which Montenegrin courts already apply in practice—there is a need to address victims' property-related claims within the same criminal proceedings to prevent their double victimization.

In this regard, in December 2025, the Supreme Court of Montenegro developed and presented Guidelines on the Exercise of the Right to Compensation for Victims in Criminal Proceedings (covering criminal offenses such as human trafficking, war crimes, and domestic or family violence). These guidelines are intended for judges, prosecutors, and other participants in criminal proceedings, aiming to improve the handling of cases where victims seek compensation.

The Guidelines represent an important step towards harmonizing judicial practice and strengthening the protection of victims' rights, ensuring effective, timely, and fair compensation within criminal proceedings, in line with domestic legislation and international standards.

In this context, the Guidelines on compensation for victims of war crimes also aim to ensure a consistent approach to a comprehensive system of reparations for victims of serious human rights violations, harmonize judicial practice, and reinforce the principles of truth and justice within criminal proceedings.

The Special State Prosecutor's Office:

The jurisdiction of the Special State Prosecutor's Office (SDT) over war crimes cases represents a key prerequisite for the efficient and high-quality investigation and prosecution of these complex criminal offenses. The SDT's role in this area contributes not only to achieving justice for victims but also to strengthening Montenegro's international reputation as a state committed to the rule of law and the principles of international humanitarian law.

During the reporting period, the Special State Prosecutor's Office continued its activities in accordance with the Strategy for the Investigation of War Crimes for 2024–2027 and the Action Plan for 2024–2025.

In January 2025, an Action Plan regarding events covered by already completed war crimes proceedings was adopted, based on which the cases "Morinj," "Bukovica," "Kaluderski Laz," and "Deportation" were re-established. The purpose was to analyze final court cases, review available evidence, potentially obtain new evidence, and consider legal options for further proceedings. In line with this Plan, the newly re-established cases were assigned to special prosecutors who, according to the annual work schedule, are competent to handle war crimes cases.

The SDT was visited on 7 May and 4 November 2025 by Kevin Hugues, Deputy Prosecutor of the International Residual Mechanism for Criminal Tribunals (IRMCT), and his colleagues. During meetings with the Chief Special Prosecutor Vladimir Novović and the Special Prosecutor for the Prosecution of War Crimes Offenders, Tanja Čolan Deretić, the proactive approach and activities undertaken by the SDT in this field were praised, and the next steps for further strengthening inter-institutional cooperation were agreed upon.

In line with the agreement reached at the 4 November 2025 meeting, Special Prosecutor Ana Perović Vojinović and legal advisors Vedrana Nikolić and Branko Vujisić participated on 22 December 2025 in an online training on the IRMCT database search procedures.

The proactive approach of the Special State Prosecutor's Office (SDT) has also been recognized in the European Commission's 2025 Progress Report on Montenegro, published in November 2025. The report highlights that Montenegro, thanks to the improved approach of prosecutorial authorities, continues to make good progress in the prosecution of war crimes and is building a credible and sustainable track record in the investigation, prosecution, and trial of war crimes cases, including high-level cases, in accordance with international law and standards.

Furthermore, in Annex II of the Progress Report, submitted by Serge Brammertz, Prosecutor of the International Residual Mechanism for Criminal Tribunals (IRMCT), to the United Nations Security Council, it is noted that "significant results" have been achieved in war crimes cases and that the "close cooperation" between the SDT in Montenegro and the IRMCT Prosecutor's Office is producing "positive outcomes."

Regarding statistical data, during the reporting period, the SDT opened two new war crimes cases, which are currently in progress. From earlier periods, there are 21 cases at the preliminary inquiry phase and one case at the investigation phase, while two cases have resulted in indictments.

Of the cases with indictments, in one case, the indictment was filed on 21 October 2021 and confirmed on 16 December 2021, and by the Judgment of the High Court in Podgorica, Ks No. 45/21 of 21 July 2025, the accused was found guilty and sentenced to 20 years in prison. In the second case, the indictment was filed on 19 June 2024 and confirmed by the decision of the High Court in Podgorica, Kvso No. 15/24 of 15 September 2025.

During the reporting period, no mutual legal assistance requests were sent in war crimes cases.

Furthermore, during the reporting period, a total of five requests for mutual legal assistance were received: two from the Prosecutor's Office of Bosnia and Herzegovina, and one each from the County State Prosecutor's Office in Split, the Special Prosecutor's Office of the Republic of Kosovo, and the Public Prosecutor's Office for War Crimes in Belgrade. Four of the requests concerned witness hearings, while one related to a request for the provision of information. Out of the five received requests, four were responded to, while one remains in progress (the request from the Special Prosecutor's Office of the Republic of Kosovo, concerning a witness hearing).

In three cases formed based on requests received prior to the reporting period, which were still in progress during the reporting period, two cases were responded to (to the County State Prosecutor's Offices in Split and Rijeka), while in one case (request from the Prosecutor's Office of Bosnia and Herzegovina), the requesting state informed via email during the reporting period that it was withdrawing the request.

II. Fight against corruption

Montenegro puts in place robust and effective systems to prevent and counter corruption, including high-level corruption.

Provide detailed updates and report on new developments and state of play on the following areas:

Repression of corruption

- 6. Could you please update on the operational capacities of the specialised anti-corruption bodies and regular judicial institutions to fight corruption, including high-level corruption? What is the state of play as regards ensuring the quality and capacity of the training system as well as the efficiency of case management systems? Could you please indicate the level of resources, including staffing and budget, fair and adequate work-related rights and working conditions in the High-Court of Podgorica's Special Department, Special Prosecution Office, Special Police Department and Anticorruption Agency?**

The Supreme Court:

By decisions of the Judicial Council since the beginning of 2025, the number of judges at the High Court in Podgorica has been increased. The staffing structure of the High Court in Podgorica has been significantly strengthened, given that currently 17 judges are assigned to the Special Department, including investigative judges.

Furthermore, in 2025, one advisor position was filled, and the recruitment process is underway for an additional four advisor positions through public competition. Following this, in the first quarter of 2026, a call for applications will be announced for ten more advisor positions.

Although the role of advisors is extremely important for efficient court functioning, unfortunately, interest in these positions remains very low, directly impacting the workload of judges. Judicial advisors, through drafting decisions, analyzing case law and legal issues, would provide significant expert support, enabling judges to focus more on substantive decision-making and case management. The absence of such support inevitably affects workflow dynamics and prolongs proceedings, especially in complex organized crime cases. For this reason, increasing interest and creating favorable conditions for engaging advisors represent key measures to improve court efficiency, without compromising judicial independence.

The Supreme Court of Montenegro has representatives in the Working Group preparing the Law on Judicial Administration, which will foresee higher salary coefficients for judicial advisors and other court administration staff. We expect our proposals to be accepted and the law to be enacted as soon as possible.

We would like to remind that the Plan for Improving the Efficiency of the High Court in Podgorica is already in effect, outlining a set of steps to achieve better human resource management and planning across all areas of the Special Department's work at the High Court in Podgorica. This plan was submitted in earlier reporting stages.

Taking into account the rational use of resources, the President of the Supreme Court of Montenegro has undertaken concrete measures to relieve the spatial capacity constraints of the High Court. Courtrooms of the Supreme Court and the Court of Appeal of Montenegro have been made available to judges of the Special Department of the High Court, enabling more efficient conduct of proceedings in cases involving a large number of detained persons, as well as faster and more frequent scheduling of main hearings in organized crime and corruption cases. Additionally, a courtroom of the Basic Court in Podgorica has been made available, but it remains unused due to security concerns.

We already have specialized courts and specialized judges operating within specialized departments in courts responsible for trials of organized crime, high-level corruption, terrorism, war crimes, and money laundering cases (High Court in Podgorica, Court of Appeal, and Supreme Court). Training sessions will continue actively, and we strongly support these efforts in cooperation with international organizations and the Judicial and Prosecutorial Training Centre. Expert support for judges is also provided by engaged specialists working on numerous projects funded by EU programs as well as certain embassies.

In 2025, the Judicial and Prosecutorial Training Centre independently or in cooperation with international partners and NGOs conducted thirteen (13) training sessions on topics related to combating organized crime, corruption, war crimes, money laundering, terrorism, and confiscation of criminal proceeds.

The Prosecutorial Council:

The Supreme, Special, and Higher State Prosecutor's Offices in Podgorica, as well as the Basic State Prosecutor's Offices in Rožaje, Bar, and Kotor, operate in inadequate premises. Until recently, the Basic State Prosecutor's Office in Plav had been vacated from its building due to a collapsing roof, and is currently securing its future accommodation through leased premises.

Additionally, the Prosecutorial Council and the Secretariat of the Prosecutorial Council do not have their own offices and currently operate in rented space. In the hope that the old Government building will soon be refurbished, the Special State Prosecutor's Office continues to function under substandard conditions, below minimum requirements and standards, which further complicates working conditions and efficiency.

With the support of the Government, the Basic State Prosecutor's Office in Pljevlja has permanently resolved its spatial needs. Specifically, the State purchased the building previously occupied by the Basic State Prosecutor's Office in Pljevlja and assigned it for use by the said office.

In 2026, the relocation of the Special State Prosecutor's Office (SDT) and the Special Police Department (SPO) from their current premises to the old building of the Government of Montenegro is planned.

The Ministry of Public Works of Montenegro has conducted a tender for the adaptation of the old Government building in Podgorica in order to adjust the premises to the needs of the Special State

Prosecutor's Office (SDT) and the Special Police Department (SPO). The relocation is planned following the completion of construction works and the installation of equipment.

By relocating to the old Government building, the SDT and SPO will obtain more functional and secure premises, with adequate technical and infrastructural conditions for work on complex cases of organized crime and corruption. The consolidation of these institutions at a single location will improve mutual coordination, information exchange, and the efficiency of investigations.

Special State Prosecutor's Office:

At its session held on 11 September 2025, the Prosecutorial Council adopted a Decision amending the Decision on the Number of State Prosecutors, thereby increasing the number of Special State Prosecutors in the Special State Prosecutor's Office from 16 to 20.

With regard to administrative capacities, within the staffing plan for 2026 an Act on Systematization, i.e. the Rulebook on the Internal Organization and Systematization of the Special State Prosecutor's Office, was prepared. This will result in an increase in the number of employees, given that the new Rulebook systematizes 93 positions, compared to 60 positions envisaged under the previous rulebook.

The Rulebook provides for an increase in the number of legal advisers, financial analysts, operators/court clerks, as well as other civil servants, with the aim of enhancing the efficiency of the work of the Special State Prosecutor's Office. This initiative reflects a commitment to strengthening institutional capacities in order to accelerate work processes and improve the fight against high-level corruption.

In line with the need for specialized economic expertise in the fight against high-level corruption, the Special State Prosecutor's Office strengthened its capacities by employing two new economic experts at the end of 2025. This is of essential importance, as economic experts contribute to the analysis of financial flows, the identification of irregularities, and a deeper understanding of the economic aspects of high-level corruption offences. Their contribution enables more precise and comprehensive analysis of corruption cases, resulting in more effective action by judicial authorities and a stronger fight against corruption.

In November and December 2025, the Prosecutorial Council noted the termination of office, by way of resignation, of two Special Prosecutors. In order to compensate for the reduced number of state prosecutors and to enable more efficient case management and monitoring, one state prosecutor was seconded in December 2025 from the Basic State Prosecutor's Office in Podgorica.

E-platform for reporting on organized crime and corruption

The Special State Prosecutor's Office has a designated contact person responsible for entering data into the e-Platform. In order to simplify the process of data collection for regular and annual reporting to the European Commission under Chapters 23 and 24, the relevant Commission services (DG NEAR, in cooperation with DG HOME and DG JUST) have developed a new e-platform. This platform is tailored to users from state institutions, including the Special State Prosecutor's Office. By the end of 2024, all information covering both quantitative and qualitative aspects from the previous five years had been

integrated into the e-platform. In addition, in accordance with the agreement with the national coordinator for data entry into the e-platform, additional quantitative data are being entered.

The Police Directorate:

The Department for Combating Corruption, Economic Crime, Conducting Financial Investigations, and Combating Environmental Crime, which operates within the Crime-Fighting Sector of the Police Directorate, is staffed with 55 positions.

The Anti-Corruption Group within this Department is structured with 20 positions, of which 10 positions are filled, representing 50% of the group's capacity. Despite this, the group achieves notable results in combating corruption and other criminal offenses within its mandate.

In 2025, the results achieved by this group with the existing capacity were twice as good compared to 2024.

During 2025, officers of this Department attended four trainings and events in the field of anti-corruption and organized crime:

1. Training on "Whistleblower Protection", conducted online from 4–14 March 2025, organized by the Ministry of Interior (MUP), attended by 1 officer.
2. Conference on "Combating Organized Crime and Enhancing the Independence and Transparency of the Judiciary in Montenegro", held on 13 March 2025 in Podgorica, organized by the AIRE Center, attended by 1 officer.
3. Advanced Training on Investigations of Organized Crime and Corruption in the Field of Environmental Protection, held 23–27 June 2025 in Opatija, organized by ICITAP, attended by 3 officers.
4. Training on "Combating Corruption and Illegal Financial Flows Related to Environmental Crime in the Western Balkans", held 22–25 September 2025 in Strasbourg, France, organized by the Council of Europe, attended by 1 officer.

In the Special Police Unit, there are 60 authorized positions, of which 33 were filled as of 31 December 2025, representing 55% of capacity.

The Agency for the Prevention of Corruption:

Based on the implemented legislative amendments and accompanying procedures and rules, the Agency for Prevention of Corruption currently employs 62 persons (as of 31 December 2025), with a continuous intention to further improve and strengthen its human capacities. The Agency will carry out additional recruitment to improve its staffing structure and strengthen operational capacities. In addition, opportunities will be opened for the transfer of employees from other authorities and institutions, with the aim of strengthening human resources in terms of expertise and employing persons with extensive professional experience.

Article 100 of the Law on the Prevention of Corruption stipulates that funds for the work of the Agency for Prevention of Corruption are provided from the Budget of Montenegro. The draft budget of the Agency

is proposed by the Council and submitted to the competent body of Parliament. The draft budget of the Agency is determined by the competent body of Parliament and submitted to the Government. The approved funds for the functioning and work of the Agency may not be less than 0.2% of the current Budget of Montenegro. The Agency's budget for 2025 amounted to €2,129,993.99, which is below the legally prescribed minimum, while for 2026 it was adopted at €2,195,543.45, which is also below the legally defined minimum.

- **Could you please report on the alignment of the legal framework with the EU acquis and European standards on prevention and fight against corruption, by addressing the remaining recommendations from the European Commission, the Venice Commission, and the Council of Europe Group of States against Corruption (GRECO) and peer review missions, including on its institutional set up and effective functioning? Could you please report on the application in practice of the amendments of criminal legislative framework and procedural codes aiming to improve efficiency of investigations?**

The Ministry of Justice:

The Ministry of Justice prepared and sent to the European Commission in June 2025 the Draft Law on Amendments to the Law on the Prevention of Corruption. So far, comments have been received regarding two articles, which have been taken into account at this stage of the Draft preparation, and a full review of the submitted Draft Law on Amendments to the Law on the Prevention of Corruption is expected in January 2026. The preparation of the Draft Law was preceded by three round tables covering all areas addressed by the law, followed by a public consultation during which numerous comments were received, particularly from civil society, most of which were taken into account. In addition to representatives of the Ministry of Justice, the Draft preparation also involved representatives of the judiciary, the prosecution, the Agency for the Prevention of Corruption, the Agency Council, as well as civil society.

In addition to this law, the Ministry of Justice prepared and sent to the European Commission in August 2025 the Draft Law on Whistle-blowers Protection. The first comments on this law were received in December 2025, and a response to the European Commission's suggestions is currently being prepared.

These legal solutions will address the remaining recommendations of the European and Venice Commissions received during the IBAR process, as well as GRECO Committee recommendations, and will further strengthen the preventive framework for combating corruption.

Finally, the Ministry of Justice has for a long time been in the process of aligning the Criminal Procedure Code. Since the Criminal Procedure Code is an extremely complex procedural law, comments regarding this legislation arrive partially, both in relation to various Directives and regarding the part related to the efficiency of criminal proceedings. We expect to adopt amendments concerning procedural efficiency in the near future, a need primarily identified through the practical application of this law. The latest comments from the European Commission regarding procedural efficiency and alignment with Directives 2012/13 and 2016/343 were received in December 2025, and a response is being prepared, which will be sent to the European Commission in January.

Within the Proposal for Amendments to the Criminal Code we introduced and also recognized the provision of legal assistance before courts and other state institutions as activities of public importance. This means that these activities will be formally recognized and protected by the CC. The Proposal is at the EC for opinion.

Note: It is expected that all legislative solutions for which responses need to be sent to the European Commission will be submitted before the Subcommittee meeting.

- **Are there any developments on the measures in place to address the lack of specialised judges, inadequate ICT systems, high workload, and poor infrastructure, particularly at the Special Prosecution Office and the Specialised Department of the High Court of Podgorica, as most recently mentioned in the 2025 enlargement report?**

The Supreme Court:

At this point, it can no longer be said that there is a shortage of specialized judges, given that last year the staffing structure was significantly strengthened (with the number of active judges in the Special Department of the High Court in Podgorica increasing from 5 to 17). This improvement has also enhanced efficiency, as reflected in the number of hearings held and the overall case outcomes—the volume of judicial decisions rendered in monitored cases.

We would like to recall that in September 2025, a total of 112 main hearings were scheduled at the High Court in Podgorica in cases of first-instance criminal jurisdiction.

Despite the current inadequate working conditions, judges of the Special Department of the High Court in Podgorica have demonstrated overall increased diligence, a high level of professionalism, and efficiency, as evidenced by the results achieved throughout 2025.

Year	Pending cases – carried over from previous years	Received – in the current year	Total in progress	Resolved in the current year	Unresolved in the current year
2020.	56	53	109	28	81
2021.	81	57	138	43	95
2022.	95	55	150	30	120
2023.	120	56	176	33	143
2024.	143	68	211	43	168
2025.	168	62	230	66	164

The percentage of cases resolved by the Criminal Offenses Department relative to incoming cases, according to data from the Judicial Information System as of 31 December 2025, stands at 106.45%.

Additionally, according to the Judicial Information System, a total of 66 cases older than three years were resolved during 2025.

The Special Department of the High Court in Podgorica currently has 15 judges, including the Court President and the investigative judge (Goran Šćepanović), who do not handle new cases but continue to work on proceedings they initiated. The average workload of judges during 2025, based on data from the Judicial Information System, was 19.17%.

It should also be emphasized that, according to the table, as of 31 December 2025, a total of 66 cases have been resolved (closed). However, in addition to these, judgments have been announced in five more cases but have not yet been drafted. The drafting of these judgments is expected shortly.

Furthermore, in case Ks No. 15/20 (Judge Vesna Kovačević, case M.M. et al.), the judgment announcement is scheduled for 28 January 2026. In case Ks No. 16/23 (Judge Amir Đokaj, case of the accused R. et al.), the announcement is scheduled for 3 February 2026 at 13:30.

It is expected that proceedings may soon conclude in cases Ks No. 12/25 – J.P. (Judge Simo Rašović), Ks No. 8/22 – S.Đ. et al. (Judge Zoran Radović), and Ks No. 48/22 – B.J. et al. (Judge Zoran Radović), considering that the evidentiary phase in these cases is in its final stage.

Finally, we note that in certain “Ks” cases, multiple judges have been involved due to justified reasons such as judicial recusals, retirements, promotions of presiding judges, and sick leave.

Taking all these factors into account, it is concluded that the court has resolved a total of 71 special cases, which we consider an exceptional achievement.

The Supreme State Prosecutor’s Office:

An efficient and functional exchange of data with relevant institutions has been established and is continuously being improved in order to obtain additional information and expand the available databases. The Ministry of the Interior has enabled direct access to civil registry records, personal identification data, firearm ownership, vehicles, and criminal offences, while the Ministry of Justice provides access to criminal records and misdemeanor sanctions.

A number of activities have been initiated to ensure direct access to the databases of the Central Bank of Montenegro (transaction accounts and credit registers). It is important to note that the existing database of the Central Bank of Montenegro provides insight into accounts in domestic and international payment transactions across all commercial banks in Montenegro, through searches based on the personal identification number of the account holder.

The enhancement of the existing database is ongoing through the introduction of improved software solutions and easier, more efficient access to data. Specifically, the Tax Administration will enable access to relevant data on issued invoices, including analytical records of customers and suppliers of legal entities in Montenegro, with the possibility of further expansion and improvement.

The Ministry of European Affairs:

For the data on Special State Prosecutor's Office please see the respective answers prosecutorial institutions just below point 6 above.

- **Could you please report on the mechanisms for effective inter-institutional cooperation and their effectiveness; joint trainings (if planned/delivered), as well as cooperation with EU MS's law enforcement authorities and EU agencies/bodies, in achieving adequate track record in both prevention and fighting of corruption?**

The Centre for Training in Judiciary and State Prosecution Service:

In 2025, the Centre organized a total of ten (10) training activities for judges and prosecutors.

The training sessions covered the following topics: money laundering, financial investigations, corruption-related criminal offences, cybercrime, and electronic evidence.

The training sessions were organized by the COSDT independently and/or in cooperation with partners. Through the COSDT, members of the judiciary also had the opportunity to participate in training sessions organized by international institutions.

The Police Directorate:

There is ongoing cooperation between the Special Police Unit and the Special State Prosecutor's Office with agencies in the intelligence and security sector, specifically the National Security Agency, the Tax Administration, the Customs Administration, the Real Estate Administration, and the Property Administration.

Joint trainings are conducted with the Special State Prosecutor's Office, particularly in the areas of high-level corruption, money laundering, and conducting financial investigations.

The Agency for the Prevention of Corruption:

MoC with the National Council for the Fight against Corruption

Aware of the need to further define the principles, objectives and mechanisms of cooperation in the fight against corruption, the Agency for Prevention of Corruption and the National Council for the Fight against Corruption signed, in September 2025, a Memorandum of Cooperation. In this way, a framework for cooperation between the Council and the Agency for Prevention of Corruption was established, with the aim of strengthening integrity, the effective implementation of anti-corruption policies and improving coordination among relevant actors. This document represents a key element of the consolidation of the anti-corruption system, as it clearly regulates the relations and roles of the Council and the Agency for Prevention of Corruption and fully addresses the recommendations on the need to establish a formalized, operational and day-to-day functional model of cooperation.

The Memorandum provides for the establishment of cooperation between the two bodies, in order to contribute to the effective implementation of the Strategy, strengthening inter-institutional cooperation and coordination in the fight against corruption; improving the exchange of information and data relevant for the identification and elimination of corruption risks; strengthening integrity and institutional

accountability in the public sector; promoting an anti-corruption culture and raising public awareness. Article 3 of the Memorandum prescribes that cooperation shall be achieved in the following areas:

- Strategic planning – joint contribution to the development and implementation of strategic documents in the field of combating corruption;
- Exchange of information – establishment of effective channels for the exchange of data relevant for the prevention and detection of corruption;
- Risk assessment – joint work on recognizing and eliminating sectoral and individual corruption risks;
- Monitoring and evaluation – monitoring the implementation of anti-corruption measures and reporting on progress;
- Multi-sectoral approach – within their prescribed competences, the Agency for Prevention of Corruption and the Council coordinate the exchange of information with civil society which monitors the implementation of the Strategy and action plans, collect their observations and recommendations, initiate their consideration and potential application, and jointly consider and adopt conclusions on key findings and positions;
- Expert support – ensuring expert assistance from relevant international organizations and institutions that have projects related to the prevention and fight against corruption.

The Memorandum (Article 4) provides for the establishment of a high level of cooperation through the following mechanisms:

- The Parties shall appoint contact persons responsible for the implementation of this Memorandum;
- Cooperation shall be implemented through joint meetings, working groups, exchange of information and expert support, as well as work within the Council;
- The Agency shall regularly provide the Council with information on the achieved level of coordination with other institutions, international partners and civil society organizations;
- The Agency shall ensure mechanisms for the continuous collection of recommendations from civil society regarding the implementation of the Strategy and action plans, and shall, together with an analysis of their applicability, deliver them to the Council in a timely manner.

In this way, it has been clearly established that the National Council and the Agency for Prevention of Corruption are neither competing nor parallel bodies, but complementary elements of the same system — the Council performs strategic coordination and steers policy, while the Agency for Prevention of Corruption carries out specific statutory competences and provides analytical, technical and operational support, thereby ensuring that the operational work of the Agency and the strategic role of the Council complement each other.

Cooperation between the National Council and the Agency for Prevention of Corruption (APC) takes place daily, through joint activities, data exchange, the participation of the APC in the work of the National Council and in the Operational Team, as well as in the drafting and monitoring of strategic documents.

MoC with Special State Prosecutor's Office

The APC harmonized and signed a Memorandum of Cooperation with the Special State Prosecutor's Office, which clearly defines key areas of cooperation between the APC and the SSPO, with the aim of more efficient and coordinated action in the fight against corruption.

MoC with the Police Directorate

Furthermore, the APC is intensively working on harmonizing the text of a Memorandum of Cooperation and developing IT solutions that will enable fast and efficient exchange of data between the Sector for Financial Intelligence Affairs of the Police Directorate and the APC.

The Ministry of European Affairs:

For the answer of the Supreme State Prosecutor's Office see their respective answer on the question just above this one.

- **Could you please provide update on the level of implementation of the Anticorruption strategy and actions plan, including mechanisms put in place aiming at ensuring sufficient institutional capacity for the management and implementation of anticorruption reforms (namely results, planning, deadlines)? Could you please update on the work and/or reporting of the monitoring mechanism?**
- **What has been the progress on the work of the National council for the fight against high level corruption, including in relation to ensuring follow up and monitoring of the Anti-corruption strategy and action plan. Could you please identify what are the objectives and indicators to assess progress in its implementation (including institution responsible to monitor implementation, and whether public reports are regularly issued)?**

The Office of the Deputy President of the Government for Political System, Judiciary and Anti-Corruption:

The Anti-Corruption Strategy 2024–2028 envisages that supervision and monitoring of the Strategy will be carried out by an Operational Team composed of representatives of the Cabinet of the Deputy Prime Minister for the Political System, Judiciary and Anti-Corruption, the Ministry of the Interior, the Ministry of Justice, the Ministry of Education, Science and Innovation, the Ministry of Health, the Ministry of Finance, the Ministry of Public Administration, the Police Directorate, the Supreme Court, the Supreme State Prosecutor's Office, the Customs Administration, the Agency for the Prevention of Corruption, the Tax Administration, and representatives of the NGO sector. The Cabinet of the Deputy Prime Minister for the Political System, Judiciary and Anti-Corruption presides over the Operational Team.

The Operational Team for Monitoring the Implementation of the Anti-Corruption Strategy was established by the National Council for the Fight Against Corruption on 29 October 2024, and since then it has held 19 regular sessions and 7 thematic sessions.

At the initiative of Team members, as well as experts from the Council of Europe, the Rules of Procedure of the Operational Team were drafted and adopted.

Due to the ambitious and demanding nature of the Action Plan for implementation of the Strategy, its complex structure, and the fact that certain segments were unclearly defined, the need arose for cooperation with experts from the Council of Europe and UNODC, in order to establish clear guidelines for further successful work and, consequently, to formulate recommendations for drafting a new Action Plan for the next reporting period. Three workshops were held with experts from the Council of Europe, one of which focused on assessing corruption risks in the most critical areas, which will be of great importance for the preparation of the next Action Plan. The Operational Team has repeatedly presented its work to the Council of Europe, as well as to representatives of the European Union in Montenegro, and at numerous forums in the country and abroad organized by the Council of Europe and UNODC.

Despite being a young team that had not previously had the opportunity to deal with similar responsibilities, but composed of true professionals in their respective fields, the team very quickly gained the experience necessary, and in cooperation with the Agency for the Prevention of Corruption and Council of Europe experts, prepared a new Action Plan 2026–2027.

The Team quarterly presented reports on the implementation of the Action Plan for the period 202–2025 to the National Council for the Fight Against Corruption, and familiarized it with the final, consolidated, and clarified document, which will be presented in March 2026 to the National Council as well as to representatives of the European Union in Montenegro.

Despite the overly ambitious nature of the Action Plan 2024–2025, and the fact that some measures were insufficiently clearly defined, the Operational Team managed to obtain the necessary information from the institutions covered by the Action Plan measures and to produce a high-quality document, which demonstrates a solid percentage of implemented measures (around 50%), as well as those partially implemented, whose completion is expected by the end of the first quarter of 2026. The percentage of unimplemented measures is very small; these will receive special attention from the Operational Team in the next reporting period and will be carried over into the new Action Plan.

Track record

- 7. Could you please report on the track record of investigations, prosecutions, and final convictions in corruption cases, in particular in high-level corruption cases and foreign bribery, through data showing effective enforcement of the existing criminal legislation by the prosecution and courts, including by imposing effective and deterrent penalties? What are the data showing a proactive and effective approach to international cooperation?**
 - **Could you please provide the number of detections (also through auditing), high-level investigations, prosecutions, convictions, final judgements, and application of sanctions for corruption offenses, including differentiation by type of corruption offense, involvement of legal persons of high-level and complex corruption cases including investigations into cases of inexplicable wealth and illicit enrichment? Are there any developments on the measures in place to expedite trials and ensure effective deterrence?**

The Special State Prosecutor's Office:

It is important to emphasize that, as of the second half of 2024, the jurisdiction of the Special State Prosecutor's Office has been reduced in the area of high-level corruption offences, as the concept of public officials had previously been defined significantly more broadly. Accordingly, a certain number of criminal cases were taken over by the competent Basic and High State Prosecutor's Offices.

In 2025, seven indictments were filed against 17 persons for the criminal offence of high-level corruption under Article 416 of the Criminal Code of Montenegro.

In connection with criminal offences of high-level corruption, four orders to conduct investigations were issued against eight persons, as follows:

- against one person, for the criminal offences of abuse of official position under Article 416 of the Criminal Code of Montenegro, formation of a criminal organization under Article 401a of the Criminal Code of Montenegro, and accepting a bribe under Article 423 of the Criminal Code of Montenegro;
- against one person, for the criminal offences of abuse of official position under Article 416 of the Criminal Code of Montenegro, formation of a criminal organization under Article 401a of the Criminal Code of Montenegro, and accepting a bribe under Article 423 of the Criminal Code of Montenegro;
- against three persons, for the criminal offences of abuse of official position under Article 416 of the Criminal Code of Montenegro and formation of a criminal organization under Article 401a of the Criminal Code of Montenegro;
- against three persons, for the criminal offences of abuse of official position under Article 416 of the Criminal Code of Montenegro, formation of a criminal organization under Article 401a of the Criminal Code of Montenegro, and disclosure of classified information under Article 369 of the Criminal Code of Montenegro.

Within the achieved results in the fight against high-level corruption, particular emphasis is placed on the initiation of criminal proceedings against several high-ranking officials holding important positions in state authorities of Montenegro, as well as in business entities. Accordingly, criminal proceedings were initiated against:

- the former Minister of Agriculture and Deputy Prime Minister M.S.;
- the former Minister of Defence P.B.;
- the former Assistant Director of the Police Administration D.K.;
- the former Head of the Department for the Suppression of Serious Criminal Offences M.Ž.;
- a State Prosecutor in the Higher State Prosecutor's Office A.N.;
- a public enforcement officer V.V.;
- a notary public R.K.

The Ministry of Justice:

Through amendments to the provisions relating to the efficiency of proceedings, the Criminal Procedure Code will be improved. Although there is no EU *acquis* in this area, these amendments are part of the

general notions of the rule of law and are communicated to the European Commission. Upon receiving the final confirmation, the law will be submitted for further procedure.

The Supreme Court:

The preparation of the Annual Work Report is ongoing. According to the data available so far, out of a total of 38 cases resolved on the merits, final judgments have been rendered in 13 cases, of which:

- in 8 cases, dismissing judgments were rendered;
- in 3 cases, three acquittals were rendered; and
- in 2 cases, two convictions were rendered.

In the remaining cases, proceedings based on filed appeals are ongoing.

In the aforementioned finally concluded cases, judgments were rendered for the criminal offences of abuse of position in business operations (Article 272), forgery of an official document (Article 414), abuse of official position (Article 416), and negligent performance of official duties (Article 417) of the Criminal Code of Montenegro.

State Audit Institution:

In accordance with the Protocol on Cooperation with the Supreme State Prosecutor's Office, the State Audit Institution (DRI) informs the competent state prosecutor's office if, during the audit procedure, it determines that there are grounds for suspicion that a criminal offense has been committed, providing information about the audit subject as well as all available documentation and evidence.

Also, in line with the said Protocol, based on the assessment of the competent Collegium, the Institution submits to the state prosecutor's office audit reports in which a negative opinion has been issued for further action.

