

## EU ANNUAL REPORT ON HUMAN RIGHTS AND DEMOCRACY IN THE WORLD 2023 MONTENEGRO

1. **Overview of the human rights and democracy situation:** The legislative and institutional framework on fundamental rights is largely in place in Montenegro. However, additional efforts are needed to fully implement this framework. Some legislative changes are needed, in particular in the area of non-discrimination. The most vulnerable groups in society - the Roma and Egyptians, persons with disabilities and LGBTI persons - continued to be subjected to discrimination, hate speech and hate crime.

The media landscape remained pluralistic and diverse, although highly politically polarised, with uneven application of the journalistic Code of Ethics and professional standards. In general, the authorities provided prompt and effective law-enforcement and institutional responses to new cases of violence against journalists. However, there was no effective judicial follow-up of old cases. The new media legislation was not adopted. Radio Televizija Crne Gore (Radio Television of Montenegro – RTCG), the national public broadcaster continued to produce politically balanced content, including during election periods.

In 2023, Montenegro suffered from deep polarisation and division. This led to a blockage of the political system. The political situation was dominated by a caretaker government lacking the necessary political legitimacy and a Parliament unable to assemble a consistent majority to take forward reforms. The absence of a functional Constitutional Court for part of the year led to uncertainty and legal discrepancy. The Presidential and Parliamentary elections took place, and were monitored by an election observation mission of the Office for Democratic Institutions and Human Rights of the Organisation for Security and Co-operation in Europe (OSCE/ODIHR). The local elections took place in 14 municipalities.

For more information, please refer to the [Montenegro Report 2023 - European Commission \(europa.eu\)](https://europeancommission.europa.eu/montenegro-report-2023).

2. **EU action - key focus areas:** The EU's action in Montenegro continued to focus on the key areas described in the interim benchmarks on fundamental rights in Chapter 23 – judiciary and fundamental rights – of the accession negotiations. They relate to the alignment with the EU acquis and international standards on the strengthening of effective application of human rights, procedural safeguards, the protection of minorities and cultural rights, protection against racism and xenophobia and data protection.
3. **EU bilateral political engagement:** The EU continued to closely monitor the respect for human rights in Montenegro within the framework of the EU accession negotiations under Chapter 23 – Judiciary and Fundamental Rights. There is a regular policy dialogue at political levels. Such dialogue draws from monitoring developments in Chapter 23, the interim benchmarks, EU funded projects, as well as engagement with international organisations and civil society. The 12th meeting of the EU-Montenegro Sub-Committee on Justice, Freedom and Security under the Stabilisation and Association Process took place on 22 and 23 March. Montenegro committed to focus on improving the legal framework and institutional response to improve gender equality and fight discrimination and misogyny and to adopt the media legislative package.

The EU - Montenegro Subcommittee on Innovation, Human Resources, Information Society and Social Policy took place on 12 October 2023 and provided an update on the area access to education for marginalised or disadvantaged groups, including for children with special needs and the Roma, as well on social protection and inclusion (including people with disabilities and the

Roma). The EU delivered three demarches to Montenegro on the EU priorities in the UN Human Rights Council (OHCHR). Following the appointment of the new Government and constitution of the Parliament, outreach on the interim benchmarks was conducted to all national rule of law stakeholders.

4. **EU financial engagement:** Under the Thematic Programme for Human Rights and Democracy, the implementation of four projects (EUR 650,000) continued, including three projects completed in December 2023, with a focus on the right to fair trial and protection of vulnerable groups such as elderly, children in closed institutions, and the Roma. In December 2023, the EU contracted eight projects for a total amount of EUR 1.072 million to support the electoral reform, fight against peer violence, combatting and prevention of impunity and gender-based violence, as well as protection of journalists against violence, including online and capacity building of investigative journalism.

Under the IPA III Civil Society Facility, two grant contracts were signed in December 2023, including to support the Government of Montenegro for cooperation with civil society. In addition, under the IPA III bilateral envelope, a project for EUR 500,000 was launched to support gender equality.

Cooperation with the Council of Europe continued under the Horizontal Facility for the Western Balkans and Türkiye – Phase III that was launched in January 2023 with a total budget of EUR 41 million and EUR 5 million for Montenegro with a focus on ensuring justice, fighting corruption and organised crime and promoting human rights, including diversity, equality, freedom of expression and social inclusion. In Montenegro, the programme enabled the adoption of amendments to the Criminal Code in line with CoE's recommendations on antidiscrimination and countering hate speech.

5. **Multilateral context:** In 2023, Montenegro continued to meet its international obligations on human rights. The country continued its dialogue and cooperation with European and international human rights organisations and monitoring bodies, including the United Nations' bodies and the Council of Europe. Montenegro continued to fully align itself with EU statements on human rights in multilateral fora, including EU restrictive measures following Russia's war of aggression against Ukraine