In this regard, in 2025 the DRI submitted 5 audit reports to the Prosecutor's Office, namely:

- Audit Report of the Annual Financial Statement of the Public Institution Montenegrin Cinematheque for 2023;
- Performance Audit Report – Effectiveness of Environmental Protection Policy Implementation in Montenegro – Illegal (excessive) logging;
- Audit Report of the Annual Financial Statement of the Food Safety, Veterinary and Phytosanitary Affairs Administration for 2024;
- Audit Report of the Annual Financial Statement of the LLC Local Public Broadcaster RTV Podgorica for 2024 – the Basic State Prosecutor's Office (ODT), in its letter, stated that there were no grounds for initiating criminal proceedings against any person for any criminal offense prosecuted ex officio;
- Audit Report of the Annual Financial Statement of the LLC EPCG Solar gradnja for 2024 – file assessment.

Additionally, in 2025 the Senate of the DRI filed a criminal complaint with the Supreme State Prosecutor's Office (VDT) on suspicion of the commission of a criminal offense in the Labor Fund.

In accordance with the Protocol on Cooperation with the Agency for the Prevention of Corruption, the DRI submits audit reports on the annual consolidated financial statements of political entities to the Agency for its information and further action.

- **Could you identify key potential obstacles to investigating and prosecuting high-level and complex corruption cases, such as regulations on political immunity, procedural rules, statute of limitations, cross-border cooperation, and pardoning, use of special investigative measures?**
- **Can you please report on the number of plea bargain agreements and qualitative assessment of use of guidelines by prosecutors and courts?**

The Supreme Court:

In cases resolved involving high-level corruption offenses, no convictions were based on plea agreements.

In organized crime cases, one conviction was issued based on a plea agreement for the criminal offense of forming a criminal organization under Article 401a, Paragraph 2 of the Criminal Code of Montenegro, against a single defendant. The sentence imposed was two years' imprisonment and a fine of EUR 5,000.

The implementation of the previously adopted Guidelines for the application of plea agreements is monitored by appellate courts—in this particular case, the Court of Appeal of Montenegro. When deciding on appeals, the court assesses all aspects of the plea agreement in each individual case, taking the Guidelines into account. From a strategic and analytical perspective, the Supreme Court of Montenegro regularly monitors the application of the Guidelines through the work reports of the High Court in Podgorica, which provide the relevant track record.

- **Can you share detail on number of indictments, rulings, sanctions, and analysis?**

The Supreme Court:

Judgment based on the plea agreement, case reference Ks No. 14/25 dated 19 May 2025, following indictment Kts No. 360/22.

- **Could you please report on the disposition times, clearance rates for corruption cases? Including, the number of accused persons in pre-trial detention?**

The Supreme Court

With regards to the question on disposition times and clearance rates please see the response of the Supreme Court on question number six above on the topic of the capacities of the High Court in Podgorica.

With regard to the number of accused persons in pre-trial detention, we note that if this report has not addressed all questions in accordance with the Questionnaire, please bear in mind that the deadline for the preparation of the annual reports on the work of the courts has not yet elapsed; therefore, by the date of the Subcommittee meeting we will have final data available.

- **Could you please report on the handling of court proceedings in criminal cases? What is the number of hearings?**

The Supreme Court:

The Supreme Court of Montenegro, as part of its regular monitoring of the efficiency of the Special Department of the High Court in Podgorica, has concluded that the number of main hearings held in special cases has increased. It is recalled that in September 2025, a total of 112 main hearings were scheduled at the High Court in Podgorica in cases of first-instance criminal jurisdiction.

The general conclusion of the Supreme Court is that the efficiency and quality of case management in special cases have improved compared to the previous reporting period, particularly considering that judges are applying the Guidelines for Managing Cases of Serious and Organized Crime, which were previously adopted by the Supreme Court.

- **What is the track record of cooperation with the European Public Prosecutor's Office (EPPO)?**

The Supreme State Prosecutor's Office:

During the reporting period (from 1 July to 31 December 2025), there were no cases under consideration with the European Public Prosecutor's Office.

8. **What has been the progress on the establishment of a solid track record in seizure and final confiscation of assets, including a credible and consistent practice of launching parallel financial investigations when dealing with corruption cases, including high-level corruption, and with a fully operational asset recovery office responsible for identifying and tracing criminal assets with adequate human and financial resources?**
 - **Could you please report on the legal framework and plans for improving it in line with the EU *acquis* and European standards?**

The Ministry of Justice:

The Ministry of Justice has prepared the Draft Law on Amendments to the Law on the Confiscation of Proceeds of Crime. Although the criminal law model for confiscation of proceeds was further strengthened during the IBAR process, the amendments propose confiscation of proceeds without a prior final conviction, in accordance with Directive 1260/2024. In this way, the criminal law model for confiscation of proceeds will be further reinforced. We discussed the direction of these amendments in a meeting with expert Mr. Theo Byl, as well as with colleagues from the European Commission.

The preparation of this legislative solution was also preceded by an analysis conducted by three Council of Europe experts, who, in addition to certain observations incorporated into the amended law, proposed as one model the introduction of the criminal offense of illicit enrichment in relation to the exercise of public functions.

In this regard, we have also prepared an amendment to the Criminal Code introducing a new criminal offense, which will be part of the public consultation and submitted to the European Commission to obtain a final position on this offense.

Public officials perform duties that require transparency regarding the origin of their assets. Their status is already regulated by a special law that imposes the obligation to declare income and assets. Therefore,

it is justified that this category be the focus of a specific criminal offense, as possession of disproportionate assets—particularly above a certain threshold requiring criminal liability—undermines trust in public office holders as well as the integrity of institutions.

This approach will contribute to more effective criminal prosecution of high-level corruption, which should significantly improve results in the rule of law area and in Chapter 23 – Judiciary and Fundamental Rights.

- **Where there any developments on the capacities of prosecutors and law enforcement to investigate, and confiscate proceeds of crime?**

The Police Directorate:

The Special Police Unit, in coordination with the Special State Prosecutor's Office, conducts continuous activities with the aim that for all criminal offenses generating financial gain, during the preliminary investigation phase, the following are carried out in parallel: the procedure of collecting evidence to confirm the reasonable suspicion that a criminal offense has been committed or is being prepared (criminal investigation) and the procedure of taking actions aimed at collecting data of a financial nature (financial investigation), which can be used both for standard confiscation (financial gain obtained through the commission of a criminal offense) and for extended confiscation (financial gain from criminal activity), that is, in specific cases, operational teams are formed, which will be composed of inspectors conducting criminal investigation/inquiry and inspectors conducting financial investigation/inquiry.

The Supreme State Prosecutor's Office:

On 3 March 2025, the Supreme State Prosecutor issued Instructions for the Procedure of State Prosecutor's Offices in Conducting Financial Inquiries, i.e., Financial Investigations. At the level of the State Prosecution, a coordinator was appointed to monitor the implementation of the Instructions. The coordinator is responsible for coordinating and overseeing the application of the Instructions and also provides recommendations to improve prosecutorial practices regarding the application of the Law on the Confiscation of Property Gains, with a focus on conducting financial inquiries and financial investigations.

In all state prosecutor's offices, a contact person was designated to collect and process data, track case progress, and cooperate with the coordinator. Heads of state prosecutor's offices submit quarterly reports to the coordinator by the fifteenth day after the end of the last month of the quarter covered by the report.

According to the Instructions, the heads of offices are obliged, taking into account the scope and nature of cases involving financial investigations and financial inquiries, to establish a position for an advisor in the economic-financial field through their internal organization and job systematization acts. In the Special State Prosecutor's Office, the number of economic-financial advisors was increased under the new regulations.

The State Prosecution initiated training programs on financial investigations and the confiscation of property gains obtained through criminal activity, organized by the Judicial and Prosecutorial Training

Centre. These trainings are conducted within the framework of international projects implemented in Montenegro.

During 2025, 69 financial investigations were launched against 190 natural persons and 31 legal entities, and 35 financial inquiries were conducted against 115 natural persons and 15 legal entities, highlighting the significance of applying the binding Instructions.

- **What is the number of corruption cases with parallel financial investigation launched?**

The Police Directorate:

The Special Police Unit, in accordance with the procedural approach of the Special State Prosecutor's Office, in all cases in the field of high-level corruption, conducts, together with the investigation of the predicate offense, a financial investigation as ordered by this Prosecutor's Office, and the data provided by the Special State Prosecutor's Office in its responses should be used as relevant information.

The Supreme State Prosecutor's Office:

During the observed period, four financial intelligence operations were initiated against 14 persons in connection with the criminal offence of high-level corruption, one of which was concluded by issuing an order to initiate a financial investigation. The remaining three intelligence operations are ongoing.

With regard to financial investigations, in 2025 five orders to conduct financial investigations were issued, as follows:

- against one person, for the criminal offences of abuse of official position under Article 416 of the Criminal Code of Montenegro and formation of a criminal organization under Article 401a of the Criminal Code of Montenegro;
- against one person, for the criminal offences of abuse of official position under Article 416 of the Criminal Code of Montenegro and unlawful possession and carrying of weapons and explosive materials under Article 403 of the Criminal Code of Montenegro;
- against one person, for the criminal offences of abuse of official position under Article 416 of the Criminal Code of Montenegro and forgery of an official document under Article 414 of the Criminal Code of Montenegro;
- against four persons, for the criminal offences of abuse of official position under Article 416 of the Criminal Code of Montenegro and disclosure of classified information under Article 369 of the Criminal Code of Montenegro;
- against two persons, for the criminal offence of abuse of official position under Article 416 of the Criminal Code of Montenegro.

- **What is the number and value of seized assets?**

The Supreme Court:

In three high-level corruption cases involving a total of three individuals, the court issued three provisional security measures, while in one case, a seizure (temporary confiscation of movable property) was ordered, as follows:

- Prohibition on disposing of (encumbering or transferring) real estate, registered as restrictions in the Cadastre on multiple properties;
- Prohibition on disposing of real estate, recorded as restrictions in the Cadastre on multiple properties;
- Prohibition on disposing of movable items, registered as restrictions in the relevant registries (passenger motor vehicle);
- Seizure of movable property—including four wristwatches (brands “Rolex,” “Cartier,” and “Breitling”) and cash totaling EUR 8,000.

The Supreme State Prosecutor’s Office:

With regard to data on confiscated proceeds of crime, it should be noted that during 2025, in three high-level corruption cases, following investigations conducted for the criminal offence of high-level corruption under Article 416 of the Criminal Code of Montenegro, as well as the offence of disclosure of classified information under Article 369 of the Criminal Code of Montenegro, motions for the imposition of temporary seizure measures were submitted to the High Court in Podgorica in respect of the following property:

- a residential and commercial building with land, a family residential house with a yard in Podgorica, land in Kolašin with a surface area exceeding 1,000 m², five high-value wristwatches, and funds in the amount exceeding EUR 25,000 seized from defendants charged with high-level corruption, as well as property owned by family members — business premises, residential buildings, auxiliary structures, and meadows and pastures in the areas of Podgorica and Kolašin, and funds in the approximate amount of EUR 11,000;
- six residential units in Podgorica and Bar, with garage spaces, a yard, meadows and orchards, two wristwatches, and shares in investment funds and joint-stock companies, with a total value exceeding EUR 25,000, seized from the defendants and their family members;
- four vehicles and two high-value wristwatches.

Despite the fact that, due to the narrowing of the jurisdiction of the Special State Prosecutor’s Office in the area of corruption-related criminal offences, a smaller number of investigations were initiated during the observed period compared to previous years, it is evident that in 2025 this Prosecutor’s Office submitted a higher number of motions to the High Court in Podgorica for the imposition of temporary seizure measures, covering a significantly larger scope of assets than in the earlier period.

- **What is the number of final confiscation of assets?**

The Supreme Court:

A permanent confiscation proceeding is underway against one individual for the criminal offense of unauthorized production, possession, and trafficking of narcotic drugs under Article 300 of the Criminal Code of Montenegro.

- **Could you please report on the work of the State Audit Institution, including the number of consolidated financial statements audited, the number of opinions and recommendations issued, and the number of opinions and reports followed up by other competent authorities?**

The State Audit Institution:

During the reporting period (1 July 2025 – 31 January 2026), financial audits and compliance audits were completed for eight (8) political entities, resulting in sixteen (16) audit opinions, of which seven (7) were unqualified, eight (8) were qualified, and one (1) was adverse, along with a total of fifty-three (53) recommendations. The audits of two (2) additional political entities will be completed and published by the end of February 2026.

Prevention of corruption

9. **What has been the progress on building a robust corruption prevention framework, including a solid and sustained track record of administrative investigations and deterrent sanctions, with the Agency for the Prevention of Corruption operating in full political and operational independence, ensuring the merit-based appointment and recruitment of its management and staff and acting in an effective, impartial and pro-active manner on cases falling under its responsibility, as well as with adequate follow up by the prosecution service to cases where possible criminal behaviour is detected by the Agency?**

The Agency for the Prevention of Corruption:

In accordance with the 2024 amendments to the Law on Prevention of Corruption (LPC), the Council of Agency for the Prevention of Corruption (APC), at its session held in October 2024, adopted the Rulebook on Internal Organization and Job Classification of APC. This act created the preconditions for the high-quality, professional, and timely performance of tasks and duties by APC employees, in line with the LPC. Through this Rulebook, the number of staff directly implementing the statutory competencies of APC was increased by 50%, and 98 positions were envisaged (the Rulebook on Internal Organization and Job Classification adopted in May 2023 had envisaged 77 positions).

Furthermore, in January 2025, the Council of APC adopted the Rules on the Procedure for Recruitment and Filling of Positions in ASK Based on a Public Announcement, the amendments to which were adopted in September 2025. These Rules regulate the procedure for recruitment and filling of positions in APC based on a public announcement, as well as the verification of knowledge, abilities, competencies, and skills, along with the criteria and method for evaluating candidates who meet the required conditions. Through this act, the obligation to conduct an integrity test was introduced, in accordance with GRECO standards and recommendations, with the minimum passing threshold for the integrity test set at at least 80% of the total number of points.

Accordingly, in May 2025, APC initiated a recruitment procedure and engaged nine persons in employment, at which time the application of the integrity test for newly employed staff also began, as part of regular recruitment procedures. In line with the above, all newly employed persons, among other requirements, passed the integrity test.

In August 2025, the Council of APC also adopted the APC Human Resources Management Strategy for the period 2025–26, with an accompanying action plan, developed in cooperation with experts from the Council of Europe. This document is of key importance for improving the work of APC, as it recognizes employees as the foundation of the institution and as a key factor for the effective implementation of its competencies. The Strategy aims to strengthen human resource capacities through a systematic approach to professional development and the continuous advancement of employees, thereby creating preconditions for higher quality and efficiency in work.

During 2025, with expert support, an assessment of the capacities of APC employees was carried out. The aim of this analysis was to examine the level of skills and competencies of employees in relation to the requirements of the positions they occupy, as well as to gain insights into their personal perceptions of their own engagement and job satisfaction. Following the conducted analysis, reports on the assessment of APC human resources were prepared, containing concrete recommendations related to the organizational structure, human resource development, and work capacities.

Based on the implemented legal amendments and accompanying procedures and rules, APC currently employs 62 persons (as of 31 December 2025), with a continuous intention to further improve and strengthen its human capacities. APC will carry out additional recruitments in order to enhance its staffing structure and strengthen its operational capacities. In addition, opportunities will be opened for the transfer of employees from other authorities and institutions, with the aim of strengthening human resources in terms of expertise and employing individuals with extensive professional experience.

During 2025, the Agency forwarded 23 cases to the competent prosecution authorities for their awareness and further work - 14 whistleblower reports; 9 cases related to administrative proceedings, while several joint meetings were held to address and work on cases currently under review by the Agency that might be of interest for further actions.

Could you please report on the management of Asset Declaration, including auditing prioritisation and deterrent sanctions (and track record of cases referred from the Agency to the prosecution)? Can you please also report on the track record on measures to prevent and address conflicts of Interest in the public sector, in terms of training and public awareness programs deployed, including the categories of officials concerned (public officials at large, police, judicial authorities, top level executives/Ministers, and Members of the Parliament), types of checks, and corrective measures? Including:

- **Enforcement of the existing measures ensured, by the different entities responsible for the prevention of conflict of interest.**
- **Human, financial, and technical resources of these entities to effectively implement its competences.**
- **Statistics on their application, such as the number and types of ethics advice provided, number of detected breaches/irregularities and the follow-up actions taken (including number and types of sanctions issued)**
- **Trends relating to conflicts of interest cases and asset declaration and verification cases since 2020.**

The Agency for the Prevention of Corruption:

As regards prioritisation, in December 2025, the 2026 Annual Plan for Verification of Income and Asset Declarations. This plan outlines three levels of controls: administrative verification of all incoming reports, conducted continuously throughout the year; verification of the accuracy and completeness of the reports; and the most complex in-depth verification. Following the recommendations of international experts, verification is performed on a selected sample using a random sampling method, which will include approximately 399 public officials for accuracy and completeness checks and a maximum of 36 public officials for in-depth verification. The Plan also covers all persons with top executive functions (PTEFs), in accordance with the GRECO recommendation.

The Agency has referred seven cases in the area of asset declarations to the competent prosecution offices for further action. During 2025, the Agency's representatives held 12 training sessions on topics related to conflict of interest prevention, which were attended by a total of 179 participants. These trainings were intended for representatives of various target groups, including members of the Parliament of Montenegro, representatives of the Ministry of Healthcare, representatives from eight municipalities (Budva, Berane, Plav, Gusinje, Rožaje, Herceg Novi, Nikšić, and Tuzi), integrity managers, as well as representatives of parents from certain primary schools.

The APC also prepared a Questionnaire with frequently asked questions and answers in the area of prevention of conflict of interest and restrictions in the exercise of public functions, which is published on the Agency's website. Through this questionnaire, public officials can obtain information regarding potential conflict-of-interest situations and how to act to avoid being in such situations. The most frequent questions and answers were also promoted on the Agency's Instagram account.

In addition, the Agency, in line with the obligation arising from the Action Plan for the Implementation of the National Anti-Corruption Strategy 2024–2028, and with the support of French expertise, is actively working on the development of Guidelines on Conflict of Interest, which will be distributed to all public officials. These guidelines will further strengthen the understanding and implementation of integrity principles in the everyday work of public officials.

With the aim of further strengthening integrity and institutional resilience to corruption among PTEFs, the Agency for Prevention of Corruption engaged an international anti-corruption expert who, on 3 October 2025 in Podgorica, delivered a lecture on anti-corruption topics for PTEFs. The lecture was attended by 27 participants and was implemented in cooperation with the Human Resources Administration and the General Secretariat of the Government of Montenegro. The focus of the lecture was on key aspects of corruption prevention and conflict of interest, including incompatibility of functions and handling of gifts, as well as on contemporary anti-corruption mechanisms, such as integrity plans, models for monitoring financial flows, and the concept of confidential counselling and integrity checks. In addition to the lecture by the international expert, added value and quality to the event was provided by the direct engagement of the Acting Director of the Agency for Prevention of Corruption, who answered questions from public officials, clarifying certain ambiguities related to the scope and competences of the Agency. This contributed to a better understanding of anti-corruption obligations and institutional transparency.

On 3 October 2025, with the full support of the National Council, the Agency launched the national anti-corruption campaign “Montenegro Without Corruption”, targeting areas that citizens, research, and strategic documents have identified as the most sensitive in terms of corruption risks: healthcare, education, borders and customs, and local services. The campaign represents a practical confirmation that the national anti-corruption system functions in a coordinated manner in practice, through joint activities that directly influence public awareness and the quality of public services.

The campaign is being implemented in cooperation with the Ministry of Interior, the Customs Administration, the Ministry of Health and the Clinical Centre, the Ministry of Education, and local self-government units (with the Capital City of Podgorica already having commenced participation). The focus is on areas recognized by citizens, research, and strategic documents as the most sensitive, and is also aligned with obligations arising from strategic documents that envision the promotion of channels for reporting corruption.

The APC currently employs six persons in Department for the Control of Public Officials' Reports and four person in Department for the Prevention of Conflicts of Interest of Public Official. In the forthcoming period, the filling of all systematised positions in the competent unit is planned.

Since the beginning of 2025, the APC has received a total of 10,931 reports on income and assets based on various submission grounds. All reports have been administratively and technically verified.

Regarding the verification of the accuracy and completeness of the data in the income and asset declarations, a total of 563 declarations have been checked so far, in which 316 violations of the law were identified:

- In accordance with the 2025 Annual Verification Plan, 466 declarations have been reviewed so far, of which 257 were found to contain violations of the law.
- Ex officio/upon request, 97 declarations have been reviewed so far, of which 59 were found to contain violations of the law.

The Agency has initiated in-depth verification for all 30 planned public officials and has completed 5 verifications so far. Additionally, at the internal request of another state body, in-depth verifications of income and assets were carried out for 3 reporting subjects.

During 2025, acting upon all received requests, the APC issued a total of 202 opinions. Out of the total number of issued opinions, in 52 cases it was established that a limiting factor existed in relation to the circumstances described in the request for opinion.

Based on the opinions and decisions of the APC, 22 public officials resigned from positions incompatible with public office.

- 17 resignations based on opinions;
- 5 resignations based on decisions of the APC.

Due to violations of the provisions of the LPC related to income and asset reporting, the Agency initiated 668 misdemeanour proceedings in 2025. During this reporting period, 847 proceedings were concluded

before the competent courts (including cases carried over from previous years), with sanctions imposed in 415 cases (170 fines and 245 warnings). The total amount of fines amounted to €46,085.

Due to violations of the provisions of the LPC related to conflicts of interest/restrictions in exercising public functions, the Agency initiated 10 misdemeanour proceedings in 2025, in 7 of which sought confiscation of gains obtained through the misdemeanor offense. In addition, before the competent courts, 5 proceedings initiated upon the Agency's requests from the previous period were concluded, resulting in three warnings being imposed, while two proceedings, in which the Agency had also requested the confiscation of pecuniary gain, were discontinued.

During 2025, the Agency initiated 127 administrative proceedings:

- 58 in the area of prevention of conflict of interest/restrictions in the exercise of public functions;
- 69 in the area of income and asset declarations.

Work also continued on cases initiated in previous years. A total of 182 proceedings were completed:

- 59 in the area of conflict of interest prevention/restrictions in public office;
- 123 in the area of income and asset declarations.

In 105 decisions, violations of the law and competence of the APC were established.

A 15 of cases were forwarded to other authorities implementing preventive and repressive measures, in order to ensure a comprehensive approach to the fight against corruption and to enhance transparency and accountability in the exercise of public office.

The Agency completed all pending cases up to and including 2020, except for those under administrative dispute before the Administrative Court of Montenegro.

All decisions adopted by the Agency were published on its official website.

After the completion of administrative proceedings, public authorities submitted 22 responses to the Agency's decisions (including those from the previous year):

- In 3 cases, public officials were dismissed from office, one of whom upon personal request (area: restrictions in exercising public functions and income and assets);
- In 8 cases, a disciplinary measure – warning was imposed (area: restrictions in public functions and income and asset reporting);
- In 1 case, a disciplinary measure – a deduction of 50% from the remuneration was imposed (area: restrictions in public functions);
- In 2 cases, authorities informed the Agency that the public officials concerned had been dismissed prior to the Agency's decision (areas: inaccurate or incomplete income and asset reports; conflict of interest);
- In 1 case, the authority informed the Agency that a disciplinary procedure against the public official was ongoing (area: income and asset reporting);
- In 1 case, the authority established that conditions for termination of office were not met (area: restrictions in public functions and income and assets);

- In 5 cases, the authorities informed that disciplinary proceedings were not initiated due to statute of limitations;
- 1 case was forwarded to another authority for further action (area: income and asset reporting).

Also, the Agency acts without selectivity in cases from previous years and in those returned for reconsideration by the Administrative Court. Acting upon the instructions from the Court's judgments, the Agency adopted 34 decisions.

Acting on all requests for opinions, the Agency issued a total of 1.154 opinions in the field of conflict of interest prevention and restrictions on performing public functions during the period from 2020 to 2025.

All opinions are published on the APC's official website, thereby informing the public in detail about their content. This transparent approach enables other public officials to familiarize themselves with the Agency's practice in this field. The published opinions represent a catalogue of interpretations, or "good practice", and provide recommendations on how a public official should act in identical or similar situations, thereby further strengthening the preventive role of the Agency.

Based on the issued opinions and decisions made by the APC, a total of 143 public officials have resigned from positions or duties incompatible with a public function over the past six years.

The Agency received a total of 66,526 reports on income and assets during the period 2020–2024, submitted on various grounds.

- **What has been the progress on the legislative and operational framework on whistleblowing to be fully in line with EU acquis?**

The Agency for the Prevention of Corruption:

Within the framework of meeting the interim benchmarks under Negotiation Chapter 23 – Judiciary and Fundamental Rights, the Ministry of Justice, with the active support of the Agency for Prevention of Corruption and the Council of Europe Office in Podgorica, implemented significant legislative amendments aimed at strengthening whistleblower protection. The Agency for Prevention of Corruption played a key role in coordinating the process, organizing consultations and round tables, as well as providing expert expertise, thereby ensuring a high-quality and transparent process of alignment with international standards.

The process of drafting the amendments included the engagement of an international expert, consultations with the European Commission and the Venice Commission, as well as public consultation, which contributed to further strengthening of the legal framework and the transparency of the process. Provisions of the Law on the Prevention of Corruption relating to whistleblowers were separated and incorporated into a separate Draft Law on Whistleblower Protection, thereby improving the normative framework and aligning it with Directive (EU) 2019/1937 of the European Parliament and of the Council.

The evaluation of the process indicates that the contribution of the Agency for Prevention of Corruption was decisive in achieving inclusiveness, expertise and alignment with international standards, particularly

in the segments of coordination between domestic and international actors and strengthening institutional capacity.

The need for the adoption of a new Law on Whistleblower Protection additionally entails alignment with Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law, as well as with the Council of Europe expert analysis “Review of the legislative framework of Montenegro on whistleblower protection”.

The Working Group for the drafting of the Draft Law on Whistleblower Protection was established on 27 March 2025, with representatives of the Agency for Prevention of Corruption (two members), the Ministry of Justice, the Chair of the Working Group, a judge of the Basic Court in Podgorica, as well as an independent adviser in the Directorate for Criminal and Civil Legislation of the Ministry of Justice, acting as the secretary of the Working Group. Thereafter, harmonization with the recommendations of the Agency for Prevention of Corruption and other members of the Working Group followed, whereby most of the Agency’s recommendations were accepted and incorporated into the text of the Draft Law. A public consultation was conducted starting on 5 March 2025, and upon completion of the consultation, many comments and suggestions were accepted and incorporated into the Draft Law.

Finally, the Draft Law was submitted to the European Commission for an opinion on 8 August 2025, which was received in December 2025, after which, following the review and translation of the comments, the Ministry of Justice, in cooperation with the Working Group, will continue the harmonization process. For these reasons, it was not possible to adopt the law in the fourth quarter of 2025, as planned by the Government Work Program.

The APC currently employs three persons in the Department responsible for handling whistleblower reports. In the forthcoming period, the filling of all systematised positions in the competent unit is planned.

The Ministry of Justice:

The Law on the Protection of Whistleblowers is currently in the phase of alignment with the comments of the European Commission received in December 2025. We expect that the updated text will be submitted to the European Commission by the end of January. The goal is full harmonisation with the Directive 2019/1937 and comments provided.

- **Could you provide an update on the effectiveness of the Code of Ethics for top executive officials and disciplinary sanctions imposed?**

The Agency for the Prevention of Corruption:

Following the adoption of the amendments to the Law on Civil Servants and State Employees (30 July 2025), the Agency, in accordance with Article 62 of that Law, conducts integrity checks for candidates for the positions of Heads and Deputy Heads of Cabinets and Advisers to the President of Montenegro, the President of the Parliament, and the Prime Minister, as well as Advisers to the Vice-Presidents of the Parliament and the Vice-Prime Minister. In this regard, during 2025, checks were conducted for four persons – candidates for the positions of special advisers in two public authorities. In these cases, no obstacles were identified to their appointment to the public office of special adviser.

In accordance with Article 16a of the Regulation on the Government of Montenegro, the General Secretariat of the Government / the Cabinet of the Vice-Prime Minister submitted requests to the Agency for six persons in order to verify whether any proceedings had been initiated or completed against them for violations of the law regulating the prevention of corruption, in cases of appointment to the positions of Adviser to the Prime Minister, Head of the Cabinet of the Prime Minister, Deputy Head of the Cabinet of the Prime Minister, and Adviser to the Vice-Prime Minister. The Agency provided responses informing that, for two candidates, the existence of two completed proceedings from an earlier period for violations of the LPC had been established.

- **What is the state of play on integrity checks?**

The Agency for the Prevention of Corruption:

In accordance with Article 45 of the LPC, in 2025, prior to initiating appointment or election procedures, 47 public authorities requested extracts from the Agency's records for 1,050 persons in order to verify whether, during the four years preceding their candidacy, in their capacity as public officials, they had been dismissed from public office due to violations of the provisions of the LPC. This was done to check whether there were any legal impediments to their appointment and to prevent the execution of decisions adopted in a conflict of interest. This represents an increase of 75% compared to the previous year (602). In all cases, the Agency established that the proposed candidates had not been dismissed from public office due to violations of the LPC, in accordance with Article 45, paragraph 6.

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- **Are there any developments on lobbying?**

The Agency for the Prevention of Corruption:

Fifteen natural persons and two legal persons submitted to the APC a written report on their work for 2024, within the legally defined deadline. One natural person did not submit the report within the

statutory deadline, due to which the APC initiated misdemeanor proceedings. In the first half of 2025, a decision was adopted on the termination of the validity of approval to perform lobbying activities for one lobbyist, at her request.

In the period August–November 2025, the APC published two new calls for applications for candidates to take the exam for performing lobbying activities and organized two exams. A total of four candidates passed the exam. In the same period, two natural persons submitted requests for the issuance of approvals to perform lobbying activities. The requests were approved, and those persons were entered into the register of lobbyists.

Currently, the register of lobbyists contains 18 natural persons and two legal persons.

The APC conducted one procedure, acting upon a report of illicit lobbying from December 2024, and determined that there was no violation of the Law on Lobbying.

With the aim of monitoring the implementation of the Law on Lobbying and collecting relevant data on possible lobbying contacts, the APC carried out a control of the conduct of 53 authorities – the Parliament of Montenegro, the Government General Secretariat, the Cabinet of the Prime Minister, all ministries and local self-government units.

- **Are there any updates on the accession to the OECD Anti-Bribery Convention?**

The Agency for the Prevention of Corruption:

At the 30th meeting of the Steering Group of the Anti-Corruption Network for Eastern Europe and Central Asia (ACN), held on 9 July 2025 in Paris, Montenegro officially became part of the Istanbul Anti-Corruption Action Plan (IAP).

- **Could you report on the asset disclosure requirements and enforcement?**

The Agency for the Prevention of Corruption:

Pursuant to the Law on Prevention of Corruption, the obligation to report income and assets constitutes one of the key preventive measures for strengthening the integrity of public officials and ensuring transparency in the performance of public functions. All public officials and certain categories of public servants are required to submit income and asset reports to the Agency: within 30 days from assuming office; during the performance of a public function—once annually, by the end of March of the current year for the previous year; in the event of changes to the Report relating to an increase in assets exceeding EUR 10,000, within 30 days from the date the change occurred; as well as at the request of the Agency in the event that proceedings are initiated.

In the event of the termination of a public function, a public official is required, within 30 days from the date of termination of the function, to notify the Agency and submit a Report, as well as to submit a Report to the Agency once annually for the following two years after the termination of the function, by the end of March of the current year for the previous year.

The Agency verifies the data contained in the income and asset reports of public officials and civil servants in accordance with Article 33 of the Law, by comparing the data from the Reports with the collected data on the assets and income of the public official obtained from public authorities and legal entities that possess such data, as well as with the data submitted to the Agency by the public official or civil servant. The Agency carries out this verification in accordance with an annual verification plan for a specified number and categories of officials, which it adopts once a year, by the end of the current year for the following year.

This plan establishes three types of control: an administrative review of all submitted reports, conducted continuously throughout the year; verification of the accuracy and completeness of reports; and a more complex in-depth verification. In line with the recommendations of international experts, verification is carried out on a defined sample using a random sampling method, through which officials are selected for the verification of the accuracy and completeness of the Reports and for in-depth verification.

With regard to the imposition of sanctions, the Agency has no influence over the type or level of sanctions. Namely, when the Agency establishes a violation of the Law, it submits a Proposal for the initiation of misdemeanor proceedings to the Misdemeanor Court, which subsequently conducts the proceedings and imposes the sanction.

- **Are there any developments on gifts policies?**

The Agency for the Prevention of Corruption:

Article 2 of the currently developing Draft Law on Amendments to the Law on the Prevention of Corruption amends Article 8, item 3, in such a way that a gift is defined as an item, right or service acquired or provided free of charge or under significantly more favourable conditions, money, securities or precious metals, regardless of their value, as well as any other gain provided to the public official or a person related to a public official, in connection with the exercise of a public function.

Article 8, item 3 of the currently applicable Law on the Prevention of Corruption reads: a gift is an item, right or service acquired or performed without compensation and any other gain provided to the public official or a person related to the public official in connection with the exercise of public function;

Furthermore, a public official, in connection with the performance of a public function, may not accept gifts, except for protocol and appropriate gifts. A protocol gift is a gift from a representative of another state or an international organization given during a visit, official reception or on other similar occasions, as well as other gifts given on similar occasions. Article 18 of the currently applicable Law on the Prevention of Corruption prescribes: an appropriate gift is a gift with a value of up to EUR 50. Article 12 of the Draft Law amends the definition of an appropriate gifts in such a way that an appropriate gift is a gift with a value of up to EUR 50, received on occasions when gifts are traditionally exchanged, excluding money, securities or precious metals.

Within the framework of preventive and educational activities carried out by the Agency for Prevention of Corruption (APC), in the previous period special focus was placed on clarifying the definition of protocol and appropriate gifts. In this regard, the following should be particularly highlighted:

- The preparation of the handbook „Public Officials and Corruption Prevention“ in cooperation with the Centre for Civic Education, which explains the statutory obligations of public officials, including conduct related to gifts. The handbook was distributed to public officials, as well as to competent authorities.
- The preparation and publication on the APC website and its social media accounts of infographics entitled „Reporting of Appropriate and Protocol Gifts“. The purpose of this activity is to remind authorities and public officials of the legally prescribed deadline for reporting gifts, the manner of reporting and types of gifts, restrictions when accepting and disposing of gifts, as well as sanctions in the event of violations of the law in this area.
- Periodic preparation and publication of infographics on the APC website and its social media accounts, in which the difference between protocol and appropriate gifts is explained in detail.
- An international anti-corruption expert delivered a lecture for persons entrusted with the highest executive functions (PTEFs), which covered proper conduct in relation to the acceptance of gifts, including the obligation to refuse inappropriate gifts and to act in accordance with statutory obligations, with concrete examples from practice and practical guidance.
- During all trainings delivered by representatives of the APC for public officials, where the topic is the application of anti-corruption mechanisms (prevention of conflicts of interest), participants are also educated on the rights and obligations of public officials and authorities in the area of gifts, and educational materials explaining the differences between appropriate and protocol gifts are distributed.

With regard to repression of corruption, through acting in cases within its competence, the APC adopted and publicly published a Decision from April 2025 determining that a public official violated the provisions of the Law on the Prevention of Corruption by accepting, in connection with the performance of a public function, a gift that was neither protocol nor appropriate, which related to the payment of travel expenses for an official visit abroad, and which the official was obliged to refuse or inform the donor that the gift could not be accepted.

The Decision concerned a public official at that time – a person entrusted with the highest executive function (PTEF) – and represents a clear example of unacceptable conduct related to the acceptance of gifts. As such, the case serves as a warning and guidance to other public officials, demonstrating which types of gifts are unacceptable and how statutory obligations must be strictly respected.

Namely, since a gift includes an item, right or service acquired or provided free of charge and any other benefit given to a public official or a person related to a public official in connection with the performance of a public function, it was indicated that this case precisely concerns “another benefit given to a public official in connection with the exercise of a public function”, and that in practice gifts also encompass the concept of benefits beyond the usual appropriate and protocol gifts.

- **Could you report on the auditing of public institutions’ finance?**

The State Audit Institution:

The Senate of the State Audit Institution, at its session held on 24 October 2025, adopted the Annual Report on Audits Conducted and Activities of the State Audit Institution of Montenegro for the period October 2024 – October 2025.

In accordance with the Law on the State Audit Institution, through the submission of the Annual Report, the Institution provides an overview of the results achieved in fulfilling its mission and competences. In this regard, during the reporting period, 35 audits were carried out, resulting in a total of 47 audit opinions and 475 recommendations.

- **What is the state of play on the existing non-criminal measures and sanctions, such as recovery measures and administrative sanctions, and how effective are they in addressing corruption by both public and private offenders?**

The Agency for the Prevention of Corruption:

During the reporting period, state authorities provided 17 responses concerning the Agency's decisions on income and assets verification:

- In 2 cases, public officials were dismissed from office, one of whom upon personal;
- In 5 cases, a disciplinary measure – warning was imposed;
- In 2 cases, authorities informed the Agency that the public officials concerned had been dismissed prior to the Agency's decision;
- In 1 case, the authority informed the Agency that a disciplinary procedure against the public official was ongoing;
- In 3 cases, the authority established that conditions for termination of office were not met;
- In 3 cases, the authorities informed that disciplinary proceedings were not initiated due to statute of limitations;
- 1 case was forwarded to another authority for further action.

10. What has been the progress on the implementation and mainstreaming of solid strategic frameworks to prevent and counter corruption, based on the new multiannual anticorruption strategy 2024-2027 in line with European standards. This should translate into substantial improvements towards prevention and combatting of corruption across the most vulnerable sectors and beyond, as relevant? Including:

- **Sectoral risk assessments in most vulnerable sectors based on the identified sectors in the Anticorruption strategy and measures taken or planned to monitor and prevent corruption and conflicts.**
- **Actions, dedicated measures, and results in the fields of public procurement, the judiciary, the police and customs administration, environment, urban planning, public procurement, local self-government, state-owned enterprises.**

The Office of the Deputy Prime Minister for Political System, Judiciary and Anticorruption:

The Report on Fulfilment of the Action Plan for implementation of the Strategy for the Fight Against Corruption for the period 202-2028 for the period 2024-2025 was presented to the National Council for the Fight Against Corruption on 29th of December. Of the measures included in the plan, 50% were fully

implemented, 21% were partially implemented, 15% were not implemented, and for 14% the implementation status was not provided due to unclearly defined indicators. Most partially implemented measures are expected to be completed by March 2026. Measures that remain unimplemented, as well as those without a reported status, will be carried over to the new Action Plan. The plan is for the Government to adopt the document by March 2026.

The Operational Team for Monitoring the Implementation of the Strategy for the Fight Against Corruption plans to finalise the new Action plan for the period 2026-2027 by February 5, 2026.

11. What has been the progress on the adoption and effective implementation of legislation on financing of political parties and election campaigns in line with European standards? Including:

- **Implementation of GRECO and ODIHR recommendations.**
- **Measures in place to address shortcomings in the legal framework regulating party and campaign financing.**

The Parliament of Montenegro:

When it comes to electoral reform, the Parliament of Montenegro, during the regular (autumn) session, did not consider the Draft Decision on amending the Decision on the Establishment of the Committee for Comprehensive Electoral Reform, which was submitted to the parliamentary procedure on 27 December 2025 by MPs Vasilije Čarapić and Nikola Rakočević. The mentioned draft proposed an extension of the mandate of the Working Group.

Taking into account the European Commission's recommendations regarding the need for further alignment of this law, as well as other laws under the jurisdiction of the Working Group for Electoral Legislation, the Parliament of Montenegro will, in accordance with its work schedule, undertake all activities aimed at extending the mandate and continuing the work of this Working Group.

The most recent amendments to the Law on Financing of Political Entities and Electoral Campaigns were adopted at the Eighth Session of the First Regular (Spring) Sitting in 2025, on 25 July 2025.

During the drafting of this law, particular attention was paid to fulfilling the recommendations addressed to Montenegro by relevant international institutions. In this regard, the amendments to this law largely follow the Opinion of the Organization for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights (OSCE/ODIHR) POLIT-MNE/515/2024 [NS] of 09 October 2024, which identifies certain areas that required amendments, particularly regarding third-party funding, regulation of support in the form of in-kind contributions, and ineffective sanctioning mechanisms. Furthermore, the recommendation to reassess the balance between public and private financing was also considered, to ensure that the public financing system for legally prescribed activities and political party campaign activities does not give a disproportionate advantage to larger, established parties at the expense of smaller or new political parties. In addition, the Law was improved by defining certain terms and introducing standardized terminology to eliminate inconsistencies between different provisions of the Law, as well as potential overlaps and misalignments with other laws, especially the Law on the Election of Councillors and MPs.

Moreover, numerous suggestions from the civil sector were accepted, primarily concerning the prevention of abuse of public resources for political promotion, especially during electoral campaigns. The amendments also introduce a complete ban on public sector employment during electoral campaigns, and the sanctioning regime was adjusted. Recommendations from the GRECO Compliance Report for Montenegro within the V Evaluation Round were also addressed. Finally, suggestions from the State Audit Institution and the Agency for the Prevention of Corruption regarding oversight and control over political party financing were largely taken into account, with particular strengthening of the role of the Agency for the Prevention of Corruption in this area.

III. Fundamental Rights and functioning of democratic institutions

Montenegro protects fundamental rights both in law and in practice and is fully prepared to implement the European Charter of Fundamental Rights and other relevant EU *acquis* upon accession.

Provide detailed updates and report on new developments and state of play on the following areas:

Human rights

12. What has been the progress on the effective implementation and enforcement of the rights and freedoms set out in the European Convention on Human Rights, its protocols, and the jurisprudence of the European Court of Human Rights.

- Could you please provide update about the three cases under enhanced supervision by the Committee of Ministers related to non-enforcement of domestic decisions against socially/State-owned companies and assurance of systematic enforcement of ECtHR judgements?**

Office of Representative of Montenegro before the European Court of Human Rights:

In the period from 1 January to 31 December 2025, there is total of one case under enhanced supervision. This is a group of cases Dedić and Others v. Montenegro Application No 4847/20, which encompasses seven judgments related to the violation of the right to fair trial and the right to protection of property due to non-enforcement of domestic court decisions rendered in 2006 in favour of 605 applicants, former employees of the company “Radoje Dakić” AD Podgorica in bankruptcy proceedings, and against the mentioned company. All measures undertaken or planned to be undertaken by the State of Montenegro in the procedure of execution of the above-mentioned judgments are publicly available in the Action Plans of the Government of Montenegro published at the website HUDOC EXEC.

In the period from 1 January to 31 December 2025, the Committee of Ministers of the Council of Europe closed the supervision of the execution of individual measures in the group of cases Dedić and Others v. Montenegro, then the supervision of the execution of judgment Jovašević and Others v. Montenegro and six decisions (Kićović v. Montenegro, Vukašinović v. Montenegro, Žunjić v. Montenegro, Petrović and Others v. Montenegro, Mirotić v. Montenegro and Alić and Others v. Montenegro).

The just satisfaction (compensation for pecuniary and/or non-pecuniary damage and costs and expenses of the proceedings before the European Court) awarded to the applicants by the European Court was paid

by the Government of Montenegro in a timely manner within the prescribed time limit in all cases during the reporting period.

- **Could you please provide data on duration of proceedings before the Constitutional Court to comply with the ECtHR case law on the effectiveness of the constitutional complaint as a domestic legal remedy?**

Office of Representative of Montenegro before the European Court of Human Rights:

As of November 2025, the average duration of proceedings before the Constitutional Court in constitutional-complaint cases was one year and eight months.

This recent figure is consistent with the downward trend recorded in the Government's reporting to the Council of Europe in the context of execution of ECtHR judgments. In that reporting, the average length of proceedings in cases "initiated by a constitutional complaint" was 2 years and 5 months (2021), 2 years and 6 months (2022), 2 years and 2 months (2023), and 1 year and 11 months in 2024 (data up to 31 July 2024). The same document provides annual inflow and outflow data for constitutional-complaint cases (filed and resolved) for 2019–2024 (partial year).

From the standpoint of the ECtHR's effectiveness criteria (including the requirement that a remedy operate with sufficient promptness in practice), the key "current" indicator is therefore the average duration of 1 year and 8 months, coupled with evidence that the Court has implemented a backlog-reduction plan explicitly aimed at aligning with the ECtHR's case law on constitutional-complaint effectiveness.

- **What is the state of play on the national institutional and legal framework for the promotion and protection of human rights, including the relevant Ministry covering human rights, amending the legal framework on the Ombudsman to ensure compliance with the Paris Principles and reinforce all relevant independent bodies in this area, to ensure their ability to implement human rights obligations and policy in an adequate manner?**

Ministry of Human and Minority Rights:

In 2024, Montenegro began drafting a new Law on the Protector of Human Rights and Freedoms of Montenegro in order to ensure that the Institution of the Protector is granted A status, in line with the Paris Principles and the Resolution of the United Nations General Assembly. The law will strengthen the structure, competencies, resources, and independence of the Protector. The existing position of Deputy Protector will be reinforced and new competences will be defined in relation to specific groups of tasks, as well as the capacities of the National Mechanism for the Prevention of Torture, as an integral part of the Institution of the Protector.

The draft law is currently in the preparatory phase for submission to the European Commission for an opinion, and its adoption is planned for 2026. The new law envisages strengthening independence, transparency in the procedures for appointment and dismissal, as well as ensuring adequate financial and human resources, so that the Protector can effectively exercise its mandate and contribute to strengthening the protection of human rights in Montenegro.

Additionally, at the session held on 31 December 2025, the Parliament of Montenegro adopted amendments to the existing Law on the Protector of Human Rights and Freedoms, which relate to the obligation of the Institution of the Protector to protect and promote the rights of workers from EU Member States in the Montenegrin labour market.

- **Could you please report on the resources, capacity, and powers of the Ombudsperson's Office and supreme audit institutions?**
- **Could you please provide an overview on follow-up of recommendations made by the Ombudsperson's Office and supreme audit institutions in 2025?**

The Protector of Human Rights and Freedoms:

The amendments to the Law on Civil Servants and State Employees adopted in 2025 necessitated the alignment of the act on internal organisation and job classification with this Law. Accordingly, the Protector of Human Rights and Freedoms of Montenegro, following the prior opinion of the Administrative Committee of the Parliament of Montenegro, adopted the Rulebook on Amendments to the Rulebook on Internal Organisation and Job Classification of the Service of the Protector of Human Rights and Freedoms of Montenegro, No. 03-753/25-3 of 18 September 2025.

For the performance of the duties of the Protector, 35 posts are systematised within the Service of the Protector of Human Rights and Freedoms of Montenegro, of which 30 posts are filled: 27 on a permanent basis and 3 on a fixed-term basis, while the rights and obligations of one employee are suspended.

In 2026, the Protector of Human Rights and Freedoms of Montenegro plans to employ a total of six (6) staff members within the Service of the Protector, namely: four (4) staff members on a permanent basis and two (2) staff members on a fixed-term basis, for a period of up to two years.

It is noted that the Protector of Human Rights and Freedoms and the Deputy Protectors of Human Rights and Freedoms are outside the systematised posts, while the Decision on the Number of Deputy Protectors of Human Rights and Freedoms of Montenegro ("Official Gazette of Montenegro", No. 064/11 of 29 December 2011) establishes that the Protector of Human Rights and Freedoms of Montenegro has four Deputy Protectors.

As of 31 December 2025, the management structure was fully staffed, with the functions performed by the Protector of Human Rights and Freedoms and four Deputy Protectors.

With regard to the last question concerning the overview of the implementation of the recommendations of the Protector of Human Rights and Freedoms for 2025, we inform you that at this moment we still do not have relevant data.

Namely, in the coming period we will begin preparing the Annual Report on the work of the Protector for 2025, and the requested data will be available during March. I would also like to note that the report on the implementation of recommendations issued at the end of the year (November–December) is still awaited from the authorities that are obliged to implement those recommendations.

Once we have preliminary data, we will forward them.

The State Audit Institution:

The State Audit Institution is the user of office premises located at 145 Svetog Petra Cetinjskog Boulevard, Podgorica, based on a signed Lease Agreement for office premises for the accommodation of the State Audit Institution and an Annex to the Lease Agreement, concluded between 'Cijevna Hotel Group' Ltd. – in bankruptcy, Podgorica, and the Administration for State Property. The said Agreement defines the lease of office premises with a total usable area of 2,140 m².

In accordance with Government Conclusion No. 07-7360 of 16 November 2022, office premises were purchased in the Atlas Capital Center for the needs of the State Audit Institution. However, these premises have not yet been put into use and remain in a shell-and-core (unfinished) state. According to information available to the State Audit Institution, the Project Task, Conceptual Design, and Main Design have been completed, while the next phase involves securing funds for adaptation and furnishing, as well as launching a tender for the execution of works.

Within its competences, the State Audit Institution will continue to undertake activities aimed at permanently resolving the issue of office premises.

The Rulebook on Internal Organisation and Job Classification of the State Audit Institution provides for 105 staff positions. Of the total number of systematised positions, 83 positions are filled, while 22 positions remain vacant.

Taking into account the role, mandate, and powers of the State Audit Institution, as well as the work of state auditors as the holders of audit assignments, the State Audit Institution has, in the previous period, sought to ensure adequate working conditions and will, in accordance with its competences, continue to undertake activities aimed at strengthening audit capacities, including staff professionalisation and increasing employees' salaries through appropriate budgetary allocations.

It is also important to note that the State Audit Institution faces challenges related to the adjustment (reduction) of its proposed budget, which was submitted by the State Audit Institution and unanimously supported by the Committee on Economy, Finance and Budget.

In 2025, in accordance with its powers, the State Audit Institution published a total of 37 audit reports, including: 25 financial audits and compliance audits, 2 compliance audits, 5 performance audits, 3 information systems audits, 1 follow-up audit, and 1 audit assessing the application of fiscal responsibility criteria. In addition to legally mandatory audits—namely, the audit of the Draft Law on the Final Account of the State Budget of Montenegro and audits of political entities—the audit subjects also included spending units, local self-government units, diplomatic missions, agencies, and business companies.

The State Audit Institution monitors the implementation of recommendations through the audit of the Draft Law on the Final Account of the State Budget of Montenegro, audits of reports on the implementation of recommendations from individual audits, and follow-up audits. In 2025, the implementation of recommendations from 51 individual audit reports was reviewed, containing a total of 1,047 recommendations (of which those requiring further monitoring were reviewed in 2025), while the

audit of the Draft Law on the Final Account of the State Budget of Montenegro for 2024 included a review of the implementation of 50 recommendations.

- **Could you please update on the state of play regarding the amendments to the Data Protection law to ensure high level of protection of personal data in line with EU acquis, in particular ensuring the alignment of national data protection legislation with the General Data Protection Regulation 2016/679 and the Law Enforcement Directive 2016/680 and the full independence, effective powers and appropriate resources of national data protection authority?**

The Ministry of Interior:

When it comes to the status of the Personal Data Protection Law, I inform you that the Draft Law has been prepared, that it has passed the Public Debate and that it has received an opinion from the Agency for the Protection of Personal Data and Free Access to Information, and that it is currently in the process of obtaining other necessary opinions.

When it comes to the Law on Protection of Personal Data, which will be implemented by the Police Directorate, state prosecutor's offices, authorities for the execution of criminal sanctions or other authorities that conduct investigations, detection and prosecution of perpetrators of criminal acts, the working group has prepared the Draft Law and harmonized the draft text with the suggestions of an international expert , and it will soon be sent to the cabinet of the Minister for publication at the Public Debate.

The adoption of both laws is expected by the second quarter of 2026.

- **Are there any developments on Montenegro's legislation on procedural rights of suspects and accused persons, and on the rights of victims of crime and the necessary capacity to ensure the rights, support, and protection of victims of crime?**

The Ministry of Justice:

Comments regarding amendments in accordance with Directives 2012/13 and 2016/343, relating to the procedural rights of suspects and accused persons, were received in December 2025. A response to these comments is currently being prepared and will be submitted to the European Commission in January 2026. We expect this to be the final stage of alignment, after which this part will be adopted.

13. What is the state of play on the implementation of the recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment (CPT), the European Commission on Racism and Intolerance (ECRI) and the Group of Experts on Action against Violence Against Women and Domestic Violence (GREVIO), including appropriate and swift judicial follow up in cases of ill-treatment should these occur? Including:

- **Progress in implementing all pending recommendations of the CPT, ECRI and GREVIO.**

The Supreme Court:

Guidelines for Sentencing in Cases of Sexual and Gender-Based Violence

In December 2025, the Supreme Court of Montenegro issued Guidelines for Sentencing in Cases of Sexual and Gender-Based Violence, fulfilling a key measure of Montenegro's Reform Agenda, which secured financial support from the European Union amounting to €2.317 million.

This milestone confirms the judiciary's institutional readiness to take an active role in implementing reforms crucial to the rule of law.

The Guidelines demonstrate the judiciary's clear commitment to a zero-tolerance policy towards sexual and gender-based violence, recognizing it as a serious violation of human dignity and fundamental values of a democratic society. They emphasize the critical role of courts in protecting victims, strengthening public trust in the justice system, and affirming the principles of justice and legal certainty through the imposition of effective and proportionate penalties.

The creation of this document underscores Montenegro's judiciary's dedication to providing a strong institutional response to sexual and gender-based violence through responsible, consistent, and efficient criminal policy, sending a clear message that victim protection is among its highest priorities.

The Guidelines are designed as a practical, normatively grounded, and easily applicable tool for judges, providing a clear framework for individualizing sentences with full consideration of all relevant circumstances of each case. They do not restrict judicial independence but rather serve as its strong support, contributing to consistency in case law, predictability of judicial decisions, and enhancement of legal certainty.

The document is based on Montenegro's international obligations, particularly the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) and the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention), thereby further aligning national judicial practice with the highest international human rights standards.

The Guidelines were prepared by a Working Group comprising judges from the Court of Appeal of Montenegro, the High Court and Basic Court in Podgorica, as well as advisors from the Supreme Court of Montenegro, with expert support from consultants of the Council of Europe.

The Supreme State Prosecutor's Office:

See Annex 3 and 4 for information on this point.

The Ministry of Human and Minority Rights:

With regards to the question concerning the Report of the European Commission against Racism and Intolerance (ECRI) on Montenegro for the sixth monitoring cycle, we inform you that the report was adopted on 1 July 2025 and published on 28 October 2025 in Montenegrin and English. With regard to the implementation of the recommendations provided, we consider it still too early to provide information on their implementation, given that this report is prepared every five years.

One of the key recommendations of this Report is to ensure the full independence of the Protector of Human Rights and Freedoms, which was addressed in the response to Question 14 of the Questionnaire.

The second priority recommendation concerns the registration of all displaced Roma and Egyptians (as well as persons who identify as Ashkali) from Kosovo residing in Montenegro, including their children. The deadline for reporting on these two priority recommendations is two years after the publication of this report.

The Ministry of Social Welfare, Family Care and Demography:

The GREVIO report represents the main “guide” for all institutions in Montenegro when adopting strategic documents, laws, and by-laws in the field of protection against violence against women and domestic violence. Institutions apply the recommendations, while official data will be available in 2028 during the next reporting cycle.

The Ministry of Interior:

During the year 2025, the supervisory activities of the Directorate for Security and Supervisory Affairs - the Directorate for Security Affairs have been additionally strengthened and are carried out continuously, with a special focus on monitoring the implementation of the CPT's recommendations in practice. In addition to preparing an annual analysis and report on the degree of implementation of the CPT's recommendations. The initiative was directed to the Directorate for Financial and Material Affairs, the Directorate for General and Joint Affairs and the Department for Material Affairs and Investments, in order to provide financial and infrastructure conditions for the harmonization of detention facilities with the current Rulebook and international standards.

The Police Directorate:

The Police Directorate is actively implementing the recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from the latest periodic report on its visit to Montenegro from 7 to 13 June 2022.

In December 2023, the Ministry of Interior – Police Directorate issued an Instruction on implementing the CPT recommendations from the report on the visit to Montenegro in the period 7–13 June 2022, containing a set of measures and activities aimed at executing the CPT's recommendations.

To further align with international standards, the Ministry of Interior adopted the Rulebook on the conditions that must be met by facilities for the detention of persons deprived of liberty and held persons (Official Gazette of Montenegro No. 24/2024 of 21 March 2024), which represents another activity directed toward compliance with CPT standards.

Additionally, an Instruction on the conduct of police officers during the exercise of the police authority of bringing-in was issued (Instruction No. 01-102/24-32911 of 14 June 2024), which regulates in detail the procedures for handling individuals brought to premises used by the Police Directorate, the competent prosecutor's office, or the court (official premises).

Organizational units of the Police Directorate continuously hold meetings on the prevention of abuse of detained persons. Police officers are familiarized with the content of the Instruction, all with the aim of

preventing abuse of detained persons and ensuring professional conduct by police officers during the execution of all measures and actions.

The Ministry of Interior, in cooperation with the Public Institution of Higher Education “Police Academy,” has organized a series of mental-tactical trainings in which police officers have actively participated. These trainings, either directly or indirectly, focus on the respect of human rights, with particular emphasis on the prohibition of torture. Continuous professional development and training of police officers are conducted in the areas of exercising police powers and the use of force, as well as in the prevention of violations of the absolute right under Article 3 of the Convention (prohibition of torture), aiming to prevent any breaches of the absolute prohibition of torture under Article 3 of the Convention for the Protection of Human Rights and Fundamental Freedoms, with practical applications for police conduct.

All persons deprived of liberty or held by the police are informed of the reasons for their detention, are granted the right to notify a person of their choice about their detention, have the right to a lawyer, and the right to access a doctor from the moment they enter police facilities.

In cases involving foreign nationals who do not understand Montenegrin, police officers provide interpreter/translation services, and an informative leaflet is given in a language the individual understands.

Police officers use the new “Citizen Summons” form in daily operations, which clearly outlines the reasons for the summons and the rights of the citizen. At main entrances, officers maintain records of individuals entering police premises either by summons or for other reasons (special registers).

Persons deprived of liberty and held persons are regularly provided with food and basic hygiene products.

A procurement process is underway for 13 specialized vehicles (4+9) for the safe transport of persons deprived of liberty or held persons.

Regarding unrealized recommendations related to deficiencies in infrastructure conditions of detention facilities, their implementation depends on the construction or adaptation of existing detention facilities, which requires additional budgetary allocations that were not provided for in the Police Directorate’s budget.

Considering that the Ministry of Interior has adopted the Rulebook on the conditions that must be met by detention facilities to further align with international standards, and noting that organizational units have repeatedly indicated that detention facilities do not yet comply with this Rulebook, the Police Directorate has initiated actions to create the necessary conditions for the implementation of CPT recommendations.

The Ministry of Health:

The Ministry of Health, in cooperation with the Ministry of Foreign Affairs, successfully participated in the organisation of the CPT delegation’s monitoring visit to Montenegro, which took place from 19 to 27 November 2025.

The CPT delegation visited the Special Psychiatric Hospital, where it conducted a continuous, full-day visit over several days. The delegation also visited the Nikšić General Hospital – Psychiatry Department.

In addition, during the visit, a meeting at the appropriate level was held at the Ministry of Health with the CPT delegation.

The Ministry of Health and the management of the Special Psychiatric Hospital reviewed the preliminary observations submitted by the CPT team.

Taking into account the need to implement both previous recommendations and those that will be contained in the most recent CPT report, the Ministry of Health scheduled a meeting with the newly appointed Director of the Special Psychiatric Hospital in order to further analyse the CPT recommendations through direct communication and to plan future activities, bearing in mind the complexity of the specific outstanding issues addressed by the CPT recommendations.

In this regard, the Ministry of Health has established monthly visits and meetings with the hospital management in order to intensify steps towards the implementation of CPT recommendations.

The Ministry of Health has concrete and significant activities through its participation in bodies of the Council of Europe; therefore, the recommendations of an expert body such as the CPT are of high importance for improving standards of accommodation, conditions, treatment and hospitalisation in psychiatric health-care institutions, particularly in light of the need to safeguard the human rights of persons with mental disorders.

With regard to the living conditions of patients, the Special Psychiatric Hospital continuously invests efforts to improve them in line with the available financial resources. In particular, we note that the number of staff responsible for maintaining hygiene across all hospital wards has been significantly increased compared to the period of the previous CPT visit in 2017.

The problem of leakage from the flat roof of the hospital's largest pavilion, mentioned in the report, has been partially remedied through the installation of new waterproofing, within the institution's financial capacities. Furthermore, in 2025 a project was developed for the replacement of the roof structure on Building No. 7, for which the Health Insurance Fund of Montenegro approved funding in the 2026 budget.

The issue of occasional overcrowding is largely due to the increase in the number of 'judicial' patients, which has been evident in recent years. We consider that the most appropriate systemic solution is the completion of construction and the commencement of operations of the Judicial Hospital within the Directorate for the Execution of Criminal Sanctions. In the meantime, we are considering the possibility of transferring newly admitted patients in the phase of initial stabilisation to other hospital institutions in Montenegro in order to accelerate the discharge process.

In addition, activities aimed at reorganising the institution's operations have already begun, and we plan to relocate the Department of Forensic Psychiatry to another floor of the pavilion in which it is currently located, along with the implementation of additional segregation of other patients subject to security measures, in order to avoid, to the greatest extent possible, their placement together with patients receiving treatment on a voluntary basis.

Judicial patients are referred to an 'adaptation weekend' during the final phase of treatment, immediately prior to submitting a proposal to the competent court for the modification of the security measure, or once such proceedings have already been initiated. The duration of these weekends and any extension thereof depend on the length of the judicial proceedings concerning the modification of the security measure.

With regard to the number of medical technicians employed in hospital wards, we note that the institution has repeatedly published vacancy announcements, and that the Ministry of Health has recently granted approval for the employment of 12 nurses/medical technicians. Unfortunately, there is still an insufficient number of candidates who meet the requirements for working with judicial patients in closed wards.

- **Implementation of mandatory identification for all police and law-enforcement units during all forms of interventions.**

The Police Directorate:

Regarding ongoing activities, all uniformed police officers are required to wear name tags displaying their first and last names or, when wearing protective and intervention equipment, identification tags consisting of a combination of letters and numbers.

All police officers conducting police measures or actions in plain clothes must carry official identification cards in a visible location and present them to the citizens they interact with, in a manner that allows the citizen to see the officer's photograph, read their full name, and note the badge number.

- **Legal framework for use of body cameras and audio-visual recording of all police interviews.**

The Police Directorate:

The provision of Article 44 of the Law on Internal Affairs ("Official Gazette of Montenegro", Nos. 070/21 of 25.06.2021, 123/21 of 26.11.2021, 003/23 of 10.01.2023, 084/24 of 06.09.2024) regulates the "Recording of Police Actions" and reads as follows:

"Actions of police officers may be recorded using audiovisual devices for the purpose of protecting the safety of persons and property while performing police duties, monitoring the application of police powers, as well as protecting police officers.

Devices referred to in paragraph 1 of this Article shall be placed in a visible location on the police officer, or in a visible location in an official vehicle, vessel, or aircraft.

The person on whom police powers are being exercised, when circumstances allow and provided that it does not compromise or delay the execution of the police task, shall be informed that the actions of the police officers are being recorded, and this notification shall also be recorded.

Recordings made under paragraph 1 of this Article that are not used in proceedings conducted in accordance with the provisions of special laws shall be destroyed by the Police within 90 days from the date of their creation."

Within the framework of the Cooperation Agreement between the Government of Montenegro and the Government of Hungary, a donation of financial resources was secured, allocated for the implementation of the Project on Recording Police Actions in accordance with Article 44 of the Law on Internal Affairs (body cameras).

- **Conditions and limitations placed on remand prisoners regarding outside contacts. In this context, provide info on the Rulebook for remand prisoners (when amended last? Maximum duration of detention/remand as per Rulebook? Which rights are granted to remand/detention prisoners?)**

The Ministry of Justice:

The execution of pre-trial detention in Montenegro and the treatment of detainees are regulated by the Criminal Procedure Code (CPC), as well as the Rulebook on the Detailed Manner of Executing Pre-Trial Detention (“Official Gazette of Montenegro”, Nos. 42/12 and 76/24), which was last amended in 2024 (published in the “Official Gazette of Montenegro”, No. 76/24 of 2 August 2024, and entered into force on 10 August 2024). The Rulebook regulates the basic conditions of detainees’ stay, the rights and obligations of detained persons, and the manner of maintaining contact with the outside world.

Detainees maintain contact with the outside world through visits from spouses or partners in a permanent extramarital relationship, close relatives, defense attorneys, and other persons, representatives of domestic human rights organizations, and representatives of international committees for the prevention of torture, where provided for in ratified international treaties. Detainees who are foreign nationals may also receive visits from representatives of diplomatic missions and consular offices of the country of which they are citizens.

In addition, detainees may establish contact with the outside world through correspondence with persons outside the prison and telephone calls, which can only be made from telephone booths located within the prison premises, at times and in the manner determined by the daily schedule. All of the above is in accordance with the Rulebook on the Detailed Manner of Executing Pre-Trial Detention.

Accordingly, detainees, with the approval of the investigating judge, have the right to a telephone conversation at least once a week, and if possible, depending on the workload and activities of the security staff, more than once per week. The telephone booth system in the Podgorica Detention Facility has been upgraded with improved technical characteristics. Telephone booths for detainees are installed on every floor.

Detainees’ contact with the outside world (visits, phone calls, and correspondence) may only be restricted based on a reasoned decision of the competent court, when necessary to protect the interests of criminal proceedings.

Detainees enjoy the status of persons deprived of liberty who have not been convicted, with respect for the presumption of innocence. Their rights under applicable regulations include: the right to accommodation, food, healthcare, hygienic and technical protection, outdoor exercise, organization of free time, visits from family members and other persons, correspondence and telephone calls, receipt of

packages, contact with their defense attorney, and the protection of their rights if they believe these rights have been violated or threatened.

- **Guidelines for the investigation and prosecution of cases of violence by law enforcement and ill-treatment by police and in the penitentiary system to reduce delays and ensure a swift judicial follow-up.**

The Ministry of Justice:

Immediately upon becoming aware of allegations of prisoner abuse, the Administration for the Execution of Criminal Sanctions notifies the competent authorities, namely the Police Directorate and the relevant prosecutor's office, so that they may take actions and measures within their jurisdiction and, if necessary, investigate the allegations of abuse.

In order to conduct an effective investigation, all material evidence related to the allegations of abuse and excessive use of force is collected and submitted to the competent authorities. The Ombudsman, or the National Preventive Mechanism as the relevant institution responsible for the protection of human rights and freedoms and the prevention of torture and other cruel, inhuman, or degrading treatment or punishment, is also informed of the allegations of abuse.

Furthermore, if there is reasonable suspicion that a security officer has exceeded or unlawfully applied means of coercion to the detriment of a person deprived of liberty, a disciplinary procedure is initiated against that officer. At the same time, a temporary measure restricting the performance of duties—a prohibition on performing work in the institution (suspension)—is applied.

The Ministry of European Affairs:

Please see Annex 4 from the Supreme State Prosecutor's Office for an answer to this point.

- **Update on prison conditions. Occupation in prisons and pre-trial detention centres, compliance with CPT standards as regards spatial accommodation and other CPT recommendations. Update on the construction of the prison complex in Spuz with clear timeline for finalization and plans to build prison in Mojkovac.**

The Ministry of Justice:

The Administration for the Execution of Criminal Sanctions, together with the Ministry of Justice of Montenegro, is actively working on implementing the recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 2017, as well as the recommendations given following the ad hoc visit in June 2022, which relate to the prison system.

An important indicator of the work of the Administration for the Execution of Criminal Sanctions is reflected in the implementation of numerous activities that have resulted in extensive renovations, adaptations, and reconstruction of facilities where persons deprived of liberty reside, as well as the construction of new buildings within the Administration's complex. However, despite these measures, overcrowding remains an issue in the Podgorica Detention Facility due to the continuous increase in the number of detainees.

In addition to increasing accommodation capacity in that facility by 60 places, a solution was found to relieve overcrowding by transferring certain categories of detainees to the Short-Term Sentences Prison in Podgorica and the Prison in Bijelo Polje, all in accordance with legal procedures. In these prisons, activities were undertaken to expand accommodation capacity by 40 additional places each for detainees, totaling 80 places. Together with the previous 60 places, this results in a total of 140 new places for detainees across the Administration for the Execution of Criminal Sanctions (UIKS).

Healthcare for persons deprived of liberty has been improved in terms of personnel and equipment. A new healthcare facility of 350 m² was constructed, basic and advanced medical equipment was procured, and the number of medical staff was also increased.

Status of the construction of four new buildings in the Spuž complex:

Within the project “EU for Improving Access to Justice and Fundamental Rights” – Works for the Improvement of Infrastructure in the Judiciary and Criminal Sanctions Sector, the construction of four new buildings is being implemented: Special Healthcare Facility, Multifunctional Building, Open-Type Prison, and Reception Facility, funded by the European Union through IPA funds.

The contract CPA/MNE/IPAII/CAP18/WKS/01-908/22-4763/1 was signed on 1 December 2022 with the contractor consortium Fidija d.o.o. (Leader) and Termomont d.o.o., for the amount of €13,809,971.09. The initial completion period for the contract was 24 months from the date of issuance of the work commencement order. The work commencement order was issued on 28 March 2023, but works did not proceed at full capacity due to the presence of 10 kV and 35 kV power lines, which needed to be relocated.

In this regard, the contracting authority, i.e., the Ministry of Public Works (then the Administration for Capital Projects), completed the technical documentation for the relocation of the power lines from a parcel located in private ownership. To resolve property-legal issues, all involved parties were committed to establishing public interest in order to initiate the expropriation process and urgently resolve the power line relocation issue.

After the completion of the expropriation study, property valuation, and securing funds from the budget, the Government of Montenegro, at its session held on 31 July 2025, adopted a Decision establishing public interest for full expropriation of the property, thereby creating conditions for the continuation of works on the power line relocation. By administrative order no. 7, the contract execution deadline was extended to 2 December 2025, which also marks the end of the operational implementation period under the Financial Agreement.

Additionally, the Ministry of Public Works submitted an official request to the NIPAK Office to extend the operational implementation period by an additional two years, which was then forwarded for approval to the Delegation of the European Union in Montenegro. The Annex to the Financial Agreement, extending the operational implementation period by two years (until 2 December 2027), entered into force on 17 September 2025.

As of 11 September 2025, seven administrative orders had been issued, six of which related to additional, unforeseen works.

The total contract value, as of 11 September 2025, including additional/unforeseen works formalized by administrative orders, surpluses on contracted positions, and price adjustments in accordance with the contract provisions, amounts to €14,424,346.43. According to the latest provisional report, the value of completed works amounts to €9,010,943.52.

Prison in Mojkovac:

Given that the fight against organized crime represents a significant challenge for the Montenegrin judiciary and government, and that the pre-trial detainee population accounts for approximately 60% of the total population of persons deprived of liberty, questions have been raised regarding the justification for the implementation of this project, whose accommodation capacity is 200 detainees and 120 staff, which is disproportionately small compared to the total prison population in Montenegro.

The distance of Mojkovac from judicial institutions, security aspects, distance from the main road, terrain configuration, and the location for the prison's construction—situated in close proximity to the Tara River—require work within the riverbed and the construction of flood defenses to raise the riverbank level and prevent the flooding of the facility. In addition, other “ancillary projects” significantly increase the overall construction cost of the prison.

Concerns were also raised regarding the availability of qualified personnel to operate such a complex, given the significant challenges and problems faced by the Administration for the Execution of Criminal Sanctions in Spuž and Bijelo Polje.

When constructing new prisons, expected changes in the prison population must be taken into account, and it is necessary to build facilities that can easily adapt to different types or categories of detainees, while sufficiently addressing the overall problem of accommodation capacity within the Montenegrin prison system.

The Government of Montenegro, on 25 December 2024, adopted information regarding the project “Construction of a Prison for the Northern Region of Montenegro in Mojkovac”, and it is concluded that, in view of the above considerations, the justification for constructing the Mojkovac Prison requires further assessment.

- **Update on availability and use of alternative sanctions to detention**

The Supreme Court:

At this time, given that the reporting period is still ongoing, we do not have reliable data on the number of alternative measures imposed. The data will be presented at the Subcommittee meeting.

The Ministry of Justice:

Regarding alternative measures to pre-trial detention, the Administration for the Execution of Criminal Sanctions (UIKS) does not have data on the number of imposed measures, as the Police Directorate is responsible for implementing the house arrest measure (restrictions on leaving one's residence).

The Government of Montenegro, at its session held on 17 July 2025, adopted the Decree on the Electronic Monitoring of Supervisory Measures (“Official Gazette of Montenegro”, No. 88/25 of 5 August 2025, in force from 13 August 2025), thereby establishing the regulatory framework for implementing the house arrest measure (restrictions on leaving one’s residence).

14. What has been the progress on a credible track record implementing provisions on non-discrimination, gender equality and combating gender-based violence, protection of persons belonging to minorities and cultural rights, in line with the EU acquis and European standards and provides effective mechanisms for redress and assistance to victims?

The Ministry of Interior:

The Ministry of the Interior – Police Directorate continuously implements statutory measures and activities defined by the Law on Gender Equality, as well as by relevant internal and national policy documents in this field.

An internal document, the Action Plan for Increasing the Number of Female Police Officers in the Police Directorate for the period 2025–2026, has been adopted.

Persons of Trust, acting as anti-discrimination mechanisms, have been appointed within sectors and security departments of the Police Directorate and have been trained for this field. To date, two cases of sexual harassment in the workplace have been reported to these persons.

A Guide for the Prevention of and Response to Discrimination, Sexual Harassment, and Mobbing in the Police Directorate of Montenegro has been developed and made available to all police officers and staff.

Trainers in the field of gender equality, trained through a specialized training programme, continuously provide training to police officers on the topic of Gender Equality in the Police.

Campaigns promoting greater participation of women in the police, implemented over several years with the support of the OSCE Mission to Montenegro, have resulted in the highest number of women enrolled at the Police Academy in Danilovgrad, reaching up to 38%.

Activities defined under the strategic framework for the implementation of United Nations Security Council Resolution 1325 – Women, Peace and Security are continuously carried out in cooperation with the Ministry of Defence.

The Association of Women Police Officers carries out activities aimed at promoting women in the police and strengthening their personal and professional capacities, both at the national and international levels.

These activities have resulted in an increase in the share of female police officers from 9%, which was the level when work on gender equality in the police began, to 16%. Additionally, the number of women in lower and middle management positions has increased, positions in which women had previously not been represented.

Police Directorate:

Pursuant to Article 64 of the Law on Internal Affairs, which regulates the records kept by the police on processed data, in the territory of Montenegro in 2025 a total of 948 criminal offences under Article 220 of the Criminal Code of Montenegro were committed, as well as 87 criminal offences related to domestic violence which, based on their constituent elements, were classified as other criminal offences (Articles 143–1, 143/20 in conjunction with 403–2, 144–4, 146–1, 220 in conjunction with 168–2, 220 in conjunction with 168a–4, 220 in conjunction with 152–2, 221–15, 403–15, 216–7, 217–8, 327–1, 395a–2, 168–5, 168a–1, 207 in conjunction with 208–2, 208 in conjunction with 204–2, 211C–1, 219–3, 152–1, 250–1, 250/20–1, 251–1, 151–1, 175a–2, 162–1, and 399–1), for which a total of 997 criminal reports were filed.

The aforementioned criminal offences were committed by 1,020 perpetrators, of whom 912 were male (including 14 minors) and 108 female (including 5 minors).

Of all criminal offences committed under Article 220 of the Criminal Code of Montenegro, 264 offences were committed within the jurisdiction of the Podgorica Police Department.

Victims of the committed criminal offences related to domestic violence totalled 1,147 persons: 376 male and 771 female. Of the total number of victims, 140 were minors, including 57 males and 83 females.

In 2025, the Police Administration filed 570 misdemeanor charges for 710 misdemeanors under the Law on Protection from Domestic Violence. These misdemeanors were committed by 570 perpetrators, of whom 405 were male (including 4 minors) and 165 female (including 3 minors).

Victims of the committed misdemeanors totalled 571 persons, of whom 263 were male and 308 female. Of the total number of misdemeanor victims, 189 were minors (110 male and 79 female).

In addition, police officers of the Police Administration, in accordance with Article 37 of the Law on Protection from Domestic Violence, submitted 282 reports for neglect.

The Ministry of Internal Affairs / Police Administration continuously, in line with the recommendations of the European Commission and international partners, systematically and strategically works on strengthening its capacities by implementing regular education, training and professional development of police officers, with the aim of enhancing their skills and professionalization in combating cases of gender-based and domestic violence, particularly by strengthening their sensitivity in working with victims, interviewing methods, and the consistent application of national and international legislation.

The Police Administration continuously cooperates with all governmental and non-governmental institutions involved in the prevention, prevention and suppression of domestic violence, including through the participation of police officers in the Operational Team for Combating Domestic Violence and Violence against Women.

Through proactive engagement, the Operational Team initiated a number of measures that contributed to the overall improvement of the existing situation. Based on conducted analyses, several solutions for specific cases were suggested and proposed, and the work of various competent authorities at the local and national levels was guided accordingly. The Operational Team held 13 meetings aimed at improving

the handling of specific cases at the national level, while communication among team members is conducted continuously via online platforms in ad hoc situations.

Through its active work, the Team adopted conclusions and recommendations primarily aimed at improving the institutional response to violence, with most conclusions relating to guidelines for action and concrete responses in the situations considered. The objective is to ensure that victims of violence receive appropriate support and to eliminate the recurrence of violence and institutional shortcomings.

Special emphasis was placed on improving health-care conditions for victims of violence. The Team initiated recommendations to ensure that victims of violence receive priority services in health-care institutions and emphasized the importance of victims' psychological well-being, particularly that of children. This measure aims to ensure faster and more effective support for victims of violence.

Furthermore, for the first time, the Team exercised the competences of the Commission for Supervision of the Quality of Professional Work in the Field of Social and Child Protection and initiated inspection procedures in cases where there is suspicion of inadequate conduct.

In its regular reporting to the Government of Montenegro, the Team pointed out the need to consider and analyse the possibility of specializing prosecutors and judges with exclusive jurisdiction over domestic violence cases; to assess statements of parties and witnesses regarding the history of violence, as it has been observed that the focus is exclusively on the specific reported incident; and to amend existing regulations in order to introduce electronic monitoring of protective measures under the Law on Protection from Domestic Violence, modelled on supervision measures and security measures in criminal proceedings.

Through continuous cooperation with centres for social work, health-care institutions, the police, prosecutor's offices and judicial authorities, the Operational Team has demonstrated a high level of coordination, enabling more effective action and better identification of victims' needs.

- **Could you report on the implementation of the Strategy for the Advancement of the Status of Roma and Egyptians in Montenegro, as well as commitments under the Poznan Declaration?**

The Ministry of Human and Minority Rights:

The Strategy for the Social Inclusion of Roma and Egyptians 2021–2025 planned a total of 126 activities, of which by the end of 2025 a total of 112 activities were fully implemented, 4 were partially implemented, while 10 activities were not implemented.

The planned activities were implemented at a level of over 88.8% for the period 2021–2025. Based on this, it can be concluded that a significant level of effectiveness was achieved in the implementation of the Strategy. In addition, an evaluation of the Strategy was completed by an expert appointed by the Council of Europe.

Furthermore, a working group was established to draft a new Strategy (2026–2030), and the draft of the “Strategy for Improving the Quality of Life of Roma and Egyptians in Montenegro 2026–2030,” along with the Action Plan 2026–2027, has been completed. The only remaining step is the finalization of this

document. According to the Government's Work Program, the adoption of this document is planned for the second quarter, together with the Final Report on the implementation of the Strategy for the Social Inclusion of Roma and Egyptians 2021–2025, as well as the report for 2025.

July 5, 2019 marks the date when the Poznań Declaration was signed, meaning that six years have passed since its adoption.

Over the six-year period, significant progress has been made in achieving the defined objectives. During the previous six-month period, the following progress was recorded:

Employment:

A significant decrease in the unemployment rate was recorded, and consequently a notable increase in the employment rate of Roma across various sectors (a decrease from 81.9% to 64.1% in the category of unemployed). Based on this, it can be concluded that Roma and Egyptians are employed to a significantly greater extent than was previously the case.

There is also a growing trend in the number of Roma and Egyptians employed in the public sector, where 11.2% are employed compared to 6.1% in 2016.

A positive trend is also evident in terms of inactivity among members of the Roma and Egyptian population, with 25.5% inactive in 2023 compared to 45.1% in 2016.

Montenegro adopted the Programme for the Transformation of Informal Employment, becoming the first country in the Western Balkans to adopt such a document.

Education:

The percentage of Roma children enrolled in preschool increased by 60% compared to 2023. In the 2022/2023 school year, the number of children enrolled in preschool was 92 boys and 111 girls (a total of 203), while in the 2025/2026 school year, 179 boys and 154 girls were enrolled, for a total of 333 children.

The completion rate of grades among Roma and Egyptian children increased. For the 2024/2025 school year, completion rates were 78.07% for boys and 84.06% for girls, while the overall completion rate of the ninth grade was 87.77%.

The transition rate from primary to secondary education increased compared to 2023, from 51.64% in the 2022/2023 school year to 62.30% in the 2024/2025 school year.

The completion rate of the third level of secondary education in 2023/2024 was 84.85%, while the completion rate of the fourth level was 90.91%.

Health Care:

According to UNDP data, 81% of the Roma and Egyptian population has access to health care.

The average age of the Roma and Egyptian population, according to the latest available research from 2023, increased from 51.9 in 2016 to 61.1 in 2023.

Personal Documents and Legal Status:

According to the Strategy, the goal was to completely eliminate the number of persons without personal documents by 2025. Data show that in 2021, 10% of Roma and Egyptians were without documents, while by 2023 this percentage was reduced to approximately 5%. Additionally, the number of persons without birth certificates was reduced from 5.7% to 3%.

Although progress has been made in resolving issues related to personal documents and legal status, there are still individuals without regulated legal status, particularly among internally displaced persons and returnees. A total of 240 stateless persons were identified, and institutions undertook field registration activities.

The regional conference on statelessness and cooperation with UNHCR and the Ministry of Interior contributed to raising awareness of the issue. However, administrative barriers still remain.

Non-Discrimination:

A reduction in ethnic distance toward the Roma and Egyptian community was recorded; however, discrimination and antigypsyism remain present, particularly in employment and education. The ethnic distance index decreased from 0.55 (2021) to 0.36 (2025).

The programme “Combating Antigypsyism and All Forms of Discrimination Against Roma and Egyptians” was accredited.

A working group was established for the new Strategy (2026–2030), and trainings were conducted in the areas of human trafficking and child marriage. However, greater budgetary support and institutionalization of efforts through the Law on Prohibition of Discrimination are still needed.

- **Could you please update on preparation of legislation implementing the new Law on anti-discrimination, including related to the competences of the Ombudsperson Office acting as equality body? Provide overview of such planned legislative changes with timeline for adoption.**

The Ministry of Human and Minority Rights:

The new Law on Equality Protection and the Prohibition of Discrimination, adopted on 31 December 2025, represents a significant step forward in strengthening Montenegro’s institutional and legal framework in the field of human rights. Key novelties introduced by the law include an expanded list of grounds for discrimination; the introduction of the concepts of intersectional, systemic, and multiple discrimination; a clearer definition and prohibition of hate speech in line with the recommendations of the European Commission against Racism and Intolerance; recognition of the failure to provide reasonable accommodation to persons with disabilities as a form of discrimination; the enhancement of legal protection mechanisms (collective actions, the burden of proof, interim measures, and the prohibition of victimisation); strengthening the role of the Protector; and cooperation with the civil society sector.

Special emphasis is placed on strengthening the role of the Protector of Human Rights and Freedoms, who is explicitly defined by law as the national equality body. The Ombudsman is granted expanded competences in the field of protection against discrimination: handling complaints and taking measures

to eliminate discrimination; providing information on rights and available protection mechanisms; conducting mediation procedures; initiating court proceedings or appearing as an intervener in cases where there is probable discrimination with systemic consequences; alerting the public to serious forms of discrimination; maintaining records and analysing data on discrimination cases; promoting equality through various activities; and regularly reporting to the Parliament of Montenegro on the measures and activities undertaken, as well as performing other tasks prescribed by law. This ensures that the institution is not only reactive, but also proactive in protecting the rights of citizens.

Furthermore, the law provides for the obligation of courts, prosecutor's offices, and inspection bodies to keep records and submit data to the Ombudsman, thereby establishing a comprehensive system of monitoring and reporting. These provisions aim to enhance transparency, strengthen inter-institutional links, and enable evidence-based policymaking. Ultimately, the law is aimed at alignment with the EU acquis, strengthening citizens' trust in institutions, and creating a society in which equality is a fundamental principle and discrimination is clearly sanctioned and systematically monitored.

In addition, pursuant to the obligation arising from this Law, the drafting of a Rulebook on the content and manner of keeping special records on reported discrimination cases is underway, which will enable systematic data collection. The deadline for the adoption of this Rulebook is six months from the date of entry into force of this Law.

The Protector of Human Rights and Freedoms:

The Law on the Protection of Equality and the Prohibition of Discrimination ("Official Gazette of Montenegro", No. 002/26) represents a new overarching anti-discrimination framework law and emphasizes the obligation to harmonise other laws regulating the prohibition of discrimination in order to strengthen the system for the protection and promotion of equality.

Article 20 has significantly improved the competences of the Protector, retaining the core competences that were contained in the previous law, while normatively specifying, expanding, and enhancing them, in particular through the introduction of new powers related to the protection of the rights of EU workers. This strengthens the institutional role of the Protector, improves legal certainty, and ensures a higher level of alignment with the European Union acquis.

The Law on the Protection of Equality and the Prohibition of Discrimination has strengthened the role of the Protector in strategic litigation concerning discrimination and, in addition, improved provisions relating to reporting on discrimination to the Parliament of Montenegro.

The new law introduces six new competences that did not exist under the previous law, relating to: protection against discrimination of EU workers and members of their families, free movement of workers, legal and other assistance, international cooperation, research, reports and recommendations, as well as information on the application of EU law. It is also notable that, unlike the previous Law on the Prohibition of Discrimination, the new law uses gender-neutral terminology ("Protector", "complainant", "plaintiff").

Furthermore, it should be noted that the Law prescribes that the by-law referred to in Article 31 must be adopted within six months from the date of entry into force of the Law; however, to date, there is no information as to whether the competent ministry has begun the preparation of this act. We clarify that Article 31 stipulates that courts, state prosecutor's offices, the organisational unit of the state administration body competent for internal affairs performing police duties, and bodies carrying out inspection supervision are obliged to keep separate records of submitted complaints, initiated proceedings, and adopted decisions within their competence related to discrimination, and that these bodies are obliged to submit the data from these records to the Protector.

The new Law on the Protection of Equality and the Prohibition of Discrimination ("Official Gazette of Montenegro", No. 002/26) was adopted by the 28th Convocation of the Parliament of Montenegro at the First Session of the Second Regular (Autumn) Sitting in 2025, on 31 December 2025. The Law entered into force on the eighth day following its publication in the "Official Gazette of Montenegro". On the date of entry into force of this Law, the Law on the Prohibition of Discrimination ("Official Gazette of Montenegro", Nos. 46/10, 18/14 and 42/17) ceased to be in force.

The adoption of the Law on the Protector of Human Rights and Freedoms of Montenegro is planned for the first quarter of 2026. In addition, Article 1 of the Law Amending the Law on the Protector of Human Rights and Freedoms of Montenegro ("Official Gazette of Montenegro", No. 003/26 of 9 January 2026) amended the Law on the Protector of Human Rights and Freedoms of Montenegro ("Official Gazette of Montenegro", Nos. 42/11 and 32/14) by amending Article 21, in such a way that two new paragraphs were added after paragraph 1, reading as follows:

"The Protector shall be competent to promote, monitor, analyse, and support equal treatment of nationals of the Member States of the European Union who work or carry out entrepreneurial activities in Montenegro, as well as members of their families, without discrimination on the grounds of nationality and without unjustified restrictions or obstacles to the exercise of their right to free movement, in accordance with this Law and the law governing the prohibition of discrimination.

The competence referred to in paragraph 2 of this Article shall also apply to the right to equal treatment without discrimination on the grounds of nationality of all citizens of the European Union and members of their families who exercise their right to free movement in accordance with Article 21 of the Treaty on the Functioning of the European Union and Directive 2004/38/EC."

Finally, Article 2 of the aforementioned Law Amending the Law on the Protector of Human Rights and Freedoms of Montenegro amended Article 57a of the Law by adding a new Article 57b, which reads as follows:

"The provisions of Article 21, paragraphs 2 and 3 of this Law shall apply from the date of Montenegro's accession to the European Union.

- **Could you provide a track record of criminal prosecution of hate crime and hate speech?**

The Supreme State Prosecutor's Office:

The Supreme State Prosecutor issued, on 9 May 2025, Instructions for the conduct of state prosecutor offices in cases involving criminal offenses committed out of hatred (hate crimes), as well as cases of hate speech.

From 1 July 2025 to 31 December 2025, at the level of basic and higher state prosecutor's offices, a total of 17 Kt cases (data on adult perpetrators of criminal offences, data on criminal complainants, injured parties, as well as data on the preliminary examination, investigation, and outcomes of criminal proceedings), 1 Ktm case (data on juvenile perpetrators of criminal offences, the course of proceedings, and decisions adopted in the proceedings), 10 Ktn cases (data on criminal complaints, the actions of the State Prosecutor's Office and decisions taken regarding criminal complaints, as well as data on the detection of perpetrators of criminal offences), 30 Ktr cases (data on various cases, extraordinary legal remedies, and actions of the State Prosecutor's Office, as well as the movement of cases and the manner of their resolution), and 9 Utp cases (data on administrative cases handled by the State Prosecutor's Office) were opened in relation to hate crimes and hate speech.

Hate crimes (Criminal offenses under Articles 220, 168, 399, and 151 KZCG in connection with Article 42a KZCG):

- A total of 6 Kt cases were opened.
- 1 case is in the investigation phase.
- 4 cases resulted in indictments being submitted.
- 1 case involved a proposal for the imposition of a security measure.

Outcomes:

- One first-instance conviction was issued, sentencing the accused to 4 months imprisonment.
- One security measure was imposed based on the proposal.
- The 4 indictments remain under court proceedings.

Criminal and misdemeanor offenses involving hate speech (basic and higher state prosecutor offices):

- Opened cases: 11 Kt, 1 Ktm, 10 Ktn, 30 Ktr, and 9 Utp.

Incitement of national, racial, and religious hatred (Article 370 KZCG):

- 10 Kt, 1 Ktm, 10 Ktn, and 30 Ktr cases were opened.

Kt cases outcomes:

- 7 Kt cases dismissed after investigation.
- 2 indictments filed: one case still in court proceedings, the other concluded with a first-instance conviction.
- 1 case transferred to another state for prosecution.
- The Ktm case is in pre-trial proceedings at the prosecutor's office.
- 10 Ktn cases are under investigation.

Ktr cases outcomes:

- 13 cases under investigation.
- 12 cases archived.
- 1 case transferred to another state.
- 4 cases were transferred by higher prosecutor offices to basic state prosecutor offices for further proceedings or for evaluation of whether the act constitutes another criminal offense prosecutable ex officio or a misdemeanor element.

Racial and other discrimination (Article 443 KZCG):

- 1 Kt case was opened; after investigation, the criminal complaint was dismissed.

Misdemeanor cases with elements of hate speech (under the Law on the Prohibition of Discrimination):

- 9 Utp cases: requests to initiate misdemeanor proceedings were submitted to competent courts; proceedings are ongoing.

Analysis: Comparing data from 2024, when higher state prosecutor offices opened 24 cases against 38 individuals, with the first six months of 2025 after the issuance of the Instruction, there is a significant increase in the number of cases. The Instruction has established a uniform practice among state prosecutors in handling cases of hate crimes and hate speech.

The Protector of Human Rights and Freedoms:

The institution of the Protector of Human Rights and Freedoms does not have data relating to records on the criminal prosecution of hate crimes.

With regard to hate speech as a form of discrimination, according to data from the Protector's 2024 annual report, the Protector handled six (6) cases in the field of hate speech and five (5) cases in the field of public discourse and media, which also predominantly relate to hate speech.

However, the number of cases initiated on the basis of complaints submitted by citizens does not realistically reflect the actual prevalence of hate speech. We recall that citizens report hate speech on online platforms through mechanisms for reporting illegal content (page, portal, and network administrators), as well as by submitting reports to the Police Directorate. The online space remains without adequate, or sufficiently effective, control and content moderation, and hate speech and other illegal content are easily disseminated and incite negative reactions from others, particularly given that attacks originating in the online space may escalate into physical attacks and/or other inappropriate behaviour in public spaces. The largest number of the Protector's reactions and public statements related to offensive speech, hate speech, online threats and intimidation, as well as examples of misogyny and sexism.

According to the records contained in the Report on Protection against Discrimination from the perspective of the activities of the institution of the Protector of Human Rights and Freedoms of Montenegro for the period from 1 January to 31 July 2025, it is stated that in nine (9) cases in which misdemeanours were processed in accordance with the Law on the Prohibition of Discrimination, hate

speech was indicated in four (4) cases: in two (2) cases on the grounds of nationality, in one (1) case on the grounds of sexual orientation, and in one (1) case on other grounds.

It should be noted that the Protector submits an annual report on its work to the Parliament, which is delivered no later than 31 March of the current year for the previous year; therefore, consolidated data for 2025 may be provided after that date.

- **Could you update on the follow-up to alleged cases of discrimination brought to the attention of the Ombudsperson institution, including through implementation of effective redress mechanisms in the public and private sector?**

The Protector of Human Rights and Freedoms:

The Protector of Human Rights and Freedoms of Montenegro informs the Parliament of Montenegro, through annual reports on its work and semi-annual reports on protection against discrimination, about the situation in the field of protection against discrimination, the state of rights of particularly vulnerable social groups, as well as unimplemented recommendations in cases relating to this area.

Furthermore, with the aim of more effective promotion of the principle of the prohibition of discrimination, that is, the importance of equality in the exercise of guaranteed human rights and freedoms, regardless of any particular characteristic or personal attribute, the Protector engages in intensive cooperation with national and international actors working to improve the situation in this field. Representatives of the Protector's institution also participate, as lecturers or participants, in trainings, courses, round tables, panel discussions, and other activities aimed at raising awareness among both professional and general audiences of the importance of respecting human rights and freedoms, including the principle of the prohibition of discrimination.

In particular, it is emphasized that, with the aim of improving the normative framework in the field of protection against discrimination and the protection of the rights of particularly vulnerable social groups, representatives of the Protector participate, in the capacity of observers, in working groups for the drafting of laws and other legal acts.

- **Could you update on the amendments to the Law on Gender Equality to align with the EU acquis and European standards, ensuring sufficient budgetary allocations to gender equality measures?**

The Ministry Human and Minority Rights:

A new Law on Gender Equality is currently being drafted and is under public consultation. In parallel with the public consultation, the competent authority is preparing and updating the EU acquis alignment table, in order to ensure accurate mapping of the draft provisions to the relevant EU directives.

The aim of the reform and the key innovations of the draft are to establish a systemic and measurable approach to gender equality through: a clearer definition of gender equality and the obligations of public authorities and other entities, with the mandatory integration of a gender perspective into public policies; the introduction of a mandatory gender impact assessment for draft laws, secondary legislation, strategies and programmes as a prerequisite for submitting such acts to further procedure; strengthening the

concept of gender-responsive budgeting and the obligation to report on the effects of budget allocations on reducing the gender gap; enhancing obligations related to the collection of sex-disaggregated data and the development of gender indicators; and more precise regulation of concepts and emerging forms of risk, including gender-based digital violence, as well as elements related to intersectional discrimination and misogyny.

The draft law envisages the establishment of a Gender Equality Agency, with responsibilities for monitoring policies, issuing recommendations, coordination, providing expert support, delivering training, and cooperating with institutions, including the Protector of Human Rights and Freedoms (Ombudsperson).

Regarding financial implications, a phased approach to establishing the Agency is foreseen, taking into account the Ministry of Finance's indication that no funds have been planned within the medium-term budget framework. In the initial phase, part of the functions could be carried out through the Ministry's existing capacities, while full establishment and capacity strengthening are planned in subsequent budget cycles, starting in 2027.

The planned next steps and deadlines following adoption include operational implementation in clearly defined phases: appointing a gender equality focal point/officer within three months, adopting secondary legislation within six months, and the full launch of key mechanisms within twelve months.

- **What is the state of play on the legislation amendments to fully align definitions of gender-based violence and domestic violence with the provisions of the Istanbul Convention and the EU acquis (Directive (EU) 2024/1385 of the European Parliament and of the Council of 14 May 2024 on combating violence against women and domestic violence), ensuring a systematic investigation and judicial follow-up to all cases, including by training law enforcement and the judiciary?**

The Ministry of Justice:

The Draft Law on Amendments to the Law on Protection from Domestic Violence was submitted to the European Commission as early as December 2023 and was aligned with Directive 2012/29. The first comments on this legislative proposal were received in August 2025, after which responses were also submitted in August.

A second general comment on this legislative proposal was received in December 2025, stating: "Please check with regard to Directive (EU) 2024/1385 of the European Parliament and of the Council of 14 May 2024 on combating violence against women and domestic violence."

Although the Draft Law amendments were earlier aligned with the Istanbul Convention, which is implemented through this Directive, the Directive was adopted after the Draft Law was submitted to the European Commission. Therefore, it is necessary to carry out additional compliance checks and to create a new, or update the existing, alignment table covering both the provisions of this law and the relevant provisions of criminal legislation.

- **Could you provide details on investigation, prosecution, and final court rulings in in gender-based violence cases and femicides prosecutions, including rate of prosecution relative to police reports?**

The Supreme Court:

Data from 2025 indicate a tightening of the criminal policy of Montenegrin courts in cases of gender-based violence, with a consistent emphasis on victim protection and zero tolerance for violence.

In the coming period, the strengthening of uniform judicial practice will be closely monitored through the Supreme Court's Guidelines (mentioned above in relation to GREVIO report), which highlight the recognition of the dynamics of violence, control patterns, and the real vulnerability of victims.

The Supreme Court of Montenegro closely monitors the sentencing policies of lower courts and, through its rulings on extraordinary legal remedies, directly influences their development to ensure that national judicial practice remains consistent, harmonized, and aligned with the highest standards for protecting victims of violence.

Cases of femicide

During 2025, a total of eight cases related to femicide were pending before the Higher Courts in Podgorica and Bijelo Polje, formed in connection with the commission of criminal offences under Articles 143, 144 and 145 of the Criminal Code of Montenegro. Of this number, seven cases were pending before the Higher Court in Podgorica, while one case was pending before the Higher Court in Bijelo Polje.

With regard to resolved cases, out of the total number of cases, two cases were concluded with final judgments during 2025. In one case, the Court of Appeal of Montenegro amended the first-instance judgment and imposed a sentence of 40 years' imprisonment on one defendant; the judgment became final on 16 July 2025. In the second case, a security measure of mandatory psychiatric treatment and custody in a health-care institution was imposed by a final decision on 16 May 2025.

In two cases, first-instance judgments were delivered, but they did not become final during the reference period, as appeal proceedings before the Court of Appeal of Montenegro are ongoing. In one of these cases, a single sentence of eight years and five months' imprisonment was imposed, while in the other case the first defendant was sentenced to 40 years' imprisonment and the second defendant was acquitted of the charges.

In the remaining four cases, the proceedings are still ongoing and no first-instance decision has yet been rendered. In these cases, proceedings are being conducted against one or two defendants, and the injured parties are family members or former intimate partners of the defendants.

Cases initiated due to the commission of the criminal offense of domestic violence or family violence under Article 220 of the Criminal Code of Montenegro

For the period from January 1 to December 31, 2025, the courts had 1,113 cases initiated under Article 220 of the Criminal Code of Montenegro - domestic violence or family violence, of which a total of 753 cases were received during the year, or 786 per person, and at the beginning of the year 360 cases were unresolved, or 379 per person.

In the same period, 356 cases were resolved in a final judgment, of which 353 were predominantly convictions. In addition, two acquittals were issued, four rejection decisions were issued, while the procedure was suspended in five cases.

When it comes to the criminal sanctions imposed under final judgments, they include: 177 prison sentences, 153 suspended sentences, 42 community service sentences and two educational measures - referral to a non-institutional educational institution. Also, restraining orders were imposed, of which there were 69, as well as security measures of removal from an apartment or other living space, of which four were imposed during the reference period.

At the same time, the courts also imposed other security measures, namely security measures: mandatory psychiatric treatment and detention in a health institution (5); mandatory treatment of alcoholics and mandatory treatment of drug addicts, (58); security measure of removal from an apartment (4); measure of mandatory psychiatric treatment at liberty (11); expulsion of a foreigner from the country (1) and confiscation of objects (2).

Misdemeanor cases of domestic violence

Aggregate data on the number of cases and methods of case resolution, as well as imposed protective measures

During 2025, the Misdemeanor Courts handled a total of 1,828 cases under the Law on Protection from Domestic Violence, of which 761 were carried over from previous years and 1,067 were newly initiated cases. The Misdemeanor Court in Podgorica handled 1,049 cases, the Misdemeanor Court in Budva 443 cases, and the Misdemeanor Court in Bijelo Polje 336 cases.

A total of 1,140 cases, or 62.36%, were completed: 571 cases before the Misdemeanor Court in Podgorica, 340 cases before the Misdemeanor Court in Budva, and 229 cases before the Misdemeanor Court in Bijelo Polje.

These cases were concluded in the following manner:

- 367 fines;
- 43 prison sentences;
- 190 suspended sentences;
- 102 warnings;
- 3 educational measures;
- in 24 cases, the request was dismissed;
- in 113 cases, the proceedings were discontinued due to the statute of limitations;
- in 93 cases, the proceedings were discontinued for other reasons;
- in four cases, a protective measure was imposed as a standalone measure;

- in 191 cases, an acquittal was issued;
- while 10 cases were resolved in another manner.

In addition, a total of 338 protective measures were imposed, as follows:

- removal from the apartment or other residential premises: 34;
- restraining orders (prohibition of approaching): 125;
- prohibition of harassment and stalking: 143;
- psychosocial treatment: 1;
- mandatory treatment for addiction (alcoholism and drug addiction): 23;
- mandatory psychiatric treatment: 12.

The Supreme State Prosecutor's Office:

Below are the data collected from two Higher State Prosecutor's Offices and 13 Basic State Prosecutor's Offices for the purpose of participation in the work of the Subcommittee on Justice, Freedom and Security in the context of the Rule of Law Report for 2026, concerning 'investigation, criminal prosecution and final court judgments in cases of gender-based violence and in the prosecution of femicide, including the prosecution rate in relation to the number of police reports,' for the period from 1 July to 31 December 2025.

The submitted data show that, in the specified period, one case of femicide was recorded, based on a police report, and the investigation is ongoing. In the requested period, one final judgment imposing a sentence of long-term imprisonment of 40 years was recorded for a femicide that occurred in an earlier period.

With regard to cases of gender-based violence, a total of 164 police reports were recorded, and in 127 cases the incident was classified as a criminal offence against the reported persons. A total of 24 requests for initiating misdemeanor proceedings were submitted, 68 indictments (indictments/charging proposals) were filed, while 37 criminal reports were dismissed; the remaining cases are still pending. In these cases, the following judgments have been recorded to date: 6 fines, 5 suspended sentences, 16 prison sentences, 3 prison sentences to be served in residential premises (house arrest), 1 judicial warning, 28 other types of convictions, while no acquittals were recorded.

- **What is the state of play on the application of protection orders and provision of services for victims of gender based and domestic violence is available in a confidential manner and funded in a majority from the state budget?**

The Ministry of Social Welfare, Family Care and Demography:

Providers of accommodation services in shelters for victims of domestic violence and providers of SOS telephone services for victims of domestic violence were fully funded from the state budget in 2025. A

public call for funding of the aforementioned services was announced for 2026 and the procedure based on the public call for funding of the services has not yet been completed.

- **Could you update on Montenegro's efforts to protect the rights of LGBTIQ persons credibly and systematically, including an update of the state of play of the harmonization of the legal framework to the Same-sex Partnership Law and the adoption of Legal Gender Recognition Law?**

The Ministry of Interior:

We would like to note that the Law on Amendments and Supplements to the Law on Foreigners, which amendments and supplements are harmonized with the Law on Same-Sex Life Partnerships, entered into force and its implementation began on January 17 of this year.

Also, the Draft Law on Amendments and Supplements to the Law on Civil Registers is currently being prepared, in the part of harmonizing it with the Law on Civil Partnership, and the aforementioned text of the draft has been submitted to the Ministry of Human and Minority Rights for opinion and possible suggestions.

Ministry of Human and Minority Rights:

The implementation of the Law on Same-Sex Life Partnerships faces numerous challenges due to the still incomplete legal framework for the protection of LGBTIQ rights. Although the Law on Same-Sex Life Partnerships was adopted in 2020, many other laws and by-laws have not yet been harmonised with it, which significantly hinders its full implementation and creates obstacles to the exercise of rights.

In the area of social policy, the Law on Pension and Disability Insurance and the Law on Social and Child Protection have been harmonised. In the field of justice, the Law on Civil Procedure, the Law on Non-Contentious Procedure, and the Law on Obligations have been aligned. In the areas of fiscal policy and health care, the Law on Compulsory Health Insurance and the Law on Property Tax have been harmonised.

The greatest challenges remain in the field of internal affairs, as all necessary laws in this area remain unaligned, and substantial work lies ahead to ensure that all citizens, regardless of partnership status, enjoy equal legal protection.

The text of the Draft Law on Legal Gender Recognition Based on Self-Determination has undergone a broad consultation process with relevant ministries, civil society organisations, and international partners, resulting in a high-quality text that has received positive assessments from the European Commission. The draft was considered by Government bodies, but has not yet been adopted.

This law will enable transgender persons to legally change their gender marker and personal identification number in official documents without the requirement of sterilisation, which is currently a precondition. This practice of inhumane treatment constitutes a direct violation of the rights of transgender persons and is, in addition, inhumane and degrading.

- **Could you update on efforts undertaken to full align with the accessibility acquis necessary for ensuring inclusion and rights of persons with disabilities?**

The Ministry of Human and Minority Rights:

With a view to further alignment with the EU acquis and the United Nations Convention on the Rights of Persons with Disabilities (CRPD), particular attention has been paid to strengthening the normative framework on non-discrimination, including the clear recognition and application of the concept of reasonable accommodation for persons with disabilities. The Law on the protection of equality and prohibition of discrimination, which is planned to be adopted, recognises reasonable accommodation as an integral element of the principle of equal treatment, in line with the CRPD, and establishes the obligation of public authorities and other service providers to ensure appropriate and necessary modifications and adjustments to enable persons with disabilities to enjoy and exercise all human rights and fundamental freedoms on an equal basis with others.

The Law further stipulates that the denial of reasonable accommodation constitutes a form of discrimination, thereby strengthening the legal protection of persons with disabilities and establishing a clear link between accessibility, equality and non-discrimination. This provides a solid normative basis for the systematic promotion of inclusion of persons with disabilities in line with EU standards and relevant international recommendations.

- **Could you please report on the amendment needed to align the legislative framework on Roma with the EU acquis? Could you please report on Roma arranged child marriages and on the progress on other Roma measures?**

Ministry of Human and Minority Rights:

According to the Family Law of Montenegro ("Official Gazette of the Republic of Montenegro", No. 001/07 of 09 January 2007; "Official Gazette of Montenegro", No. 053/16 of 11 August 2016; No. 076/20 of 28 July 2020), in Part Two, under the subtitle Marriage, Article 24 stipulates: A person who has not reached the age of 18 may not enter into marriage. By way of exception to paragraph 1 of this Article, the court may allow a child over the age of 16 to enter into marriage, in accordance with a special law.

The Strategy for the Social Inclusion of Roma and Egyptians in Montenegro for the period 2021–2025, under Operational Objective 9: Improvement of legal and institutional protection of Roma and Egyptian women, also addressed arranged marriages. The number of prosecuted cases of arranged marriages in 2025 was nine, which are yet to be proven in further proceedings. The Ministry of Human and Minority Rights, in cooperation with the non-governmental organization CRI Nikšić, organized educational workshops dedicated to the protection and promotion of human rights, with a particular focus on the prevention of child marriages. These activities form part of broader campaigns and educational efforts aimed at raising awareness and strengthening institutional and social responsibility in combating these social phenomena. The funds were provided through a public call. The goal is to familiarize representatives of relevant institutions and the non-governmental sector with the importance of timely action in suppressing arranged marriages.

The Ministry of Human and Minority Rights is also preparing a new Strategy for Improving the Quality of Life of Roma and Egyptians in Montenegro for the period 2026–2030, with an Action Plan for 2026–2027, which, according to the Government's work plan, is to be adopted in the second quarter of the current

year. This strategy will also envisage a specific area dedicated to keeping records of the number of identified and prosecuted cases of child arranged marriages, as well as activities undertaken as preventive measures to combat this phenomenon.

Ministry of Justice:

On 29th of December 2025 the Ministry of Justice adopted the Report on the Application of the Institute of Permission to Enter into Marriage for a Child Over the Age of 16.

Based on the analysis of available data on judicial practice, it can be assessed that in the period from 2020 to 2024, the institute of granting permission to enter into marriage before reaching the age of majority was applied in a moderate number of cases. In 2020, 2021, 2022, and 2023, the courts rendered 24 decisions approving submitted requests for permission to enter into marriage, while in 2024, four such requests were approved. This represents a relevant indicator of judicial practice in this area and enables an overview of general trends in the application of this institute.

The number of cases before basic courts was stable, without pronounced fluctuations, while the carryover of unresolved cases from one year to another was almost nonexistent, indicating efficient and timely court proceedings. Judicial practice demonstrates a consistent approach, while also indicating the need for more frequent and systematic involvement of social welfare centres in decision-making procedures.

The structure of applicants—who were almost exclusively female minors aged 16 and 17—as well as the age structure of future spouses, further confirms that this is an extremely sensitive area requiring a special degree of attention and responsibility from all institutions involved.

Data on marriages concluded before local self-government authorities further confirm that the phenomenon is geographically concentrated and overall moderate, with a dominant share attributed to a small number of municipalities, while in the majority of municipalities no cases were recorded during the observed period. Such distribution does not indicate a systemic or widespread phenomenon, but rather locally specific circumstances. In addition, when the number of concluded marriages is compared with the number of court decisions approving requests for permission, it is evident that marriage was not concluded in every case decided by the court. This may also indicate the substantive nature of judicial proceedings, which provide an opportunity to examine all circumstances of the case not only from the perspective of the court, but also from that of other participants in the procedure.

Overall, it can be assessed that the existing legal framework creates conditions for a controlled and exceptional deviation from the general rule of legal age for marriage, while simultaneously protecting the best interests of the child through judicial oversight and the involvement of guardianship authorities.

At the same time, there remains an obligation for the competent authorities to continue monitoring the application of this institute, taking into account international standards for the protection of the rights of the child, the social context, and the potential risks that early marriage may pose to the development, education, and social inclusion of minors.

Taking into account the specificity and importance of this institute, in the upcoming period it is necessary to:

- Continue monitoring the application of the institute through periodic analyses of judicial practice and statistical indicators, with the aim of maintaining alignment with international standards for the protection of the rights of the child;
- Further strengthen inter-institutional cooperation among courts, social welfare centres, and local self-government authorities, in accordance with the principle of comprehensive child protection;
- Enhance preventive and informational measures, particularly in local communities where a higher number of cases is recorded;
- Ensure continuity in the professional development of judges and professional staff, so that international standards are consistently reflected in each individual proceeding.

15. What has been the progress on the implementation of a de-institutionalisation strategy for persons with disabilities, as well as a strong child protection system grounded in community-based care, with the best interest of the child as the guiding principle, including as regards children deprived of parental care or with disabilities?

- Could you report on the strategic plan for the full de-institutionalisation of children, transferring children deprived of parental care of children with disabilities into adequate structures within the community, including through use of foster care or small group homes when family-based care is not in the best interest of the child?
- Are there any developments on the integrated child protection system with operational links between institutions that meet children, in line with the Commission recommendation on integrated child protection systems?
- Could you please report on the reform of the disability assessment system to start shifting from a medical to a human rights-based disability assessment model?
- Could you please update on the de-institutionalisation strategy, establishing structures for community-based care and supporting independent living municipalities, share of persons with disabilities living in social care institutions?

The Ministry of Social Welfare, Family Care and Demography:

With the aim of achieving the objectives set out in the Deinstitutionalization Strategy for the period 2025–2028, during 2025 numerous activities were implemented related to the development of services that support users' lives in the community. Analyses entitled "Mapping Existing and Missing Community-Based Support Services at the Local and National Levels" and "Establishing Three or More Community-Based Support Services in Local Self-Government Units (LSGUs) in Montenegro" were prepared.

With regard to the promotion of services that support community living, three regional conferences entitled "Social Policy Reforms in the Service of Citizens" were held in Podgorica, Bijelo Polje, and Bar. Among other topics, these conferences presented services that support users' lives in the community, as well as the process of deinstitutionalization.

In December 2025, the Ministry of Social Welfare, Family Care and Demography adopted transformation plans for the period 2026–2029 for the following residential care institutions: Public Institution (PI) Centre "Ljubović", PI Institute "Komanski Most", PI Home for the Elderly "Grabovac" Risan, PI Home for the

Elderly “Podgorica”, PI Home for the Elderly “Nikšić”, PI Home for the Elderly “Bijelo Polje”, and PI Home for the Elderly “Pljevlja”.

With regard to the establishment of at least three social and child protection services in each local self-government unit, the Ministry of Social Welfare, Family Care and Demography, with the support of the UNICEF Office in Montenegro, and in line with the objectives defined by the Growth Plan and the Reform Agenda for Montenegro, as well as the Deinstitutionalization Strategy, is implementing activities aimed at establishing at least three services for children with disabilities and developmental difficulties at the local level in Plav, Gusinje, Šavnik, and Žabljak.

- **Could you provide update on concrete steps Montenegro has taken to ensure fair restitution proceedings within a reasonable time, and the full independence of the three Regional Restitution Commissions?**

The Ministry of Spatial Planning, Urbanism, and State Property:

The Ministry of Spatial Planning, Urbanism, and State Property has increased its attention regarding the work of the commissions responsible for handling restitution procedures by ensuring all necessary prerequisites and conditions for more efficient work and case resolution, with a focus on completing the entire process.

Specifically, adequate office spaces have been provided for all three commissions to allow for the uninterrupted conduct of oral hearings. The commissions are also staffed appropriately; in addition to the members, they have a sufficient number of professional associates who can contribute to improving the commissions’ efficiency, which will ultimately enable the completion of the restitution process in Montenegro.

Additionally, meetings are continuously held at the Ministry with commission representatives to jointly overcome challenges in their functioning.

In handling cases, the commissions operate completely independently, and this independence, as well as the legality of their work, is ensured and verifiable through the procedural rights of applicants and other parties involved in the process, as well as by reviewing the legality of decisions made by the Appeals Commission for Restitution and Compensation of the Government of Montenegro, the Administrative Court of Montenegro, the Supreme Court of Montenegro, the Constitutional Court of Montenegro, and the European Court of Human Rights in Strasbourg.

So far, it can be observed that the procedures are very complex, that archival materials are highly intricate, and that obtaining them is difficult.

Another issue noted so far is the engagement of expert witnesses, namely their lack of timeliness on one hand and the insufficient means to adequately sanction them on the other (monetary fines of only 50 euros or replacement of an expert, which resets the procedure).

Currently, data is being prepared for the annual report on the work of the commissions.

For reference, several measures have previously been undertaken to increase efficiency, transparency, and legality in the restitution process.

Specifically, the Law on the Return of Expropriated Property Rights and Compensation from 2004 (Official Gazette of RCG, No. 21/04) stipulated that former owners, within 18 months from the date of establishment of a municipal commission in the municipality where the property is located, initiate restitution or compensation proceedings by submitting a request to the competent municipal commission.

Since then, it was observed that the Ministry of Finance, as the second-instance administrative authority, conducted the examination procedures very poorly and unlawfully, and that a large number of unlawful first-instance decisions were issued. Therefore, the Law on Amendments to the Law on the Return of Expropriated Property Rights and Compensation from 2007 transferred first-instance jurisdiction to three Regional Commissions for Restitution and Compensation of the Ministry of Finance, located in Podgorica, Bar, and Bijelo Polje, while the second-instance procedure was assigned to the Appeals Commission for Restitution and Compensation under the authority of the Government of Montenegro.

The work of these commissions has shown an increase in the quality of conducted procedures and issued decisions. However, due to the undeniable complexity of the procedures, this has inevitably led to a reduction in the number of decisions issued and the inability to meet the very short deadlines for proceedings prescribed by the Law on General Administrative Procedure.

In accordance with Article 28 of the Law on the Return of Expropriated Property Rights and Compensation, commission members have the status of officials and are authorized to conduct proceedings and carry out all other procedural actions.

In the upcoming period, the Ministry of Spatial Planning, Urbanism, and State Property, in cooperation with all relevant stakeholders, will undertake certain measures to further improve the work and enhance the quality of decisions under the jurisdiction of the three regional commissions.

Freedom of expression and media

- 16. What has been the progress on the effective protection of freedom of expression and media by implementing a reformed legislative and regulatory framework including as regards transparency of media ownership, in line with the EU acquis, European standards, best practices and recommendations, as well as tackling effectively foreign information manipulation and interference?**

The Ministry of Culture and Media:

Agency for Audiovisual Media Services launched a digital platform dedicated to improving media ownership transparency in Montenegro, available at www.transparentnostmedija.me. It is the first public, unique digital register of media ownership in Montenegro.

- **Could you please provide an update on prompt and effective law enforcement and institutional protection to journalists against all forms of violence, while prioritising investigations and judicial follow-up in key cold cases? This includes information on any rules and practices in place to ensure the independence and safety of journalists, the protection of journalistic sources and**

communications, also considering relevant provisions of the European Media Freedom Act, and what follow-up is given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists.

The Ministry of Interior:

The report on the work of the Commission for monitoring the actions of competent authorities in investigations of cases of threats and violence against journalists, murders of journalists and attacks on media property, the tenth and also the last in this convocation, was prepared in accordance with Art. 6 Decisions on the formation of the Commission ("Official Gazette of Montenegro", no. 53/2021, 52/2023, 124/2024) for the period from March 31, 2025 to June 4, 2025.

We would like to point out that the new convocation of the Commission was determined by the Decision on the Formation of the Commission, which entered into force on November 19, 2025.

Police Directorate:

The Police Directorate responds in a timely manner to alerts submitted through the Council of Europe Platform for the Promotion of the Protection of Journalism and Safety of Journalists, namely, upon request of the Ministry of Culture and Media, which is competent for coordination and for submitting responses to the Ministry of Foreign Affairs in cases related to the promotion and protection of media freedom, which are further communicated to the Council of Europe through the official platform, and provides all available information on the activities undertaken in relation to the incidents published on the Platform.

During 2025, responses were provided to three requests for the submission of relevant information and data, i.e. the Police Directorate informed on all actions and measures undertaken in these cases. It is noted that in all three cases the perpetrators were identified and prosecuted.

- **Could you please update on concrete progress made in investigating and prosecuting unresolved cases of violence against journalists?**

The Police Directorate:

In cooperation with the competent prosecution offices, the Police Directorate continuously undertakes measures and actions within its jurisdiction with the aim of clarifying unresolved cases of attacks against journalists.

In this regard, officers of the Sector for the Fight against Crime – Group for the Suppression of High-Tech Crime, by undertaking continuous measures and actions within their competence, in cooperation with the Basic State Prosecutor's Office in Podgorica and international partner services, identified B.U. (born in 1963), born in Valjevo, a citizen of Australia, who, via electronic mail, from December 2022 to September 2025, sent messages of a threatening and offensive content to journalist Danica Nikolić of the M Portal, as a result of which she felt distressed.

On 24 September 2025, a criminal complaint was filed against this person on the grounds of suspicion that, to the detriment of journalist Nikolić, he committed the criminal offence of Endangering Safety under

Article 168 of the Criminal Code of Montenegro, in four instances (one in 2022, one in 2023, and two in 2025).

- **Could you please provide a reliable, sustainable, and proven track record of ensuring timely and effective investigation and prosecution of old and new cases should they occur and of deterrent sanctions for perpetrators in these cases? In particular, request and update on the cases of Duško Jovanović and Olivera Lakić.**

The Supreme State Prosecutor's Office:

During the reporting period, at the level of all state prosecutor offices, a total of 25 cases were opened concerning threats and acts of violence against journalists, as well as attacks on their property.

Of the total number of cases opened, 18 cases were resolved, of which:

- In 4 cases, indictments were filed.
- In 6 cases, requests were submitted to initiate misdemeanor proceedings.

In cases where criminal proceedings were initiated, the acting prosecutors proposed pre-trial detention, as well as other measures to ensure the presence of the accused, which were subsequently imposed by the competent courts.

Regarding the imposition of criminal sanctions on perpetrators, it is noteworthy that state prosecutors file legal remedies concerning sentencing decisions and also initiate requests for the protection of legality, all aimed at strengthening the penal policy. This represents a significant mechanism that influences the type and severity of sanctions, thereby contributing to the shaping of criminal policy.

Regarding cases opened in earlier periods, significant progress has been achieved:

- In 3 cases originally opened against unknown perpetrators, the individuals were identified, and measures and actions are now being taken against them.
- In 2 cases, prosecutorial decisions were issued, resulting in two indictments being filed.

It is also important to note that newly opened cases are resolved in exceptionally short timeframes, with acting prosecutors taking measures and actions without delay. This is a result of the implementation of the binding Instruction issued by the Supreme State Prosecutor in March 2024.

Prioritized proceedings, as reflected in quarterly reports regularly submitted to the Supreme State Prosecutor, have led to higher levels of prosecution and positive developments regarding the protection of journalists' rights as victims. Journalists, as victims, are promptly called to provide information to establish the connection between attacks and their professional work and are timely informed of all actions taken, while prosecutorial decisions are issued as quickly as possible, except in cases where obtaining necessary evidence is complicated due to the use of international legal assistance.

Case: Duško Jovanović

During the reporting period, 18 witnesses were heard, several requests for international legal assistance were submitted, and regular meetings were held with representatives of a number of relevant domestic authorities, as well as with representatives of foreign institutions, all for the purpose of collecting evidence.

Case: Olivera Lakić

The trial is ongoing. For further information, please refer to the court.

Police Directorate:

During 2025, in cooperation with the Higher State Prosecutor's Office in Podgorica, police–prosecutorial measures and actions were carried out in the case concerning the murder of the Editor-in-Chief of the daily newspaper “Dan”, Duško Jovanović, committed on 27 May 2004 in Podgorica.

With regard to the shooting of journalist Olivera Lakić, which occurred on 8 May 2018, it is noted that judicial proceedings are currently ongoing before the High Court in Podgorica.

- **Could you please provide an update on the implementation of all media-related legislation and uphold a zero-tolerance policy to any form of pressure or harassment of journalists, including by public officials?**
- **Could you please provide an update on the legal provisions and procedures applicable to media service providers, in particular the processes regulating the granting, renewal, and termination of licenses, where such licenses are required, company operations, capital entry requirements, concentration, and corporate governance?**
- **Most provisions of the European Media Freedom Act started applying in the EU in August. In view of this, could you please provide an update on the safeguards against state and political interference aimed at maintaining editorial independence in both private and public media?**

The Ministry of Culture and Media:

Montenegro has initiated the process of aligning its media legislation with the provisions of the European Media Freedom Act (EMFA). This process is currently underway and aims to ensure the full implementation of European standards in the areas of transparency, editorial independence, and media pluralism.

- **What initiatives have been taken to promote – also at the highest political level - media freedom and pluralism and fostering an understanding among public authorities of the dangers of unwarranted interference with impartial/critical reporting?**

The Ministry of Culture and Media:

Montenegro has begun the process of aligning its media and digital legislation with the European Media Freedom Act (EMFA) and the Digital Services Act (DSA). The implementation of these acts aims to ensure greater transparency of media ownership and financing, strengthen editorial independence and safeguard media pluralism, while also creating a safer digital environment through platform accountability and user protection. This process is ongoing and represents an important step in harmonizing national legislation

with European standards, thereby reinforcing public trust in media and digital services and ensuring compliance with the EU acquis

- **Considering the Commission 2021 Recommendation on safety of journalists, what measures are in place - including law enforcement capacity - particularly during protests and demonstrations, to ensure the safety of journalists and to investigate attacks on them?**

The Ministry of Culture and Media:

The Government of Montenegro, through the Ministry of Culture and Media, the Ministry of Internal Affairs, and the Ministry of Justice, has taken concrete steps to protect journalists from physical and online threats by establishing an Interdepartmental Working Group for the creation of a Mechanism for the Safety of Journalists. The Working Group is tasked with analyzing the existing institutional and legal framework, proposing solutions for a national mechanism, and, already in its initial phase, assuming basic functions such as monitoring current cases and providing legal and psychological support to media workers. In this way, the Protocol on the Protection of Journalists, signed by key institutions and media organizations in October 2025, gains its practical application.

The Police Directorate:

During 2024, the Police Directorate – General Police Sector, in cooperation with the Media Union (President – journalist Radomir Kračković), conducted training for journalists and other media workers on reporting from protests, focusing on the protection of their safety at public gatherings. The initiative originated from the Media Union, based on a publication they released: <https://sindikatomedija.me/publikacije/izgradnja-kulture-bezbjednosti-u-crnoj-gori/>, which partly provides guidelines for risk assessment when reporting on violent protests.

The training was delivered by a trainer – the Head of the Public Order and Peace Section (SPON), who has experience in securing violent protests and a special understanding of the nature of journalistic work. The activity was practical in nature, attended by numerous journalists, photo reporters, and cameramen (from a large number of media outlets – print and TV). Following the training, participants received guidelines on how to protect themselves and their teams during protests, with particular emphasis on communication with police representatives and the protection the police can provide during protests and public gatherings covered by journalists, especially at events with heightened security risks.

As a result of the cooperation between the Police Directorate and the Media Union, in February 2025, the Media Union prepared a draft Memorandum of Cooperation, which was submitted to the Police Directorate's PR service and the director for review and approval, and subsequently to the Minister of Internal Affairs. The signing process is currently underway.

Recognizing the importance of respecting human rights and freedoms, as well as freedom of expression, speech and the media, the Police Directorate is committed to resolving all cases involving attacks against journalists and/or their property and, in this regard, continuously directs and adjusts its capacities in order to ensure that operational efficiency is aligned with current challenges, international standards and societal trends we are facing.

In this context, we highlight the strengthening of human resources capacities through the systematisation of a dedicated line of work, namely three official positions within the Sector for Combating Crime – Department for Suppression of General Crime, while within the Regional Centres and their respective Security Departments, contact points – police officers have been designated and tasked with handling cases related to attacks against journalists, media representatives and their property.

Freedom of expression and freedom of the media are among the key reform priorities in Montenegro, and the Police Directorate welcomes all initiatives and activities aimed at ensuring the protection of media representatives from threats and violence, particularly through preventive work and improving a more efficient response to incidents directed at the professional engagement of media representatives.

It is also emphasized that the Police Directorate participated in drafting the text of the Standard Operating Procedures for acting in cases of threats and violence against journalists, an activity initiated by the Council of Europe Programme Office in Podgorica, as support to the Ministry of Culture and Media in the implementation of the Media Strategy.

Furthermore, on 10 October 2025, in Podgorica, the Ministry of Internal Affairs, together with other relevant partners, signed the Protocol on the Protection of Journalists in Montenegro at the conference entitled “How to Improve the Safety of Media Workers.”

- **Could you please provide update in case of new developments on the legislation and practice in place to ensure access to information and public documents to the public and journalists, including procedures, costs/fees, timeframes, administrative/judicial review processes, execution of decisions by public authorities, and any obstacles related to information classification?**

The Ministry of European Affairs:

The new Law on Free Access to Information was adopted by the Parliament on December 30, 2026.

The Public Administration Reform Strategy for the period 2022–2026 has identified certain problems in the area of free access to information, relating to the need for further improvement of the functioning of the system of legal protection in the field of free access to information and the strengthening of the role of the Agency for Personal Data Protection and Free Access to Information, with the aim of ensuring an adequate right of access to information and thereby contributing to the creation of conditions for a more transparent and open public administration.

- **The European Media Freedom Act includes provisions to enhance transparency of media ownership. What is the current situation on transparency of data on the beneficial ownership of media outlets, including details on direct, indirect, and beneficial owners, along with any regulatory rules governing this matter?**

The Ministry of Culture and Media:

See above, about the digital platform at www.transparentnostmedija.me. It provides access to data on the beneficial ownership of providers of linear and On-demand AVM services and cable distribution services, including details on direct, indirect, and beneficial owners.

- **In a similar vein, what is the current situation on possible legal requirements to disclose public funding received and allocated to media? Are there any legislative changes planned?**

The Ministry of Culture and Media:

The Media Law, adopted in 2025, in the part concerning transparency of financing, stipulates that media outlets shall submit forms in accordance with the law regulating advertising and public services.

- **The same goes for measures ensuring the transparent and fair allocation of state advertising and any regulatory rules governing the process, including measures in place ensuring better reporting compliance by public institutions and media.**
- **Data on the funding of public broadcasting.**

The Ministry of Culture and Media:

The Public Media Service of Montenegro is financed from multiple sources: from the state budget, through the production and broadcasting of advertising content, the sale of audiovisual works and sound and image carriers of public interest, sponsorships and product placement in its programs, the organization of concerts and other events, as well as donations from international organizations intended for technical, programmatic support and professional training. In addition, funds may be secured from other sources in accordance with the law.

According to Article 50 of the Law, 1.34% of Montenegro's annual current budget is allocated to the core activities of the Public Media Service, with the guarantee that this amount cannot be lower than the allocation of the previous fiscal year. The manner and conditions of financing must not compromise the editorial, financial, or institutional independence of the Public Media Service.

- **What are the current measures in place to ensure the independence, enforcement powers and adequacy resources (financial, human, and technical) of the media regulatory authorities and the public broadcaster?**

The Ministry of Culture and Media:

At its session held on the 31st December 2025, the Parliament of Montenegro appointed three members of the Council of the Agency for Audiovisual Media Services. After one-month standstill due to the delay in council members' appointment, it is expected that the Council will be fully operational in late January or beginning of February 2026.

Other institutional issues related to checks and balances

Regarding the enabling framework for civil society organisations and accessibility and judicial review of administrative decisions:

- **What are the new developments concerning rules and practices in place to ensure the effective operation and safety of civil society organisations and human rights defenders? Including protection measures against various forms of attacks, intimidation, legal threats such as SLAPPs, negative**

narratives or smear campaigns, and efforts to monitor threats or attacks, along with dedicated support services?

- Could you please provide an update on the financial support for civil society organizations and human rights defenders, including frameworks ensuring access to funding, financial viability, taxation/incentive/donation systems, and measures to ensure fair distribution of funding?
- Are there new developments concerning rules and practices governing the participation of civil society organisations and human rights defenders in the decision-making process, such as measures related to dialogue between authorities and civil society, participation in policy development and decision-making, consultations, and dialogues?

Ministry of Regional-Investment Development and Cooperation with Non-Governmental Organizations:

In accordance with the Law on Non-Governmental Organizations (“Official Gazette of Montenegro”, Nos. 39/11 and 37/17), the Ministry of Regional and Investment Development and Cooperation with Non-Governmental Organizations has completed the procedure for programming areas of public interest, and the Government has adopted the Decision on determining priority areas of public interest and the amount of funds for financing projects and programs of non-governmental organizations in 2026 (“Official Gazette of Montenegro”, No. 146/25).

Note: In accordance with the Law on Non-Governmental Organizations, 0.5% of the state budget is allocated annually for financing and co-financing projects and programs of non-governmental organizations, as follows:

- 0.3% for financing projects and programs in areas of public interest;
- 0.1% for financing projects and programs in the field of protection of persons with disabilities; and
- 0.1% for co-financing projects and programs of NGOs supported from the state budget.

At the session held on 26 September 2025, the Government adopted the Report on the implementation of public calls and approved projects, in accordance with the Law on Non-Governmental Organizations for 2024, based on individual reports submitted by state administration bodies that carried out the allocation of funds in 2024. The amount of funds allocated for financing and co-financing projects and programs implemented by non-governmental organizations in 2025 amounted to EUR 7,540,356.15. In accordance with the Law on Non-Governmental Organizations, the 2025 Report is prepared by the end of the third quarter of the current year.

The allocation of funds is carried out in accordance with clearly prescribed procedures.

On 28 February 2025, the Ministry of Regional and Investment Development and Cooperation with Non-Governmental Organizations published a Public Call for the allocation of funds for co-financing projects and programs of non-governmental organizations supported by European Union funds for 2025.

The total amount allocated for co-financing projects and programs of non-governmental organizations supported by EU funds in 2025 amounts to EUR 1,508,071.23.

In 2025, a total amount of EUR 1,278,793.91, or 84.8% of the total allocated funds for these purposes, was distributed, supporting a total of 53 projects.

With the aim of supporting and developing the capacities of non-governmental organizations, the implementation of the two-year Program “Network of Resource Centers in Montenegro” began in 2025. The key operational objective of this program is to strengthen the capacities of non-governmental organizations for cooperation with the state in the preparation of public policies and the provision of services to citizens.

Activities are being implemented in accordance with the program’s established timeline, and the Ministry of Regional and Investment Development and Cooperation with Non-Governmental Organizations has conducted a total of six monitoring visits. A periodic report on the implementation of the program for the period from 1 January to 30 June 2025 has been submitted, and the first annual report will be submitted in February 2026.

The total value of the Program is half a million euros, and it is implemented by a consortium of non-governmental organizations from all three regions.

- **Are there new developments concerning the framework for impact assessment and evidence-based policy making as well as practices and rules regarding public consultation, including the judiciary and other pertinent stakeholders, regarding judicial reforms. Can you identify measures ensuring transparency and quality throughout the legislative process, from preparation to parliamentary phases?**

The Secretariat General of the Government:

An amendment from May 2025 concerns the provision that the SGG issues opinions on laws from the perspective of preventing the proliferation of strategic documents. The aim of this provision is to curb the defining of the planning, adoption, drafting, structure, monitoring, and reporting of strategic documents through legislative solutions, as this significantly narrows the space for ministries to plan certain public policies in line with the current situation and needs.

In cooperation with OECD/SIGMA a workshop with the participation of officials from the Ministry of Public Administration, the General Secretariat of the Government, the Ministry of Finance, selected line ministries and SIGMA experts, was held on 6 November 2025 in Podgorica. Certain recommendations and steps have been agreed upon in order to improve the process of public consultations. These steps are aimed at enabling clear monitoring and collection of data on implementation of public consultation process for all the legal acts and strategic documents through the existing procedures of the Secretariat-General of the Government and the Ministry of Public Administration, such as opinions on strategic documents and laws, as well as the review of materials submitted for permanent working bodies of the Government sessions and Government sessions. At this point, it remains to specify the mentioned steps and the manner of their implementation in practice.

- Could you please provide new developments regarding the rules and usage of fast-track and emergency procedures, and please give an update on the proportion of decisions that were adopted in 2025 through these procedures compared to the total number of decisions adopted?

The Secretariat General of the Government:

The Government of Montenegro adopts laws, decrees and decisions in accordance with the Constitution and applicable regulations. Pursuant to the Rules of Procedure of the Parliament of Montenegro, laws may, in exceptional cases, be adopted under an urgent procedure when there are particularly justified reasons for doing so. As a rule, the Government adopts decisions and decrees under the regular procedure, in line with established practice, which includes the preparation of materials by the competent authorities, inter-ministerial coordination, and consideration at a Government session.

A certain number of laws have been adopted under the urgent procedure, primarily for the purpose of harmonising national legislation with the acquis of the European Union and fulfilling obligations in the European integration process.

Chapter 24: Justice, Freedom and Security

Migration, Schengen and border management, asylum, and visa policy

Montenegro delivers sustained, substantial results in the field of legal and irregular migration, on asylum, and on issues related to the Schengen acquis, visa policy and controlling its external borders.

Could you please report about detailed updates, new developments, and state of play? Including on the following areas:

CB 1: Establishes a solid track record of effectively managing mixed migration flows, including proven ability to properly control its borders, sufficient border and reception capacities, and concrete results combatting irregular immigration, prosecuting, and dismantling networks of migrant smuggling, and effective international cooperation, including on return and readmission, including effective return mechanisms.

- Are there any updated on the border management capacity, including border surveillance infrastructure and equipment and staffing?

The Working Group, established to monitor the implementation of the Project for the development of the electronic border surveillance system at Lake Skadar, with the support from IOM Office in Podgorica in drafted the project terms of reference, and carried out activities necessary for the launch of the international tender by IOM. The international tender has been announced and closed, and the selection procedure for the contractor is currently underway, under the competence of the commission established by IOM. The commencement of electronic surveillance of Lake Skadar is expected by the end of the first quarter of 2026.

Within the Project for the construction of the building for the Border Police Sector and the National Coordination Centre (NCC), activities are continuously monitored and necessary support is provided to

the IOM Office, as the project lead. A project has been prepared for furnishing future offices and the NCC with furniture and technical equipment.

A study has been prepared for border mapping and defining the needs for electronic surveillance along sections of the border at Lake Bileća and the Bojana River, from Stegvaš to the river's mouth in the Adriatic Sea. A tender has been launched and a contractor selected, with completion of the study expected by the end of January 2026. Following its completion, the preparation of the terms of reference and securing of funds, either from the state budget or donor support, is planned to ensure the project's implementation as a continuation of the electronic border surveillance system.

An agreement has been reached with representatives of the Armed Forces of Montenegro to provide the Border Police, through standard operating procedures, with information from sensors installed along the Adriatic coast. This will enable more effective monitoring of the situation in the territorial sea and at the maritime border. Full implementation of this activity is planned for the first half of 2026.

The Environmental Protection Agency has granted consent for the necessary works to operationalize the existing pier for vessels at the Border Police Station Podgorica in Božaj. A project task has been prepared, and the Delegation of the European Union to Montenegro has expressed interest in supporting the implementation of this project.

Urban-technical conditions have been obtained for the reconstruction and construction of a logistics base in Virpazar, in line with a project previously developed in cooperation with partners from the United States.

A project has been prepared for risk analysis at all management levels (daily, weekly, monthly, quarterly, semi-annual and annual), in accordance with the CIRAM 2 methodology, as well as for the development of appropriate software solutions. Potential donors (EU4FAST and ŠAP) have given their consent to the project.

Activities have continued on the implementation of the project "Individual Measure for Strengthening the Capacity of Integrated Border Management in Montenegro," aimed at supporting and reinforcing the border security system in Montenegro with EU funds.

Infrastructure

During the reporting period (July 2025 – 31 January 2026), with the aim of improving infrastructure crucial for the further development and strengthening of the Border Police Sector, a significant number of activities have been implemented or are ongoing:

- Construction works on the future building of the Border Police Sector in Zagorič, with capacities for establishing a modern coordination centre (completion planned for August 2026);
- Adaptation of facilities at the Sveti Nikola outpost (Ulcinj) with a pier for vessels on the Bojana River (completion of Phase I expected in May 2026);
- Adaptation of vehicle inspection areas at the second line of border checks at Border Crossing Debeli Brijeg (Herceg Novi);

- Adaptation of Border Crossing Dobrakovo (Bijelo Polje);
- Adaptation of future premises of the Border Police Station Podgorica in Božaj (relocation from Tuzi to Božaj planned for Q1 2026);
- Adaptation of the Reception Centre for Foreigners (tender procedure ongoing);
- Renewal of light and vertical signalling at several border crossings;
- Improvement of power supply systems through replacement of outdated generators at several border crossings.

Additionally, several project documents for infrastructure projects have been prepared or are in progress, including:

- Project for construction of the new Border Crossing Grnčar (Gusinje);
- Project for construction of the new Border Crossing Kula (Rožaje);
- Project for construction of facilities at Štedim (Rožaje);
- Project for the Border Police Station Pljevlja;
- Project for adaptation of facilities in Plav;
- Project for electronic surveillance of the blue border at Lake Skadar, the Bojana River, Lake Bileća and other locations.

Equipment Procurement

In the area of equipment procurement for border surveillance and control at border crossings, the following has been acquired:

- Heartbeat detectors,
- Magnifiers for detecting forged travel documents – 19 units,
- Border stamps – 50 units,
- Ballistic protection equipment for police officers.
- Tender procedures are ongoing for the procurement of:
- Border surveillance system (SMARTDEC),
- Vehicle immobilization strips,
- Additional ballistic protection equipment for police officers,
- Equipment for first- and second-line border checks, including mobile document readers, video spectral comparators and other supporting equipment.

A successfully completed tender provided 29 vehicles for organizational units of the Border Police Sector, including:

- 23 off-road vehicles,
- 3 special vehicles for migrant transport,
- 3 special vehicles for service dog transport.

Human Resources

In the second half of the year, due to the retirement of a large number of police officers, the main challenge for the functioning of the Sector was the lack of personnel capacity. Pursuant to Article 180 of the Law on Internal Affairs, 31 border police officers retired in the second half of 2025.

Two police officers were recruited through the public competition from 2023. Five cadets of the XVII class are completing their internship in the Border Police (RC GP Centre).

On 31 December 2025, a public call was announced for the recruitment of 514 new police officers, of which 122 are intended for the Border Police Sector.

Based on the public call for a special recruitment procedure for police officers for the Police Directorate, published on 16 January 2025, 60 police officers were assigned to the Border Police Sector, out of the planned 249.

To improve border surveillance, a new Border Police Unit Velika was established within the Border Police Station Plav. It is expected that this unit will contribute to improving the security situation along the state border with the Republic of Kosovo, as well as to increasing the safety of citizens of both countries.

The shortage of officers in border police stations is partially mitigated by the deployment of FRONTEX personnel within the Joint Operation "Montenegro 2025."

During the reporting period, activities continued on the implementation of the project "Individual Measure for Strengthening the Capacity of Integrated Border Management in Montenegro," aimed at supporting and reinforcing the border security system in Montenegro with EU funds.

- Could you provide an update on the implementation of the Schengen Action Plan?

Ministry of the Interior:

On 23 February 2017, the Government of Montenegro adopted the Schengen Action Plan, with the main strategic objective of "Meeting the conditions for Montenegro's accession to the EU and the Schengen area."

The harmonization of the legal framework with the Schengen acquis and the application of European standards and practices established by this document has been continuously implemented through annual action plans, which set out measures, activities, indicators, responsible institutions, deadlines, implementation status, and required resources to achieve final results. Taking into account the complexity of the process of accession to the Schengen area, significant progress has been achieved over the past eight years in terms of alignment with the Schengen acquis, particularly in the field of border management and migration. At the same time, continuous work has been carried out on upgrading equipment and infrastructure to meet European standards, especially in the area of border control and surveillance. Efforts have also been made to strengthen human resources capacities.

On 5 June 2025, the Government of Montenegro adopted the Action Plan for the implementation of the Schengen Action Plan for 2025. The report on the implementation of this document will be adopted by the first quarter of 2026. However, the dynamics of implementation are continuously monitored through

the work of the Inter-Ministerial Working Group for Monitoring the Implementation of the Schengen Action Plan, composed of representatives of all relevant institutions.

Based on the data collected so far on the implementation of this document, it has been noted that the pace of implementation has intensified and that progress has been achieved compared to the previous year.

Activities have also begun on drafting the Action Plan for 2026, the last one to refer to the Schengen Action Plan of 2017, given that a revision of this document is underway with expert support provided within the twinning project “Complementary Support for Integrated Border Management,” focusing on improving the legal framework and further alignment with EU security requirements and technical standards.

The Action Plan for 2027 will be drafted according to the new template prepared by the European Commission and will cover areas not previously included.

Recognizing that meeting Schengen standards requires a comprehensive approach and systemic action, activities will be carried out in the coming period to establish national Schengen governance, starting with the establishment of an administrative structure.

In this regard, familiarization with this concept through the Awareness-Raising Session on Schengen Governance, to be held on 5–6 February 2026 in Podgorica, organized by the European Border and Coast Guard Agency, will be a strong instrument for strengthening administrative capacity for the application of this mechanism.

- Are there any updates on the reception capacities, including infrastructure and staffing?

Ministry of the Interior:

Regarding Božaj migration centre, when it comes to electricity supply, Contract for procurement and installation of a new substation for the needs of the electrical distribution infrastructure for powering the open reception center and the police facility in Božaj was concluded with the bidder BB SOLAR doo Podgorica (contract is signed on 23/12/2025). Deadline for implementation of contract is 120 days from the date of signature by both parties.

When it comes to water supply, Signed Memorandum between the Municipality of Tuzi and the Ministry of the Interior provides basic framework for the implementation of the water supply project for the Božaj object, which does not have a built water supply system. After intensive communication between the Municipality of Tuzi and the Ministry of Internal Affairs, Municipality of Tuzi proposed closest possible point with a built water supply system, which is the area of Drume, which is connected with the road Božaj - Tsafkiš. Furthermore, according to information from "Waterworks and Sewerage" doo Tuzi, existing water supply system in the area of Drume has limited capacities, which is a reason why following activities should be performed in order to ensure/expand capacities of their system for the Božaj object, namely:

- * Construction of a surge chamber at an altitude of 180 meters above sea level, with a capacity of 50m³.

- * Construction of a pressure and distribution pipeline from the Cafkiš-Drume intersection to the Božaj object, with a length of 3.5 km, with accompanying infrastructure.

- * Equipping the surge chamber with accompanying fittings.

The Municipality of Tuzi, in cooperation with "Waterworks and Sewerage" doo Tuzi, expressed interest to prepare technical documentation at the level of the main project, after which all technical, financial and legal details would be defined. Bearing that in mind, the Ministry of Internal Affairs already provided information to the municipality of Tuzi on the water supply needs of the newly planned Božaj object.

When it comes to infrastructure project related to the construction of Božaj object, tender is published on 31/12/2025.

By the Rulebook on Internal Organization and Systematization of the Ministry of Interior, the Section for the Reception of Foreigners Seeking International Protection and the Section for the Integration of Foreigners Granted International Protection and the Reintegration of Returnees under Readmission have been reorganized into a single Section with two Departments: the Department for the Reception of Foreigners Seeking International Protection and the Integration of Foreigners Granted International Protection, the Department for the Reception of Foreigners Seeking International Protection, and the Department for the Integration of Foreigners Granted International Protection.

Within the Section for the Reception of Foreigners Seeking International Protection and the Integration of Foreigners Granted International Protection, a total of 54 posts have been systematized, of which 47 are in the Department for Reception (Spuž and Božaj), with 17 vacant posts, and 30 staff members performing shift work 24/7; while in the Department for Integration there are 7 posts, of which 4 are vacant, leaving a total of 3 staff members.

- Could you provide the statistics on migration?

Ministry of the Interior:

In 2025, a total of 3,165 migrants were registered. The majority were nationals of:

Bangladesh: 467

Egypt: 452

Pakistan: 433

In 2025, based on signed readmission agreements with neighboring countries, under the jurisdiction of the Border Police Sector, the following expedited procedures of reception and handover were carried out:

Handover: 23 persons to Kosovo, 210 to Albania, 2 to Serbia, and 8 to Bosnia and Herzegovina.

Reception: 11 persons from Bosnia and Herzegovina, 33 from the Republic of Croatia, and 6 from Albania.

In 2025, the following measures were undertaken against foreign nationals:

Return decisions issued – 2,018

Forced removals – 236

Expulsion decisions issued – 210

Misdemeanor charges / fines for unlawful residence – 2,482

Misdemeanor charges for unlawful border crossing – 858

In 2025, in cooperation with IOM under the AVRR program, 19 persons were returned, while an additional 58 persons voluntarily returned with police assistance (purchase of travel tickets, provision of travel documents, etc.).

Concrete results in combating irregular migration, criminal prosecution, and international cooperation for the period 01 July 2025 – 01 January 2026:

During the reporting period, the Border Police Sector independently filed 7 criminal charges against 7 persons for the criminal offense “Unauthorized Crossing of the State Border and Smuggling of Persons” – Article 405 of the Criminal Code of Montenegro.

Additionally, officers of the Border Police Sector, as members of the “Joint Team for Combating Migrant Smuggling Networks,” filed 6 criminal charges against 8 persons for the same offense – Article 405 of the Criminal Code of Montenegro.

Of particular note is a kidnapping case in which 1 criminal charge was filed against 3 persons for the criminal offense of Kidnapping under Article 164, paragraph 4. Furthermore, during work on this case, a Pakistani organized criminal group codenamed “BTK313” / Black Tiger Kings was identified, engaged in the kidnapping of migrants along the so-called “Balkan Route.” Information on this was shared with partners via Europol, as well as with members of OTF Zebra.

During the reporting period, officers of the Border Police Sector participated in the following Interpol operations:

1. “NEPTUNE VII” – 25 August to 05 September 2025 / focused on preventing movement patterns of foreign terrorist fighters and persons associated with terrorism, by strengthening border controls at major Mediterranean ports, airports, and land borders.
2. “LIBERTERRA III – WEKA III” – 10 November to 21 November 2025 / conducted at the global level, aimed at organized criminal groups primarily involved in migrant smuggling and human trafficking.

From 1 July to 31 December 2025, at the Section for the Reception of Foreigners Seeking International Protection and the Integration of Foreigners Granted International Protection – Reception Department, a total of 1,439 persons were received, of which: 1,237 adult men, 13 minor males accompanied, 131 minor males unaccompanied, 24 adult women accompanied, 20 adult women unaccompanied, 14 minor females accompanied, and no unaccompanied minor females.

The number of persons from Ukraine who applied for temporary protection in Montenegro for the first time was 2,529, while the number of persons whose temporary protection was extended was 5,487. Thus,

in 2025 alone, 8,016 applications for temporary protection submitted by persons from war-affected Ukraine were processed.

Regarding asylum and subsidiary protection, current statistics show that a total of 81 persons have been granted international protection in Montenegro, of which 54 are asylum seekers and 27 have subsidiary protection status.

Of these, 33 are in the integration process.

- Were there any updates to legislative and strategic framework to further align with EU acquis on legal and irregular migration?

Ministry of the Interior:

The normative framework has been significantly improved by the adoption of the Law on Amendments to the Law on Foreigners on 31 December 2025, through which the remaining EU directives in the field of legal migration and visa policy have been transposed. The focus in the upcoming period is on the full and consistent implementation of the law, accompanied by the adjustment of the administrative system.

A Draft Law on Amendments to the Law on International and Temporary Protection of Foreigners has been prepared with the aim of harmonizing the Law with the EU acquis. Under the amended provisions, the period during which foreigners seeking international protection may exercise the right to work will be reduced from 9 months to 3 months. Amendments will also be made to provisions concerning the right to accommodation for foreigners under international protection as well as those under temporary protection, through the adoption of a by-law that will more precisely define the conditions and manner of exercising this right.

Further amendments concern the right to education for foreigners under temporary protection, introducing the obligation of primary education for children—foreigners under temporary protection, in accordance with the national Law on Primary Education and Upbringing, whereby this category of minors will be fully equalized with Montenegrin minors of primary school age in terms of exercising the right to education.

Provisions relating to the return of foreigners upon the expiry of temporary protection will also be amended, in order to ensure full support for the return of persons belonging to vulnerable categories to their country of origin. Finally, provisions concerning family reunification of foreigners under temporary protection will be amended so that temporary protection may also be granted to family members of a foreigner under temporary protection, in accordance with the legal provisions on the basis of which the foreigner was granted temporary protection.

- Could you provide updates on the set up of modern migrant fingerprinting identification and registration system?

Ministry of the Interior:

Electronic records of applications for international protection have been established, encompassing data entry, updating, and information search, thereby improving the efficiency of case management. They are designed in a manner aligned with the Law on International and Temporary Protection of Foreigners and the by-laws for its implementation, specifically to support secure data storage and automated reporting in accordance with the operational needs of the Directorate for Asylum.

The establishment of an electronic system for the registration of persons within the international protection framework is part of the obligations on the path to EU accession and, as a short-term measure, will partially improve the registration system until full alignment with EURODAC standards is achieved.

- Do you have any updates regarding the conclusion of readmission agreements and conclusion of implementing protocols on the readmission agreement with EU Member States?

Ministry of the Interior:

During 2025, Montenegro achieved visible progress in implementing the Readmission Agreement with the European Union and partner states. On 3 July, a Protocol on the implementation of the Readmission Agreement concerning persons without authorized residence was signed with Lithuania, while the decision on its publication in the “Official Gazette” was adopted on 31 July of the same year, thereby granting the document full legal force.

With the aim of expanding the network of implementation protocols, the Directorate for Civil Status and Identity Documents submitted an initiative on 30 September 2025 to the Ministry of Foreign Affairs to launch negotiations with EU Member States – Cyprus, Denmark, Finland, Poland, Portugal, Romania, Sweden, and Latvia. This initiative represents an important step towards strengthening bilateral cooperation and harmonizing procedures in the field of readmission.

Further progress was achieved in relations with Romania, where on 31 December 2025 the Ministry of Foreign Affairs of Montenegro delivered a note to the Ministry of Foreign Affairs of Romania with a draft protocol on the implementation of the EU–Montenegro Readmission Agreement. This opened the way for the concretization of the technical and legal aspects of cooperation.

In parallel with these activities, the process of electronic alignment of the text of the Readmission Agreement with Armenia was initiated, confirming Montenegro’s commitment to developing and enhancing readmission mechanisms also with partner states outside the European Union.

CB 2: Ensures there is a functioning asylum system in place in line with EU acquis, secures continuous adequate staffing of the Directorate of Asylum, and ensures appropriate reception capacity.

- Could you provide an update on the staffing situation of the Directorate of Asylum?

Ministry of the Interior:

Currently, within the Section for Asylum, the duties under this competence are performed by the Head of the Directorate, two Heads of Departments, two officers in the Procedures Department, two officers in the COI Department, as well as one officer responsible for administrative tasks.

In addition, with the aim of strengthening the operational capacities of the Directorate, one person has been engaged under a service contract, for a fixed period of time, to provide professional support to the officers of both departments. This individual has previously successfully completed the initial level of the Standard Training Program, adopted in cooperation with UNHCR.

Considering that four posts are currently vacant in the Directorate for Asylum (two case officer positions in the Procedures Department and two positions in the COI Department), activities are underway to fill them, with a clear commitment to ensuring the engagement of qualified and professionally trained staff, in accordance with the newly adopted Regulation on Internal Organization and Job Classification.

Although no new staff were recruited during the reporting period, the Directorate for Asylum continued to act proactively in strengthening institutional and administrative capacities. In close cooperation with the European Union Agency for Asylum (EUAA) and its experts, job descriptions and qualification requirements for the planned new posts were defined, in line with relevant European Union standards, including roles foreseen within the Dublin AMMR and the Data Management model.

These activities represent an important preparatory and harmonizing step in the process of further strengthening the capacities of the Directorate for Asylum and lay the foundation for the effective filling of the aforementioned posts in the coming period.

- Please provide the latest statistics on asylum applications made and processed (including backlog and time of proceedings).

Ministry of the Interior:

In the period July 2025 – 14 January 2026, the Section for Asylum received 99 applications for international protection. During the same period, the Directorate issued 81 decisions on applications for international protection submitted in the reporting period and carried over from the previous period. A total of 32 hearings were held, and 47 decisions on the merits were adopted, of which 41 were rejections and 6 were grants of international protection.

In the reporting period, all procedures on submitted applications for international protection were concluded within the deadlines prescribed by the applicable law. Decisions that did not require the establishment of complex factual and/or legal circumstances were adopted within the primary statutory deadline. In cases which, due to their complexity, required additional determination of relevant facts and legal circumstances, decisions were adopted within the extended deadlines provided by law, with no backlog recorded in case resolution.

- Could you provide an update on the preparations to connect to Eurodac?

Ministry of the Interior:

By decision of the Minister, a Project Working Team of the Ministry of Interior was established for the purpose of setting up an information system in line with EURODAC, specifically with the aim of establishing an information system for the identification and registration of mixed migratory flows, in accordance with the EURODAC Regulation of the European Union.

In the previous period, the Project Team of the Ministry of Interior, together with IOM as the implementing partner, first prepared the Project Task on the basis of which a tender was announced, and subsequently selected the IT consulting company OSI/CENT (a Slovak–Slovenian consortium) to provide consulting support within the project “Individual Measure for Strengthening Capacities for Integrated Border Management in Montenegro” for the EURODAC component.

Through continuous and intensive communication among the three parties, the first draft of the Analytical Study regarding the establishment of the EURODAC system and its full alignment with the latest EURODAC Regulation of the EU was prepared. The work processes of all future system users were elaborated in detail, and the infrastructure at border crossing points was analyzed.

In January, intensive workshops were held precisely due to the amendments to the EURODAC Regulation and the need to specify national obligations in order to ensure alignment with it.

The implementation of the EURODAC system is progressing according to the planned dynamics, and the Project Team of the Ministry of Interior has demonstrated a high level of commitment through constant cooperation and continuous communication both internally and with representatives of IOM and IT consultants.

CB 3: Fully aligns its visa policy with that of the EU, in particular ending the practice of issuing seasonal visas and amending the lists of countries whose citizens are under visa obligation and those whose citizens are exempted of that obligation when entering; both lists must be made identical with those in force in the EU.

- Could you provide an update on plans to make progress on alignment with the EU’s list of visa-required countries?

Ministry of the Interior:

The Government of Montenegro, during the course of last year, adopted amendments to the Decree on the Visa Regime. In accordance with these amendments, Montenegro introduced a visa requirement for nationals of Azerbaijan, Armenia, Egypt, Kuwait and Uzbekistan, in order to align with EU visa policy.

Consequently, the number of countries for which Montenegro’s visa regime differs from that of the EU has been reduced to seven under the annual visa regime (Bahrein, Belarus, China, Qatar, Russia, Saudi Arabia and Turkey). Nationals of mentioned countries may stay in Montenegro up to 30 days, without visa, instead of the previously permitted 90 days.

Guided by firm determination, dedicated efforts and close coordination with the European Commission and EU Member States, Montenegro remains resolutely focused on taking all necessary steps towards closing negotiations in all chapters by the end of 2026.

- Could you provide an update on the progress made to achieve interoperability between the national systems and databases used in the current visa approval system?

Ministry of the Interior:

In order to enhance functionality, the Visa Information System has been upgraded with the module "Border," which allows real-time verification of visa validity at all border crossings, and, in legally prescribed cases, also the issuance of visas directly at the border.

Interoperability has also been established with an external service partner in the visa application reception process – VFS Global, through a secure technical connection for transferring requests, without direct access to VIS.

- Could you provide an update on the preparations undertaken to start the collection of biometric data?

Ministry of the Interior:

The current VIS has limited capacities when it comes to management of the biometric data, interoperability with relevant national and EU systems and readiness for e-Visa.

Because of the limitations, especially regarding the possibilities for future upgrades of the existing system, it is necessary to implement the commercial-off-the-shelf (COTS) solution for the Visa information system

This modernized Visa Information System will enable connectivity with the VIS and other European Union systems, which is an important step towards full integration into the EU and especially future membership in the Schengen area.

Combatting of organised crime and cooperation in the field of drugs

- Montenegro has in place robust and effective systems to tackle and prevent organised crime, guided by the principles of prevention, protection, and responding.
- Could you please report about detailed updates, new developments, and state of play? Including on the following areas:

CB 4: Aligns its legal framework with European and international standards on the fight against organised crime and cooperation in the field of drugs, and adequately implements and mainstreams a solid strategic framework to prevent and counter organised crime and drug abuse, based on strategic documents in line with European standards.

- Are there any legislative updates to report to further align with EU acquis on prevention of organised crime?

Ministry of Justice:

The Ministry of Justice is working on a Draft Law on Amendments to the Criminal Procedure Code, with the aim of harmonisation with the following European Union acts:

– Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings;

– Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, replacing Council Framework Decision 2001/220/JHA;

– Directive (EU) 2016/343 of the European Parliament and of the Council of 9 March 2016 on the strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings.

In addition, the Ministry of Justice is in the process of drafting a Draft Law on Amendments to the Law on the Confiscation of Proceeds of Crime, which is being harmonised with Directive (EU) 2024/1260 of the European Parliament and of the Council of 24 April 2024 on asset recovery and confiscation.

- Are there any updates regarding the strategic framework on the fight against organised crime?

Ministry of the Interior:

The Financial Intelligence Unit (FIU) prepared Typologies of Money Laundering and Terrorist Financing, which were published in September 2025 (<https://www.gov.me/clanak/tipologije-pranja.novca>). A total of 27 typologies of money laundering and terrorist financing were identified.

The adoption of the National Risk Assessment (NRA) is expected in the second quarter of 2026.

During 2025, active work was carried out on the implementation of activities defined in the Action Plan for improving the effectiveness of the system for the prevention of money laundering and terrorist financing and technical compliance, for the period 2024–2025 (AP MER 2024–2025). In the third quarter of 2025, the preparation of the report on the implementation of activities defined for 2025 was initiated. Based on the First Follow-up Report of MONEYVAL for Montenegro, adopted in December 2025, the Coordination Body began drafting a new AP MER with validity in 2026 (AP MER 2026).

It should be noted that the First Follow-up Report on the progress of Montenegro's system for the prevention of money laundering and terrorist financing after the fifth round of MONEYVAL evaluation was adopted at the 70th plenary session of MONEYVAL held in December 2025, and that MONEYVAL upgraded the compliance rating with 13 FATF recommendations. Consequently, Montenegro is now fully compliant with 2 FATF recommendations, largely compliant with 31 FATF recommendations, and partially compliant with 7 FATF recommendations.

- Are there any legislative updates to report to further align with EU acquis on cooperation in the field of drugs?
- Are there any updates regarding the strategic framework on cooperation in the field of drugs?
- Could you provide an update on the progress made on improving the national drug information system to fully meet European standards?

Ministry of Health:

With regard to the strategic framework for cooperation in the field of drugs, we report that the focus during the current period has been on the preparation of the annual report related to the 2024–2025

Action Plan of the 2024–2027 Drug Strategy, as well as on the formulation of a new Action Plan for the period 2026–2027. Activities continue to be structured around four core areas of intervention: demand reduction, supply reduction, risk and harm reduction related to the use of drugs, and the information and data system.

The Ministry of Health – National Drug Observatory has amended the Rulebook on the Establishment of the List of Drugs, Psychotropic Substances and Plants That May Be Used for the Production of Drugs (“Official Gazette of Montenegro”, No. 90/23), in line with EU Council Decisions 2024/832 and 2025/493, as well as other identified national needs

The process of amending the Law on the Prevention of Drug Abuse has also been initiated.

Data in the form of Standard Tables are submitted annually to the European Union Drugs Agency (EUDA) and have been assessed as satisfactory. The data are collected at the national level in accordance with the agreement reached under the Working Arrangement between the EUDA, the Ministry of Health, and the Ministry of the Interior. They include indicators in the fields of health and security, as well as elements of cooperation with non-governmental organizations.

CB 5: Establishes a solid and sustained track record of investigations, prosecutions, and final convictions in all fields of serious and organised crime and money laundering (including stand-alone offences), including a pro-active and effective approach to international cooperation. This will require adequate resources and efforts to tackle lengthy procedures. Establishes a solid track record in seizure and final confiscation of assets, including a credible and consistent practice of launching parallel financial investigations when dealing with organised crime and money laundering, and with a fully operational asset recovery office responsible for identifying and tracing criminal assets with adequate human and financial resources.

- Could you provide the track record data for the number of investigations, prosecutions and convictions in all fields of serious and organised crime, including trafficking in human beings, drugs, arms trafficking, child sexual abuse online and offline, cybercrime, money laundering and illicit tobacco smuggling?

Ministry of Interior:

Police Directorate:

Drugs: During the reporting period, a total of 26 investigations were conducted in the area of drug-related work. Three investigations were carried out at the international level.

Human Trafficking: During the reporting period, a total of 18 investigations were conducted in the area of human trafficking. One investigation was carried out at the international level.

Sexual Exploitation of Children (online and offline): During the reporting period, a total of 7 investigations were conducted, of which 2 were at the international level.

Weapons: During the reporting period, a total of 8 investigations were conducted at the national level.

In 2025, the FIU opened 998 cases, which is 16% more compared to 2024. The largest number of cases were opened based on the receipt of suspicious transactions from reporting entities, accounting for 65% of the total number of opened cases. Reporting entities submitted 12% more suspicious transactions compared to 2024. A total of 582 communications were exchanged with competent state authorities, while 1,670 natural persons and 1,381 legal entities were processed.

Based on FIU analytical reports establishing grounds for suspicion of the commission of criminal offenses of Money Laundering and Tax Evasion/Contribution Evasion, in cooperation with SBPK and SPO, during 2025, 32 criminal charges were submitted to the competent prosecutor's offices (39% more compared to 2024), prosecuting 40 natural persons and 25 legal entities:

7 criminal charges and 1 supplement to a criminal charge were submitted to the competent prosecutor's offices (3 charges sent to the Special Prosecutor's Office; 4 charges and 1 supplement sent to the competent Basic Prosecutor's Office) against 10 natural persons, due to grounds for suspicion of committing the criminal offense of Money Laundering in the total amount of EUR 2,532,834.

25 criminal charges were submitted to the competent Basic Prosecutor's Office against 25 legal entities and 30 natural persons, due to grounds for suspicion of committing the criminal offense of Tax Evasion/Contribution Evasion in the total amount of EUR 5,800,000.

Banks were issued 17 orders for the temporary suspension of transactions of 6 legal entities and 1 natural person, with a total value of EUR 1,551,117.34, each confirmed by the Special Prosecutor's Office. Banks were also issued 246 orders for continuous monitoring of financial operations of 70 natural persons and 178 legal entities for which there are grounds for suspicion of committing the criminal offense of Money Laundering.

Supreme State Prosecutor's Office:

In the period from **1 January 2025 to 31 December 2025**, the Special State Prosecutor's Office (SDT) issued a total of 32 orders to initiate investigations in 32 cases against 142 persons, as well as 7 orders to extend investigations against 19 persons.

Indictments were filed in 28 cases against 177 persons.

A total of 11 special investigative teams were established in complex organized crime cases.

Investigations related to organized crime

During the reporting period, in cases involving criminal offences of organized crime, the SDT issued a total of 21 orders to initiate investigations in 21 cases against 117 persons.

In the same period, a total of 6 orders to extend investigations were issued against 19 persons.

Furthermore, during the reporting period, 24 indictments were filed against a total of 168 persons.

In cases related to organised crime, an order to conduct an investigation was also issued against politically exposed persons (PEPs):

- Namely, on 7 October 2025, the Special State Prosecutor’s Office issued an order to conduct an investigation against the accused former high-ranking officials of the police and security services D.S., V.L. and M.P., a senior state prosecutor in Podgorica A.N., as well as against the former Minister of Defence of the Government of Montenegro P.B., and against A.M., a former co-owner of a large construction company, as, based on electronic, material and personal evidence collected during the preliminary proceedings jointly with the Special Police Department, it was established that there is a reasonable suspicion that they committed the criminal offence of creating a criminal organisation; that the accused A.M. committed the continued criminal offence of abuse of official position by incitement; that the accused D.S. committed the continued criminal offence of abuse of official position and the criminal offence of disclosure of confidential information; that the accused V.L. committed two criminal offences of disclosure of confidential information; that the accused M.P. committed the criminal offence of abuse of official position; and that the accused A.N. committed the criminal offence of disclosure of confidential information.

On 5 August 2025, the Special State Prosecutor’s Office submitted an indictment to the Special Division of the High Court in Podgorica against the accused P.I., former Minister of Agriculture and Rural Development in the Government of Montenegro, N.K., former Secretary of the then Ministry of Agriculture and Rural Development, and V.P., former Head of the Accounting and Finance Department of that Ministry, on the grounds of a reasonable suspicion that they committed the continued criminal offence of abuse of official position, for which a prison sentence of two to twelve years is prescribed.

In addition, by Decision Kvso No. 17/25 of 9 July 2025, the Panel of the High Court in Podgorica confirmed Indictment Kt-S No. 448/24 of 23 June 2025, filed by the Special State Prosecutor’s Office against the accused D.K., a long-serving high-ranking official of the Police Directorate, and D.R., R.K. and S.K., due to the existence of a reasonable suspicion that they committed the continued criminal offence of money laundering in the amount of at least EUR 964,850, for which the law prescribes a prison sentence of three to twelve years.

Furthermore, on 7 November 2025, following the completion of the investigation, the Special State Prosecutor’s Office submitted an indictment to the Special Division of the High Court in Podgorica against 15 defendants: D.G., a retired officer of the National Security Agency, and other persons – S.S., N.S., A.P., A.P., V.V., Đ.Lj., M.S., A.S., V.B., P.P., P.M., D.M., R.D. and I.T. – for the criminal offence of forming a criminal organisation and multiple continued criminal offences of smuggling, committed in co-perpetration.

The subject of the indictment is a reasonable suspicion that the defendants D.G., a retired officer of the National Security Agency, and S.S. organised a criminal organisation whose members included the remaining defendants and other unidentified persons, with the aim of, during 2020 and 2021, transporting non-customs-cleared cigarettes across the customs border while evading customs supervision measures from the Free Customs Zone of the Port of Bar, and selling, concealing and distributing them in Montenegro, Bosnia and Herzegovina, Croatia, Slovenia and Italy. By failing to pay customs duties, excise duties and taxes on the smuggled cigarettes, they obtained unlawful

financial gain for the criminal organisation and caused damage to Montenegro. A financial investigation has been initiated against the defendants and persons associated with them, covering all movable and immovable property for which there is a reasonable suspicion that it was acquired through the commission of criminal offences, with the aim of its permanent confiscation.

Investigations and indictments for the criminal offence of money laundering (Article 268 of the Criminal Code of Montenegro)

In the period from 01 January 2025 to 31 December 2025, orders to conduct investigations for the criminal offence of money laundering were issued in 15 cases against 26 persons. Of these, in 9 cases orders to conduct investigations were issued for the autonomous criminal offence of money laundering, against a total of 19 persons.

In the same period, indictments were filed against 16 persons in 10 cases.

For the autonomous criminal offence of money laundering, 4 indictments were filed against a total of 7 persons.

Illegal crossing of the state border (Article 405 of the Criminal Code of Montenegro)

In the reporting period, one indictment was filed against 13 persons for the criminal offences under Article 401a and Article 405 of the Criminal Code of Montenegro, while in the same period no orders to conduct investigations were issued for the criminal offence of illegal crossing of the state border under Article 405 of the Criminal Code of Montenegro.

Unauthorized production, possession and distribution of narcotic drugs (Article 300 of the Criminal Code of Montenegro)

In the period from 01 January 2025 to 31 December 2025, the Special State Prosecutor's Office issued 7 orders to conduct investigations against a total of 42 persons for criminal offences under Articles 401a and 300 of the Criminal Code of Montenegro.

In the same period, indictments were filed in 8 cases against a total of 45 persons for criminal offences under Articles 401a and 300 of the Criminal Code of Montenegro.

Smuggling under Article 265 of the Criminal Code of Montenegro

In the period from 01 January 2025 to 31 December 2025, the Special State Prosecutor's Office issued 5 orders to conduct investigations against a total of 30 persons and one order extending the investigation against 13 persons for criminal offences under Articles 401a and 265 of the Criminal Code of Montenegro.

Furthermore, in the same period, 10 indictments were filed against a total of 56 persons for criminal offences under Articles 401a and 265 of the Criminal Code of Montenegro.

Aggravated murder under Article 144 of the Criminal Code of Montenegro

In the period from 01 January 2025 to 31 December 2025, the Special State Prosecutor's Office issued 4 orders to conduct investigations for criminal offences under Articles 401a and 144 of the Criminal Code of Montenegro, against a total of 7 persons.

During the same period, three indictments were filed against 9 persons for criminal offences under Articles 401a and 144 of the Criminal Code of Montenegro.

Terrorism – investigations and orders to conduct investigations

In the reporting period, there were no registered persons for the criminal offence under Article 447 of the Criminal Code of Montenegro.

With regard to the criminal offences of attempted terrorism under Article 447 of the Criminal Code of Montenegro, in conjunction with Article 20 of the Criminal Code of Montenegro, committed through aiding and abetting, and the criminal offence of creating a criminal organization under Article 401a of the Criminal Code of Montenegro, an investigation initiated in the previous period is ongoing against 9 persons. In this case, an order to conduct a financial investigation was also issued against 10 natural persons. The financial investigation is ongoing.

In the criminal case Kt-S no. 271/16 (State Coup), regarding the criminal offence of terrorism under Article 447, paragraph 1, in conjunction with Articles 20 and 25 of the Criminal Code of Montenegro, and the criminal offence of creating a criminal organization under Article 401a, paragraphs 2/1 and 6, Article 401a paragraph 2/1, and Article 401a paragraphs 4/2/1 of the Criminal Code of Montenegro, an indictment was filed on 13 April 2017 against 14 persons. According to this indictment, the Higher Court in Podgorica issued convictions under Ks no. 14/17 on 09 May 2019. In the appeals process filed by the defence attorneys of the accused, the Court of Appeals of Montenegro issued decision KŽS no. 17/19 on 30 December 2020, by which it upheld the appeals of the defence attorneys and, ex officio, annulled the conviction of the Special Division of the Higher Court in Podgorica Ks no. 14/17 of 09 May 2019, in its conviction part, and returned the case to the first-instance court for a retrial before a completely reconstituted panel. In the retrial, on 12 July 2024, the first-instance court rendered an acquittal for all defendants, against which the Special State Prosecutor's Office timely filed an appeal.

During the reporting period, there were no indictments for the criminal offence of terrorism.

Supreme Court of Montenegro:

Track record in the field of organised crime, money laundering, international drug trafficking and terrorism

Total number of cases:

With regard to organised crime¹, in the period from 01 January 2025 to 31 December 2025, the High Court in Podgorica handled a total of 124 cases involving 847 accused persons (794 natural persons and 53 legal entities). Of the total number of cases in progress, 29 cases were initiated during the reporting period, while the remaining cases were already pending.

The structure of these cases includes the criminal offence of creation of a criminal organisation under Article 401a of the Criminal Code of Montenegro (as an independent criminal offence), as well as the criminal offence of creation of a criminal organisation under Article 401a of the Criminal Code of Montenegro in concurrence with the following criminal offences: murder under Article 143 of the Criminal Code of Montenegro; aggravated murder under Article 144 of the Criminal Code of Montenegro; aggravated theft under Article 240 of the Criminal Code of Montenegro; fraud under Article 244 of the Criminal Code of Montenegro; unlawful possession of weapons and explosive materials under Article 403 of the Criminal Code of Montenegro; tax and contribution evasion under Article 264 of the Criminal Code of Montenegro; smuggling under Article 265 of the Criminal Code of Montenegro; illicit trade under Article 284 of the Criminal Code of Montenegro; illegal crossing of the state border and smuggling of persons under Article 405 of the Criminal Code of Montenegro; preparation of acts against the constitutional order and security of Montenegro under Article 373 of the Criminal Code of Montenegro; and unauthorised production, possession and placing on the market of narcotic drugs under Article 300 of the Criminal Code of Montenegro.

Resolved cases:²

- Out of the total number of cases in progress, in the period from 1 January 2025 to 31 December 2025, a total of 24 cases (involving 86 defendants) were resolved, as follows.
- Of the 24 resolved cases (both final and non-final), 18 cases were resolved by judgments. In relation to 52 persons, convictions were rendered, while in relation to 28 persons the courts rendered acquittals. Of this number, judgments in three cases became final, one of which was rendered on the basis of a previously concluded plea agreement.

Furthermore, in six cases that were finally concluded, other court decisions were rendered, namely, the proceedings were discontinued in relation to six persons.

Track record in money laundering cases

For the criminal offence of money laundering under Article 268 of the Criminal Code of Montenegro, the High Court in Podgorica had a total of 15 cases pending against 85 defendants (71 natural persons and 14 legal entities). Of this number of cases, 5 cases were formed for the criminal offence of forming a criminal organisation under Article 401a of the Criminal Code of Montenegro in concurrence with the criminal offence of money laundering under Article 268 of the Criminal Code of Montenegro, while

¹ Note: Cases initiated in relation to the criminal offence of money laundering are presented in a separate section of this report and should therefore be taken into account when defining the total number of cases in progress, while the other cases presented separately in this section are included in the overall structure of the annual caseload (124 cases).

² Note: Two money laundering cases that were resolved during 2025 are included in this overview.

10 cases were formed solely for the criminal offence of money laundering under Article 268 of the Criminal Code of Montenegro.

With regard to resolved cases, two cases were resolved during the reference period, as follows: in one case, against two defendants, the High Court in Podgorica rendered a conviction in respect of both defendants. In this case, a second-instance decision was also rendered following an appeal, by which the first-instance decision was quashed and the case was remitted to the first-instance court for a retrial.

In the second case, a first-instance decision was rendered acquitting seven defendants of the charges, and the proceedings are pending before the second-instance court for a decision on the lodged appeals.

International drug trafficking

With regard to international drug trafficking, in the period from 1 January 2025 to 31 December 2025, a total of 22 cases were formed against 178 persons.

Of the total number of cases pending, four cases were resolved as follows: in three cases against 14 persons, convictions were rendered, while in one case against three defendants acquittals were rendered, which did not become final during the reporting period.

Cigarette smuggling

In the period from 1 January 2025 to 31 December 2025, the competent courts had a total of 14 cases pending against 100 defendants (98 natural persons and two legal entities) for the criminal offence of smuggling under Article 265 of the Criminal Code of Montenegro, where the object of the offence were cigarettes, and which offence was committed in concurrence with the criminal offence of forming a criminal organisation under Article 401a of the Criminal Code of Montenegro.

Of the total number of cases pending, one case was completed in which a conviction was rendered against three defendants. In this case, a second-instance judgment was also rendered, by which the first-instance judgment was quashed and the case was remitted for a retrial before the second-instance court.

Arms smuggling

In the period from 1 January 2025 to 31 December 2025, the competent courts had a total of 10 cases pending that were formed in relation to the criminal offence of forming a criminal organisation under Article 401a of the Criminal Code of Montenegro, in concurrence with the criminal offence of unauthorised possession and carrying of weapons and explosive materials under Article 403 of the Criminal Code of Montenegro, as well as one case formed in relation to the standalone criminal offence of unauthorised possession and carrying of weapons and explosive materials under Article 403 of the Criminal Code of Montenegro.

Results overview in human trafficking cases

In the period from 1 January 2025 to 31 December 2025, the competent courts had a total of 43 cases pending against 66 defendants for the criminal offence of human trafficking under Article 444 of the Criminal Code of Montenegro.

As regards resolved cases, nine cases were resolved, of which the courts rendered convictions in seven cases against seven defendants, while in two cases against two defendants acquittals were rendered. Of this number, one judgment became final during 2025.

Other activities

Guidelines for sentencing in cases of organised crime and criminal offences related to the unauthorised production, possession and trafficking of narcotic drugs

The Supreme Court of Montenegro has developed Guidelines for sentencing in cases of organised crime and criminal offences related to the unauthorised production, possession and trafficking of narcotic drugs. The drafting of these Guidelines represents an important step in meeting the closing benchmarks in negotiating Chapters 23 and 24, as well as the obligations defined in strategic national documents and European Commission reports, which highlight the need to improve sentencing policy and to ensure a more consistent application of the principles of proportionality and deterrent penal practice in cases of serious and organised crime.

The purpose of developing the Guidelines is to ensure a consistent, fair and proportionate sentencing policy that corresponds to the gravity and social harm of organised crime offences and criminal offences related to narcotic drugs. Particular emphasis is placed on prevention and deterrence through the consistent imposition of effective and proportionate sanctions, as well as on dismantling criminal networks by adequately sanctioning key members of criminal organisations. At the same time, the Guidelines recognise the need to protect the rights of victims and the interests of society as a whole, bearing in mind the serious harm these criminal offences cause to individuals, communities and lawful economic activities. The continuous application of the Guidelines should send a clear message to the public that the most serious forms of crime are sanctioned effectively, equally and in accordance with the law, thereby further strengthening public trust in the judicial system and the principle of equality before the law.

It is planned that, in the near future, Guidelines will also be developed for criminal offences related to high-level corruption.

Temporary Measures – Organized Crime

In cases of organized crime, the High Court in Podgorica, during the specified period, issued 31 temporary measures in 22 cases, concerning at least 110 individuals, including the following:

- **Prohibition of disposal of immovable property** (alienation and encumbrance) (residential buildings, family homes, apartments, houses, business premises, garages, public roads, meadows, forests, pastures, cellars, properties described as rocky terrain, fields, hotels, etc.)

- **Temporary seizure of movable property** (confiscation) as per Article 19, paragraph 2 of the Law on the Confiscation of Assets Derived from Criminal Activity (luxury cars, passenger vehicles, motorcycles, boats, firearms, watches, money, etc.)
- **Temporary suspension of financial transactions**, thereby halting payments and the disposal of financial assets.
- **Temporary suspension of payments or transfers of financial assets** of the accused.

Money Laundering Cases

In money laundering cases, the High Court in Podgorica, during the specified period, issued 22 temporary measures in 19 cases, concerning at least 87 individuals, including the following:

- **Prohibition of disposal of immovable property** (alienation and encumbrance) (larger properties such as apartments, residential buildings, business premises, hotels, garage spaces), with a restriction recorded in the property registry;
- **Suspension of payments or transfers of relevant financial transactions;**
- **Temporary suspension of payments or transfers of financial assets** of the accused;
- **Temporary suspension of financial transactions**, halting payments and the disposal of financial assets of the accused individuals;
- **Temporary seizure of movable property** (confiscation) under Article 19, paragraph 2 of the Law on the Confiscation of Assets Derived from Criminal Activity (luxury cars, passenger vehicles, jewelry, firearms, etc.) and others.

Cases of Unauthorized Production, Possession, and Distribution of Narcotic Drugs

In cases of unauthorized production, possession, and distribution of narcotic drugs, the High Court in Podgorica, during the specified period, issued 4 temporary measures in 3 cases, concerning at least 4 individuals, including the following:

- **Temporary seizure of movable property** (confiscation) under Article 19, paragraph 2 of the Law on the Confiscation of Assets Derived from Criminal Activity (passenger vehicles, wristwatches, banknotes of various denominations).
- **Prohibition of disposal of claims from an obligation relationship** under Article 19, paragraph 1, item 3 of the Law on the Confiscation of Assets Derived from Criminal Activity.

Smuggling Cases

In smuggling cases, the High Court in Podgorica, during the specified period, issued one temporary measure in one case, concerning 18 individuals, including the following:

- **Prohibition of disposal of immovable property** (alienation and encumbrance) with a restriction recorded in the property registry, under Article 19, paragraph 1, item 1a of the Law on the

Confiscation of Assets Derived from Criminal Activity (larger properties such as residential units, business premises, buildings, ancillary buildings, houses, garages, forests, meadows, pastures, etc.).

- **Temporary suspension of financial transactions**, halting payments and the disposal of financial assets under Article 19, paragraph 1, item 2 of the Law on the Confiscation of Assets Derived from Criminal Activity.
- **Temporary seizure of movable property** (confiscation) (passenger vehicles).
- Could you provide an update for the involvement in international police cooperation activities in line with the relevant EU *acquis*?

Ministry of the Interior:

Drugs: Through the SIENA communication channel, 89 pieces of information were received and 70 were sent during the reporting period. Participation was confirmed in joining the new project ODYSSEUS (part of the earlier project PLUTARCO), proposed under HORIZON Europe, aimed at testing the application of new technologies in investigations, such as HASP (pseudo-satellites) and UAS (drones) for aerial surveillance of smuggling in European and international waters. Fourteen meetings were held with international partners – the liaison officer of the UK National Crime Agency (NCA), representatives of the Hungarian National Bureau of Investigation, representatives of the Ministry of Interior of Republika Srpska, the Annual Meeting of Contact Points for the Drug Market and Crime – EUDA in Lisbon, the Head of ICITAP's office for Montenegro, among others. Participation also included 2 international conferences and 5 international trainings abroad.

Human Trafficking: Montenegro joined OTF "RAPAX", established within Europol, representing a multi-state mechanism aimed at combating human trafficking for sexual exploitation, particularly networks recruiting and bringing victims from Latin America. Daily activities are carried out within this OTF through the exchange of intelligence via the SIENA channel (data on suspects, registered victims of trafficking, etc.), passenger controls in cooperation with the PIU unit, and coordinated field actions with other organizational units. In this context, as part of continuous efforts to combat and prevent criminal offenses against sexual freedom, all forms of sexual exploitation, and human trafficking, in cooperation with the Agency for Electronic Communications and Postal Services, IP and DNS addresses of websites promoting prostitution accessible to users in Montenegro were disabled and blocked.

In line with international obligations and activities carried out with INTERPOL and EUROPOL in combating organized crime, the Police Directorate participated in the global activity organized by INTERPOL, LIBERTERA III – for the European region under the name WEKA III, aimed at identifying and combating criminal organizations and individuals involved in migrant smuggling and all forms of human trafficking, providing adequate protection and support to THB victims and migrants, as well as other serious crimes. The global activity included preparatory working sessions, while operational activities Level I and II were held from 10–21 November 2025.

Results achieved: 461,748 persons and documents checked; 144 construction, hospitality, and business premises inspected; 446 flights controlled; two criminal charges for human trafficking filed against two persons; four victims identified; one new national investigation initiated; two criminal charges filed for illegal border crossing against two persons; 69 legal migrants recorded; nine persons deprived of liberty (1 on a red notice, 4 on national warrants, 1 for illegal possession of weapons and explosives, and 3 for prostitution – Chinese nationals). INTERPOL notifications: red – 2; blue – 20; green – 5; vehicles – 2.

Sexual Exploitation of Children (online and offline): From 20 November to 7 December 2025, together with France, Cyprus, Bosnia and Herzegovina, Austria, Albania, Lithuania, Kosovo, Italy, Greece, Spain, Serbia, Romania, Portugal, and North Macedonia, Montenegro participated in the Joint Operation against Online Child Sexual Abuse and Exploitation OCSE 2.0, led by the Ministry of Interior of the United Arab Emirates. The result was the arrest of one person against whom a criminal charge was filed for suspicion of committing the criminal offense of Child Pornography under Article 211 of the Criminal Code of Montenegro, while forensic analysis is being conducted on digital devices seized during searches of the suspect's apartment and other premises to confirm suspicion of the same offense.

In cooperation with the FBI, a minor was identified, user of account "X", from which messages were sent containing content aimed at radicalizing minors to carry out armed attacks in the United States. Additionally, an individual was identified on the "Discord" platform who was sending threatening and violent messages.

Weapons: EMPACT Joint Action Days Armstron XI were conducted from 15–19 September 2025 in cooperation with the Customs and Postal Administration of Montenegro, Border Police Sector, and K-9 units. The aim was to detect weapons and weapon parts in postal shipments, as well as other prohibited items and chemicals. The final report was submitted to Austria as the activity lead, and to EUROPOL via the SIENA channel. (A detailed inspection of 464 postal shipments was carried out; no weapons were detected.)

Police Directorate officers (FIU and SBPK) participated in EUROPOL's international operational action implemented within the project "A.S.S.E.T.", achieving excellent results by independently selecting a target and identifying over USD 5.9 million and EUR 76,000 suspected to originate from criminal activities, which were blocked for six months in cooperation with the Special State Prosecutor's Office. The workshop was attended by over 80 experts from 27 countries.

FIU officers also participated in two operational actions within Operation "Merwood", conducted in cooperation with the UK Home Office, aimed at enhanced control of the transfer of cash, precious metals, and valuables when crossing the state border, with emphasis on passenger motor vehicles with UK license plates and persons residing or domiciled in the UK. The actions were carried out on 15–16 December at the "Debeli Brijeg" border crossing and on 16 December at the "Podgorica Airport" border crossing, according to a previously established plan. In addition to FIU officers, representatives of the Home Office, Border Police Sector, and Customs Administration also participated.

- Could you provide the track record data for the seizure and final confiscation of assets?

Supreme Court of Montenegro:

As for the number of final confiscations of assets, a proceeding for the permanent confiscation of assets derived from criminal activity is currently underway against an individual for the criminal offense of unauthorized production, possession, and trafficking of narcotic drugs under Article 300 of the Criminal Code of Montenegro.

Supreme State Prosecutor's Office:

On 4 November 2025, based on a request for permanent confiscation submitted by the Special State Prosecutor's Office, the Higher Court in Podgorica issued a decision permanently confiscating a passenger motor vehicle, a "Porsche Cayenne," from the convicted T.I. for criminal offences under Articles 401a and 300 of the Criminal Code of Montenegro.

Furthermore, on 23 September 2025, the Special State Prosecutor's Office submitted to the Higher Court in Podgorica a request for the permanent confiscation of a passenger motor vehicle, a "Volkswagen Tiguan 1.6 TDI," and real estate—land with a total area of 4,341 m²—from the convicted individual for the criminal offence of unauthorized engagement in economic, banking, stock exchange, and insurance activities under Article 266, paragraph 2 of the Criminal Code of Montenegro.

- Could you provide the track record data for the launching of parallel financial investigations in cases of organised crime and money laundering?

Supreme State Prosecutor's Office:

During the reporting period, a total of 26 financial investigations were initiated against 148 individuals, as well as financial inquiries in 18 cases against 108 individuals.

At the proposal or initiative of the Special State Prosecutor's Office, the Higher Court in Podgorica, during 2025, imposed provisional measures to prohibit the disposal of real estate in Montenegro, covering a total area of 1,833,042.04 m², including residential, commercial, parking, and garage spaces, hotels, oil pipeline facilities, various categories of land, orchards, gardens, swimming pools, warehouses, non-residential premises, and others.

In 22 cases handled by the Special State Prosecutor's Office during 2025, provisional measures were imposed to block the disbursement of funds held in commercial banks in Montenegro, totaling €68,840,158.34, 2,037,432.00 Russian rubles, \$192,290.77, 624.24 Swiss francs, and £3,000.00. (Some of these provisional measures were imposed pursuant to the Criminal Procedure Code as property obtained through criminal activity, while others were imposed pursuant to the Law on the Confiscation of Property Acquired by Criminal Activity, as property obtained through criminal activity.)

In addition, cash amounting to €155,959.00 was temporarily seized during searches.

Based on proposals from the Special State Prosecutor's Office, a total of 100 vehicles and 34 luxury wristwatches (Rolex, Cartier, etc.), as well as multiple firearms, firearm parts, and ammunition, were confiscated.

- Could you provide an update on the progress with filling vacancies in the Special Police Unit (SPU), SSPO and High Court of Podgorica?

Supreme Court of Montenegro:

- Note: The response is provided in the context of the question:
- “Could you provide the track record data on the number of investigations, prosecutions and convictions in all areas of serious and organised crime, including trafficking in human beings, drugs, arms trafficking, child sexual abuse (online and offline), cybercrime, money laundering and illicit tobacco smuggling.”

Supreme State Prosecutor’s Office:

Human Resources Capacity of the Special State Prosecutor’s Office

At its session on 11 September 2025, the Prosecutorial Council adopted a Decision amending the Decision on the number of state prosecutors, by which the number of Special State Prosecutors in the Special State Prosecutor’s Office was increased from 16 to 20.

During 2025, a total of 73 persons were employed at the Special State Prosecutor’s Office, namely:

- The Chief Special Prosecutor, 12 Special Prosecutors (of whom 1 Special Prosecutor was suspended from performing prosecutorial duties, and 1 Special State Prosecutor has not performed prosecutorial functions since 9 December 2019, as she was assigned to work at the Center for the Education of Judges and Prosecutors), 4 state prosecutors from the Podgorica District Prosecutor’s Office assigned to work at the Special State Prosecutor’s Office, 1 state prosecutor from the Kotor District Prosecutor’s Office assigned to work at the Special State Prosecutor’s Office, and 55 civil servants.

Prosecutorial Council, at its 8th session held on 5 June 2025, adopted a decision by which one Special State Prosecutor at the Special State Prosecutor’s Office was relieved of her duties as Special State Prosecutor, as she was sentenced by a final court decision to an unconditional prison term. Furthermore, on 28 November 2025, the Prosecutorial Council determined that the function of one Special Prosecutor had ceased due to the submission of a resignation, and on 29 December 2025, it also determined that the function of another Special State Prosecutor had ceased for the same reason.

As a result, as of 1 January 2026, the Special State Prosecutor’s Office employed a total of 11 Special Prosecutors – the Chief Special Prosecutor and 10 Special Prosecutors (of whom 1 Special Prosecutor was suspended from performing prosecutorial duties, and 1 Special State Prosecutor has not performed prosecutorial functions since 9 December 2019, as she was assigned to work at the Center for the Education of Judges and Prosecutors). Additionally, 5 state prosecutors were assigned to work at the Special State Prosecutor’s Office – 4 state prosecutors from the Podgorica District Prosecutor’s Office and 1 state prosecutor from the Kotor District Prosecutor’s Office.

In order to overcome the existing issues related to the lack of personnel capacity, based on the proposal of the new Rulebook on Internal Organization and Systematization, prepared by the Special State

Prosecutor's Office, the Government of Montenegro approved it on 18 December 2025, and consequently, it entered into force on 5 January 2026.

This Rulebook prescribes in detail the internal structure, the competencies of organizational units, job positions, as well as the total number of Special Prosecutors and state officials who will support the work of the Special Prosecutors. Specifically, in addition to the Chief Special Prosecutor, the Rulebook provides for an increase in staff positions to a total of 93 positions.

These changes create organizational and personnel prerequisites for more efficient, modern, and coordinated work in combating the most serious criminal offenses.

Ministry of the Interior:

In the Special Police Department, a total of 60 posts have been systematized, of which 33 posts were filled as of 31 December 2025. The staffing level is 55%.

- Could you provide an update on the upgrading of the premises to the SSPO and SPU as well as the reorganisation of the Special Investigative Measure (SIM) division?

The Delegation of the European Union to Montenegro has approved the launch of the project led by the Ministry of the Interior of Italy – the national project “EU Support for Law Enforcement in Montenegro (EU4LEM)”, with project partners including the Ministry of the Interior of Italy and the Ministry of the Interior of Slovenia.

EU4LEM is a comprehensive capacity-building initiative aimed at strengthening Montenegro's ability to combat serious and organized crime, with a particular focus on drug trafficking, financial crime, and the use of advanced investigative techniques.

Outcome 3 of the project states: The capacity of Montenegrin law enforcement and judiciary to apply special investigative and surveillance measures, as well as to combat forged documents and currency, has been enhanced through improved operational capacities, legal preparedness, and strengthened cooperation with EU Member States. This outcome has been specifically designed to support Montenegro's security institutions in fulfilling the European Commission's recommendation regarding the reorganization of the system of special investigative measures.

In cooperation with EU4LEM project partners, intensive work is being carried out on plans to improve operations and strengthen capacities, as well as on the implementation of training programmes for police officers of the Criminal Police Sector and the Special Police Department, who are engaged in the application of special investigative measures. Certain donations are also planned for the upcoming period. Furthermore, an expert mission is scheduled, along with the establishment of a Working Group for drafting Standard Operating Procedures (SOPs) for the implementation of special investigative measures.

- Could you provide an update on the prevention policy against corruption and the infiltration of organised crime into law enforcement agencies and the judiciary?

- Could you provide an update on the reorganisation in the Ministry of Interior/police in the area of corruption prevention and internal control?

By drafting the new Law on Internal Affairs during 2026, reforms will be implemented to merge the Department for Internal Control and Anti-corruption Department into a specialized Department, serving as a mechanism for oversight of police officers.

- Could you provide an update on the staffing situation of the Asset Recovery Office?

Ministry of the Interior:

In the ARO Office, 2 posts have been defined under the applicable Regulation. Currently, 1 officer is assigned to the ARO Office.

CB 6: Ensures that final convictions for drugs trafficking are consistently accompanied by decisions on the confiscation of unlawfully gained assets.

- Could you provide the track record data for the convictions for drugs trafficking that were accompanied with a confiscation order?
- Could you provide an update on measures implemented to ensure consistent application of confiscation?

Supreme State Prosecutor's Office:

On 3 March 2025, the Supreme State Prosecutor issued the Instruction for the Procedure of State Prosecutors' Offices in Conducting Financial Inquiries and Financial Investigations. At the level of the State Prosecutor's Office, a coordinator was appointed to monitor the implementation of the Instruction, whose responsibilities include coordinating and supervising its application, as well as providing recommendations for improving prosecutorial procedures in relation to the application of the Law on the Confiscation of Criminal Assets, with a focus on conducting financial inquiries and financial investigations.

In all State Prosecutor's Offices, a contact person was designated, responsible for collecting and processing data, tracking case progress, and cooperating with the coordinator. Heads of State Prosecutor's Offices submit quarterly reports to the coordinator no later than the fifteenth day after the end of the last month of the quarter for which the report is submitted. The coordinator, in turn, submits the quarterly reports to the Supreme State Prosecutor.

The Regulations on Internal Operations of the State Prosecutor's Office were amended, and special registers were introduced for financial investigations and financial inquiries.

In accordance with the Instruction, the heads of offices are required, taking into account the scope and nature of cases involving financial investigations and financial inquiries, to establish the position of Advisor in Economic-Financial Affairs through the internal organization and job classification act, while in the Special State Prosecutor's Office, the new regulation increased the number of advisors in economic-financial affairs.

The State Prosecutor's Office has initiated the implementation of training on financial investigations and the confiscation of assets acquired through criminal activity, organized by the Judicial and Prosecutorial Training Center. These trainings are conducted within the framework of international projects implemented in Montenegro.

On 4 November 2025, based on a request for permanent confiscation submitted by the Special State Prosecutor's Office, the High Court in Podgorica issued a decision permanently confiscating the passenger vehicle "Porsche Cayenne" from the convicted T.I. for criminal offenses under Articles 401a and 300 of the Criminal Code of Montenegro.

- Could you provide an update on the efforts undertaken to improve capacity to store and destroy seized drugs?

Supreme Court of Montenegro:

Courts keep records of cases related to the criminal offence of unauthorised production, possession and placing on the market of narcotic drugs under Article 300 of the Criminal Code of Montenegro, which are presented in balance tables within regular reporting on the monitored areas.

In all final decisions concerning the criminal offence of unauthorised production, possession and placing on the market of narcotic drugs under Article 300 of the Criminal Code of Montenegro, the mandatory security measure of confiscation of objects – narcotic drugs – was imposed.

With regard to cases before the High Court in Podgorica, during 2025 a total of the following quantities of narcotic drugs were confiscated: 1,068,167.02 grams of marijuana, 147.871 grams of heroin, 2,081.699 grams of cocaine, as well as various other narcotics amounting to 840.562 grams and 454 tablets.

In addition, in these cases temporary measures for the seizure of property were also ordered, as specified in detail in previous responses.

CB 7: Adequately implements a comprehensive, gender-specific and victim-centred legal and policy framework in place to prevent and combat trafficking in human beings, fully in line with the EU acquis; with a solid track record of pro-actively detecting, identifying and providing accommodation, protection, assistance and support to (potential) victims, with substantial progress in dismantling networks of trafficking in human beings and in investigating, prosecuting and convicting the traffickers.

Supreme Court of Montenegro:

Track record in human trafficking cases have been presented in previous responses.

Other judicial activities in the field of protecting the rights of human trafficking victims

Guidelines for the exercise of the right to compensation for victims in criminal proceedings (for criminal offences of human trafficking, war crimes, and domestic or family violence)

In December 2025, the Supreme Court of Montenegro developed and presented Guidelines for the exercise of the right to compensation for victims in criminal proceedings (for criminal offences of human

trafficking, war crimes, and domestic or family violence). This document is intended for judges, prosecutors, and other participants in criminal proceedings, with the aim of improving procedures in cases where victims seek compensation.

The Guidelines represent an important step toward harmonising judicial practice and strengthening the protection of victims' rights, ensuring effective, timely, and fair compensation within criminal proceedings, in accordance with domestic legislation and international standards.

The Guidelines were prepared at the initiative of the Supreme Court, in cooperation with the Supreme State Prosecutor's Office and the Bar Association, with expert and financial support from the joint European Union and Council of Europe programme "Horizontal Facility for the Western Balkans and Turkey" and the United Nations Office on Drugs and Crime.

To ensure the consistent application of the Guidelines in practice, concrete, sustainable, and targeted activities will be developed. Specifically, in cooperation with the Centre for Training in the Judiciary and the State Prosecution of Montenegro, a sustainable training programme will be developed, and national training sessions for judges, state prosecutors, and lawyers will be organised. These activities will focus on strengthening capacities to apply the Guidelines in criminal proceedings, with particular emphasis on a victim-oriented and effective approach to exercising the right to compensation. They will be developed in close cooperation with the Supreme Court and the Supreme State Prosecutor's Office of Montenegro, with potential support from regional practitioners.

- Could you provide the statistics on detecting, identifying and providing accommodation, protection, assistance and support to (potential) victims?

Ministry of the Interior:

In 2025, the Team for Formal Identification of Victims of Human Trafficking reviewed a total of 34 cases, involving potentially 50 victims, of which 43 victims were formally identified.

When observed by forms of exploitation, the dominant form of human trafficking in 2025 was forced begging, identified in 28 out of 43 formally recognized victims. Labor exploitation was established in 10 cases, while sexual exploitation was identified in 4 cases. Forced marriage was recorded in 1 case.

An analysis of the age structure of victims shows that minors were predominantly affected, with 32 out of 43 identified victims being under 18 years of age, most frequently victims of forced begging. Adult victims accounted for 11 cases, most often exposed to labor or sexual exploitation.

In cases where the competent Centers for Social Work and their local units directly intervened, the focus was on assessing the individual needs of victims and undertaking protection measures in line with the best interests of the victim. These cases mostly involved minors, including very young children, while a smaller number concerned adult victims. In terms of gender structure, a higher proportion of female victims was observed, with the presence of male victims as well, particularly among minors.

Depending on the assessed level of risk and victims' needs, various forms of accommodation were provided, including specialized shelters and reception center for victims of human trafficking, family placement through foster care, as well as institutional accommodation. In some cases, it was assessed that emergency accommodation was not necessary, and protection and support measures were implemented within the community, with continuous monitoring.

Protection, assistance, and support measures included continuous psycho-social support, development of individual service and care plans, and case-specific guardianship where necessary. In addition, in certain situations, material support was provided in cooperation with relevant actors. In one case, an adult victim, after a counseling session, decided not to continue using the offered services, which was recorded in accordance with applicable procedures.

The achieved results indicate that the undertaken measures contributed to the immediate protection of victims, reduction of the risk of further exploitation, and stabilization of their situation, particularly in the case of children exposed to forced begging. At the same time, practice highlights the need for further improvement of the system, especially in the area of early detection of cases at the local level. To this end, the formation of local victim identification teams is planned, consisting of police representatives appointed as contact points, social workers who have undergone long-term and specialized training in the field of human trafficking, as well as representatives of local NGOs and local governments. In accordance with the above, amendments and improvements to the National Plan for the formal identification of victims of human trafficking are planned, in order to strengthen the local level of identification and ensure faster and more effective protection of potential victims.

- Could you provide an assessment of your capacity to accommodate victims of trafficking in human beings?

Ministry of the Interior:

In Montenegro, there are two shelters for victims of human trafficking. One is a state-run shelter for child victims of human trafficking, with a capacity of 10 accommodation units. The other shelter is for women victims of human trafficking, with 3 accommodation units. Both shelters are located in the central region of Montenegro. In the upcoming period, the focus will be on establishing shelters for victims of human trafficking in the northern region and identifying the needs for establishing shelters for male victims of human trafficking.

- Can you provide an update of any changes to the legislation and/or strategic framework to further align with EU *acquis* on countering trafficking in human beings?

Ministry of Interior:

The Government of Montenegro, at its session held on December 18, 2025 adopted the Strategy for Combating Human Trafficking for the period 2025–2028, along with an Action Plan. This document defines the directions of national policy in the areas of: prevention of human trafficking; protection of victims of human trafficking; criminal prosecution and the response of the criminal justice system; and partnership, coordination, and international cooperation. The Strategy previously received a positive opinion from the

European Commission. Furthermore, by Government Conclusion No. 11-011/25-4562/3 of December 25, 2025, the Ministry of Interior was tasked with preparing and submitting to the Government a proposal for the establishment of a Government Coordination Body to monitor its implementation.

One of the measures from the Action Plan was the analysis of the new EU Directive (EU) 2024/1712 of the European Parliament and Council of June 13, 2024, amending Directive 2011/36/EU on preventing and combating human trafficking and protecting its victims, through the supplementation of criminal offenses. This activity was carried out with the support of the EU4FAST project. The recommendations provided by the engaged expert have already begun to be implemented. The procedure for appointing a national coordinator for combating human trafficking has been initiated. Additionally, in order to raise the implementation of the strategic document to a higher level, the Government decided, by Conclusion of December 18, 2025, that the Government Coordination Body will henceforth be responsible, instead of the body previously formed by the Minister of Interior.

Amendments to the Criminal Code of Montenegro from 2023 improved the legislative framework in the area of combating human trafficking. Kidnapping was introduced as one of the means of committing the criminal offense under Article 444 ("Human Trafficking"), an aggravated form of the offense was prescribed in cases of serious bodily injury to a child, a provision was introduced on non-punishment of victims of human trafficking for the basic form of the offense if they were forced to participate in criminal activities, as well as a new criminal offense "Sale of Children." These amendments contribute to further alignment with relevant international and European standards.

Based on the conducted compliance analysis, the Ministry of Justice continues to work on further improving criminal legislation. In this context, the Ministry of Justice plans to align the Criminal Code of Montenegro with Directive (EU) 2024/1712 of the European Parliament and Council of June 13, 2024, amending Directive 2011/36/EU on preventing and combating human trafficking and protecting its victims, through the supplementation of criminal offenses.

Furthermore, the Draft Law on Amendments to the Criminal Procedure Code, which is in the process of harmonization with the European Commission, aligns with Directive 2012/13/EU on the right to information in criminal proceedings, Directive 2012/29/EU establishing minimum standards on the rights, support, and protection of victims of crime, as well as Directive (EU) 2016/343 on strengthening certain aspects of the presumption of innocence and the right to be present at trial in criminal proceedings.

The proposed amendments to the Criminal Procedure Code provide for the establishment of victim support services, enhancement of the right to information, and more precise definition of the concept of victim and the rights belonging to them. Special attention is devoted to victims of human trafficking, crimes against sexual freedom, domestic violence or violence in family communities, as well as war crimes, including children as a particularly vulnerable category. In addition to the rights they have as injured parties in criminal proceedings, these categories are granted additional procedural rights and protective measures, aimed at preventing secondary victimization.

In parallel, in 2025 the Government of Montenegro adopted the Strategy for the Protection of Victims' Rights for the period 2025–2029, as a sectoral document envisaged by the Justice Reform Strategy 2024–

2027. The Strategy establishes a long-term framework for improving the system of protection and support for victims, contributes to alignment with the EU *acquis* and international standards, and represents a relevant instrument for fulfilling obligations under Chapter 23. The document recognizes the need to prevent secondary victimization and contains defined strategic and operational objectives, which are operationalized through the accompanying Action Plan.

A new Law on Social and Child Protection is in the process of adoption, which recognizes victims of human trafficking as a vulnerable category. The adoption of this Law is planned for the second quarter of 2026. The Law is significant for Negotiating Chapters 19, 23, and 24.

Ministry of Justice:

The Ministry of Justice plans to harmonise the Criminal Code of Montenegro with Directive (EU) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims.

- Could you provide the track record data for investigating, prosecuting and convicting traffickers?

Ministry of the Interior:

In 2025, the Police Directorate of Montenegro filed 25 criminal charges against 28 persons for the criminal offense of human trafficking. A total of 42 victims were identified, including 31 minors and 11 adults. During the reporting period, the competent prosecutor's offices filed a total of 21 indictments against 25 persons.

Terrorism

Montenegro ensures that anti-terrorism policy is in line with the EU *acquis*, guided by the principles of prevention, protection, and responding, and is effective in practice, as well as aligns its legal framework with European and international standards on anti-money laundering and counter-terrorism financing.

Could you please report about detailed updates, new developments, and state of play? Including on the following areas:

- Are there any legislative updates to report to further align with EU *acquis* on countering terrorism and protection of critical infrastructure?

Ministry of the Interior:

During the reporting period, concrete legislative and institutional progress was achieved in the area of critical infrastructure protection, as an integral part of counter-terrorism prevention policy and strengthening system resilience, in line with the EU risk based approach.

In December 2024, the Department for Critical Infrastructure Resilience was established within the Directorate for Protection and Rescue of the Ministry of Interior, thereby ensuring clear institutional responsibility and coordination in the implementation of the Law on the Designation and Protection of

Critical Infrastructure. Direct communication was also established with the competent Directorate for Civil Protection and Humanitarian Aid (DG ECHO) of the European Commission for the exchange of necessary information and harmonization of domestic legislation with the applicable EU regulations in the field of critical infrastructure.

Subsequently, at the beginning of 2025, an interdepartmental process for the identification of critical infrastructure was launched, involving all relevant ministries and potentially key operators in relevant sectors. The identified challenge during the reporting period related to the limited applicability of the Regulation on Sectoral Criteria for the Designation of Critical Infrastructure, which, due to its “internal” confidentiality classification, prevented full and consistent implementation of the law in practice.

To overcome this obstacle:

- A Draft Law amending the Law on the Designation and Protection of Critical Infrastructure is in the adoption procedure before the Parliament of Montenegro, which specifies the legal status of sectoral criteria and clearly distinguishes normative acts of general application from classified documents containing sensitive security data.
- Pursuant to the Government of Montenegro’s Conclusion, the procedure for adopting a new Regulation on Sectoral Criteria is underway, with the obligation of publication in the “Official Gazette of Montenegro,” thereby making the Regulation, as an act of general character, available to all competent entities and removing its “internal” confidentiality classification.

These legislative and sub legislative measures ensure the functional application of the critical infrastructure protection system, strengthen the preventive dimension of counter terrorism efforts, and achieve greater alignment with relevant European Union standards.

Remaining challenges concern the full completion of the critical infrastructure designation process, and accordingly, the adoption of the Decision on the Designation of Critical Infrastructure is planned in the Government of Montenegro’s Work Program for the fourth quarter of 2026.

- Has there been any updates strategic framework related to counterterrorism?

Ministry of the Interior:

The Draft Strategy for the Prevention and Suppression of Terrorism, Radicalization, and Violent Extremism for the period 2025–2030, with an Action Plan for the period 2026–2027, was submitted to the European Commission for opinion and suggestions on January 26. After receiving the opinion from the EC and making possible corrections, the draft Strategy will be submitted to the Government of Montenegro for adoption.

- Could you please report on the implementation of actions under the Joint Action Plan on Terrorism?

Ministry of the Interior:

The updated Joint Action Plan for Counter-Terrorism was signed on October 30, 2025, in Sarajevo. Following this, two ad hoc meetings were held with representatives of partners from across the Western Balkans region, bringing together officials from government coordination structures for P/CVE, ministries of interior, police and intelligence agencies, analytical units, and key line ministries engaged in prevention and counter-terrorism, such as ministries of education and finance. In addition, representatives of civil society active in the field of early interventions, youth-focused prevention, and strengthening community resilience also attended the meetings.

The EU Knowledge Hub and the Secretariat for Integrated Internal Security Governance (IISG) of the Regional Cooperation Council (RCC) organized these meetings with the aim of drafting national roadmaps. The goal was to jointly create a basic framework or template for roadmaps expected to be developed by WB partners, in order to ensure regional coherence of approaches, while at the same time allowing partners to insert specific content into a harmonized structure. This approach will facilitate coordination among partners in implementing measures in the appropriate context, monitoring, comparing levels of implementation, and identifying needs for technical support.

Montenegro submitted the first draft version of its national roadmap to the European Commission, after which a second technical meeting was held in Tirana, where further steps for finalizing the document were defined. The finalized document will be submitted to the European Commission by the end of January.

Ministry of Ecology, Sustainable Development and Northern Region Development:

Strategic framework:

- The Ministry of Ecology, Sustainable Development and Northern Region Development, in cooperation with the International Atomic Energy Agency and representatives of 22 institutions from Montenegro, prepared a draft **Integrated Nuclear Security Sustainability Plan with an Implementation Plan for the period 2026–2030**, which has been classified with the confidentiality level “INTERNAL”, in accordance with the Law on Data Secrecy (“Official Gazette of Montenegro”, Nos. 014/08, 076/09, 041/10, 040/11, 038/12, 044/12, 014/13, 018/14, 048/15, 074/20, 113/24), and which will be submitted to the Government for adoption in the first quarter of 2026. The INSSP represents a prerequisite for the provision of technical and other assistance by the IAEA and other donors to Montenegro. The Integrated Nuclear Security Sustainability Plan with the Implementation Plan for the period 2026–2030 has been prepared in accordance with the functional areas of the new INSSP template, which include: national nuclear security policy and strategy, the legislative and regulatory framework for nuclear security, prevention, detection, response, as well as security assurance and continuous improvement.
- The Government of Montenegro, at its session held on 25 December 2025, adopted the Final Report on the implementation of the Action Plan for the implementation of the Strategy for Protection against Ionizing Radiation, Radiation Safety and Radioactive Waste Management for the period 2017–2021. The activities of the Action Plan of the Strategy **shall remain in force, i.e. shall continue to be implemented, until the adoption of the next Strategy** (the 2024 Law), in accordance with the Government Conclusion.

- For the purpose of preparing the final report, the Ministry of Ecology, Sustainable Development and Northern Region Development conducted a public procurement procedure for the preparation of the **Final (ex post) Evaluation of the Strategy for Protection against Ionizing Radiation, Radiation Safety and Radioactive Waste Management for the period 2017–2021, with the Action Plan for the period 2017–2021**. The objective of the evaluation was to analyse the effects and effectiveness of the implementation of the aforementioned Strategy. The results of the evaluation will be used by the Ministry of Ecology, Sustainable Development and Northern Region Development for the preparation of the **Strategy on Radiation and Nuclear Safety and Security** (Article 16) and the **Radioactive Waste Management Programme** (Article 17), based on the new Law on Protection against Ionizing Radiation, Radiation and Nuclear Safety and Security (“Official Gazette of Montenegro”, No. 049/24 of 29 May 2024).

Legislative framework:

- Based on the Law on Protection against Ionizing Radiation, Radiation and Nuclear Safety and Security (“Official Gazette of Montenegro”, No. 49/24), the Ministry of Ecology, Sustainable Development and Northern Region Development, during 2025, prepared drafts of the following acts and submitted them for opinion to the relevant institutions:
 - Rulebook on Security Levels and Their Objectives for Radioactive Sources of Categories 1, 2 and/or 3, Measures for Achieving Security Objectives and Types of Security Zones (the rulebook is adopted by the Ministry with the consent of the state administration body competent for internal affairs) (Article 162, paragraph 4);
 - Rulebook on the Manner of Conducting Supervision, Detection and Assessment of Unauthorized Entries into the Security Zone (the rulebook is adopted by the Ministry, with the consent of the state administration body competent for internal affairs) (Article 163, paragraph 6); and
 - Rulebook on the Content of the Security Plan for Import, Export, Transit and/or Transport of Radioactive and/or Nuclear Materials (the rulebook is adopted by the Ministry, with the consent of the state administration body competent for internal affairs) (Article 165, paragraph 5).

Project “Enhancement of Capacities for CBRN Investigation, Prosecution and Adjudication (IPA) in the Balkan Region: Montenegro, Bosnia and Herzegovina, and North Macedonia”

- During 2025, the implementation of the regional project “Enhancement of Capacities for CBRN Investigation, Prosecution and Adjudication (IPA) in the Balkan Region: Montenegro, Bosnia and Herzegovina, and North Macedonia” began. The project is implemented by the United Nations Interregional Crime and Justice Research Institute (UNICRI) and fully funded by the European Commission.
- Within the framework of this project, three trainings were conducted for over 40 participants (8 participants from Montenegro, including three judges from the Basic, Higher, and Supreme Courts) during the periods 4–5 November 2025 (Sarajevo), 6–7

November 2025 (Sarajevo), and 1–5 December 2025 (Skopje and in a hybrid format). The trainings enhanced participants' knowledge on identification, assessment, investigation, and response to chemical, biological, radiological, and nuclear (CBRN) threats and risks. This was particularly reflected in:

- Strengthening institutional and inter-agency capacities for conducting effective investigations in cases related to CBRN incidents, involving a range of relevant institutions;
- Acquiring practical skills in applying relevant procedures, standards, and instruments during CBRN investigations;
- Increasing understanding of the roles of prosecution offices, police, and other competent authorities in the joint response to CBRN threats, particularly the competent regulatory body;
- Establishing networks of experts and institutional representatives involved in the CBRN field to enhance cooperation and exchange of experience at national and regional levels;
- Conducting and preserving evidence, among other activities;
- Formulating recommendations for improving operational procedures and inter-institutional coordination within the framework of future project activities;
- Defining procedures based on best international practices and experiences, not only for RN components, but also in the context of an integrated CBRN (HBRN) security and protection approach.
 - The trainings in the RN and H components are particularly significant, where competent institutions, especially the Ministry of Ecology, Sustainable Development and Northern Development (MERS), have an obligation to continuously align with EU regulations and establish procedures for the safe management of radioactive and nuclear materials and chemicals, including procedures for storage, transport, identification, and handling in the event of accidents or incidents, with the aim of fulfilling obligations for the closure of negotiating Chapters 15, 19, 24, 27, 30, and 31.

From 3 to 6 February 2026, the fourth training in the form of a workshop on the so-called Mock Trial will be held, dedicated to strengthening the capacities of Western Balkan countries for the investigation, prosecution, and adjudication of criminal offenses related to chemical, biological, radiological, and nuclear (CBRN) materials. The focus will be on the practical application of national criminal and criminal-procedure legislation, the role of prosecutors and investigators, the collection and preservation of CBRN evidence, the chain of custody, the admissibility of intelligence information as evidence, the use of experts, and the safe transport of CBRN materials.

During the workshop, participants will, through simulated court proceedings (radiological-nuclear, chemical, and biological cases), work on preparing indictments, pre-trial and search phases, as well as conducting trials in the roles of judges, prosecutors, and defense attorneys. The objective is to improve

practical skills, identify gaps in current practice, and strengthen regional cooperation in the prosecution of CBRN criminal offenses.

The final training for trainers will be held in Mostar, Bosnia and Herzegovina, in the second quarter of 2026.

EU CBRN CoE Project 101 – “Enhancing the Security and Safety of Chemical, Biological, Radiological, and Nuclear (CBRN) Critical Infrastructure in Southeastern and Eastern Europe, Central Asia, and the Middle East”

- At the beginning of 2025, Montenegro began the implementation of EU CBRN CoE Project 101 – **“Enhancing the Security and Safety of Chemical, Biological, Radiological, and Nuclear (CBRN) Critical Infrastructure in Southeastern and Eastern Europe, Central Asia, and the Middle East”**, which aims to improve national and regional capacities for CBRN risk management through strengthening the legislative and institutional framework, inter-agency cooperation, and technical capacities. Special emphasis is placed on prevention, preparedness, and response to CBRN incidents, integrating modern approaches, including cybersecurity, into the protection of critical infrastructure.
 - A wide range of international and national actors participate in the implementation of EU CBRN CoE Project 101. At the international level, the project is conducted under the framework of the EU CBRN Centres of Excellence initiative, with the participation of EU experts and project teams, as well as in synergy with other relevant international partners and organizations in the field of CBRN security. The project involves cooperation with countries in Southeastern and Eastern Europe, Central Asia, and the Middle East, promoting a regional approach and the exchange of knowledge and best practices.
 - Within the framework of Project 101, a consultative visit to Montenegro was carried out from 14–16 April 2025, during which direct dialogue with relevant institutions was established and the existing national capacities and needs were assessed. Through meetings and field visits to key institutions, priority challenges and opportunities for further cooperation were identified, thereby defining the directions for targeted EU CBRN CoE support in strengthening national security and resilience to CBRN threats.
 - At the national level, key institutions responsible for CBRN areas in Montenegro participate in the project activities, including the Ministry of Foreign Affairs, Ministry of Interior, Ministry of Ecology, Sustainable Development and Northern Development, Environmental Protection Agency, Customs Administration, Centre for Ecotoxicological Testing (CETI), Port of Bar, academic and scientific institutions, as well as specialized laboratories and cybersecurity centers and other relevant institutions. This inclusive, inter-agency approach allows for a comprehensive assessment of capacities and strengthens coordination between institutions involved in the prevention, preparedness, and response to CBRN risks.

Judicial cooperation in civil and criminal matters

Could you please report about detailed updates, new developments, and state of play? Including on the following areas:

- Are there any legislative updates to report?

Ministry of Justice:

On 17 October 2025, the Parliament of Montenegro adopted the Law on the Ratification of the Third and Fourth Additional Protocols to the European Convention on Extradition.

On 29 December 2025, the Parliament of Montenegro adopted the Law on International Legal Assistance in Criminal Matters. This law provides for further harmonisation with certain provisions of existing international conventions in force, including the European Convention on Mutual Assistance in Criminal Matters and the European Convention on Extradition, as well as with the provisions of the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters, and the Third and Fourth Additional Protocols to the European Convention on Extradition.

The Government of Montenegro adopted the Draft Law on the Ratification of the Ljubljana–The Hague Convention on International Cooperation in the Investigation and Prosecution of the Crime of Genocide, Crimes against Humanity, War Crimes and Other International Crimes on 11 September 2025.

With the support of EUROL IV and in cooperation with EU experts from Croatia, a draft Law on Judicial Cooperation in Criminal Matters with the Member States of the European Union has been prepared. The draft has undergone a public consultation and is currently in the process of obtaining opinions from the competent institutions. Upon completion of the internal procedures, it will be submitted to the European Commission.

- Could you please report on the statistics on judicial cooperation in civil and criminal matters?

Ministry of Justice:

Record on work by directions and types of legal assistance from 01.01.2025 to 31.12.2025 Civil

Incoming

Type of legal assistance	Number of received cases in a period	Number of solved cases - met	Number of solved cases - unmet	Number of solved cases - partially met	Number of solved cases - other	Total number of unresolved cases at the end of period
Actors deposit	0	0	0	0	0	2
Delivery of documents	469	80	64	4	11	1159
Expertise - civil	0	0	0	0	0	1
Hearing - civil	7	1	1	0	0	27
Hereditary statement	0	0	0	0	0	4
Information on international	4	4	0	0	0	17

regulations						
Information on regulations	2	2	0	0	0	16
International child abduction	6	1	1	0	3	27
Other international legal assistance - civil	16	7	5	0	0	52
Recognition and enforcement of a foreign court judgment - civil	2	0	1	0	1	20
Service of documents/information	31	23	2	0	4	129
Total	537	118	74	4	19	1454

Outgoing

Type of legal assistance	Number of received cases in a period	Number of solved cases - met	Number of solved cases - unmet	Number of solved - cases partially met	Number of solved cases - other	Total number of unresolved cases at the end of period
Actors deposit	7	7	0	0	0	29
Delivery of documents	162	50	43	1	35	995
Expertise - civil	1	0	0	0	0	4
Hearing - civil	4	5	0	0	1	28
Hereditary statement	8	2	1	0	0	52
Information on international regulations	2	1	0	0	0	13
Information on regulations	9	9	0	0	0	54
International child abduction	3	0	0	0	2	16
Other international legal assistance - civil	7	4	1	0	0	35
Recognition and enforcement of a foreign court judgment - civil	0	0	0	0	0	6
Service of documents/information	26	12	4	1	5	168
Total	229	90	49	2	43	1400
Grand total	766	208	123	6	62	2854

Record on work by directions and types of legal assistance from 01.01.2025 to 31.12.2025 Criminal

Incoming

Type of legal assistance	Number of received cases in a period	Number of solved cases - met	Number of solved cases - unmet	Number of solved cases - partially met	Number of solved cases - other	Total number of unresolved cases at the end of period
	6	0	0	0	0	6
Bank record information	7	7	1	0	0	3
Expertise - criminal	0	0	0	0	0	3
Extract from criminal record	33	29	0	0	0	157
Extradition	121	79	7	0	3	401
Hearing - criminal	113	57	41	4	0	344
Other international legal assistance - criminal	41	23	2	0	0	218
Other international legal assistance - delivery of documents (criminal)	154	113	8	2	1	500
Recognition and enforcement of a foreign court judgment - criminal	13	5	5	1	0	24
Service of documents/information	81	31	29	0	4	394
Surrender to international court/tribunal	0	0	0	0	0	1
Transfer	14	8	3	0	1	101
Transfer/assumption of criminal prosecution	33	10	11	0	0	237
Transit	1	0	1	0	0	6
Total	617	362	108	7	9	2395

Outgoing

Type of legal assistance	Number of received cases in a period	Number of solved cases - met	Number of solved cases - unmet	Number of solved cases - partially met	Number of solved cases - other	Total number of unresolved cases at the end of period
	8	2	0	0	0	6
Bank record information	2	0	0	0	0	2
Expertise - criminal	1	1	0	0	0	31
Extract from criminal record	49	35	2	0	0	277
Extradition	91	45	2	0	0	320
Hearing - criminal	95	41	8	1	3	598
Other international legal assistance - criminal	13	11	0	0	0	157
Other international legal assistance - delivery of documents (criminal)	177	61	21	9	2	692

Recognition and enforcement of a foreign court judgment - criminal	36	11	5	0	6	110
Service of documents/information	76	27	12	3	0	432
Transfer	8	0	1	0	0	37
Transfer/assumption of criminal prosecution	162	24	21	1	2	1055
Transit	20	16	0	0	0	69
Total	738	274	72	14	13	3786
Grand total	1355	636	180	21	22	6181

Supreme State Prosecutor's Office:

In the period from 1 January 2025 to 31 December 2025, the Special State Prosecutor's Office submitted 76 requests for international legal assistance in 44 preliminary investigation and investigation cases concerning criminal offenses in the fields of organized crime and money laundering. Responses were received for 39 of the submitted requests, while 37 requests had not yet been answered during the reporting period.

During the same period, the Special State Prosecutor's Office received 154 requests for international legal assistance and opened an equal number of cases. Of these, 16 requests remain under processing, 6 requests were forwarded to competent authorities for action, 131 received requests were responded to in a timely manner and subsequently archived, and 1 case was archived after the requesting state provided notice of withdrawal of its request for international legal assistance.

- Are there any developments concerning the participation in joint investigative teams (JITs) and direct court-to-court cooperation?

Ministry of Justice:

During the reporting period, no joint investigation teams (JITs) were established. However, we consider it important to note that negotiations and coordination are currently ongoing with a view to establishing a joint investigation team with a country from the region.

- Could you please report on the processing of judicial cooperation requests, particularly mutual legal assistance in criminal matters, through the application of the European Convention on Mutual Legal Assistance and its additional protocols?

Ministry of Justice:

According to statistical data, in 2025 there were a total of 250 outgoing cases in which the European Convention on Mutual Assistance in Criminal Matters was cited as the legal basis.

Direct cooperation

The Ministry has continued its activities and efforts aimed at strengthening direct cooperation between judicial authorities and the competent authorities of other countries in the provision of legal assistance. The new Law on International Legal Assistance in Criminal Matters, in particular Article 11, further regulates the issue of direct cooperation in order to ensure better practical application, although this mechanism has already been recognised through bilateral agreements and the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters.

In addition, in order to ensure more efficient and easier collection of statistics, the new law introduces an obligation for the competent judicial authorities to keep records of direct cooperation, i.e. of requests sent and received within the framework of direct cooperation. These data will be submitted, in the form of an appropriate report, to the Ministry of Justice as the central authority, upon its request.

In cooperation with the Ministry of Justice of the Republic of France, acting as the central authority for communication, it has been agreed that the exchange of requests and applications for international legal assistance in criminal matters in the future will take place directly between the competent judicial authorities of the two countries.

Supreme State Prosecutor's Office:

In the period from 1 January to 31 December 2025, the Special State Prosecutor's Office received 154 requests for international legal assistance and opened an equal number of cases. Of these, 16 requests remain under processing, 6 requests were forwarded to the competent authorities for action, 131 received requests were responded to in a timely manner and those cases were archived, while 1 case was archived after the requesting state provided notice of withdrawal of its request for international legal assistance.

- Could you please update on the Montenegro's cooperation with Eurojust and EPPO?

Ministry of Justice:

During the reporting period, from 1 July 2025 to 15 January 2026, a total of 39 cases were opened concerning cooperation with Eurojust, of which 14 cases related to general matters (exchange of statistics, reports, questionnaires, etc.).

At the initiative of Montenegro's Liaison Prosecutor with Eurojust, a total of 19 cases were opened, while 6 cases were opened at the initiative of the national members and liaison prosecutors at Eurojust.

Regarding cooperation with the European Public Prosecutor (EPPO), two cases were opened in 2025 (one in February and one in March 2025). Both cases were concluded in the first half of 2025, with the State Prosecutor's Office acting on the requests and providing all requested data within the framework of international legal assistance.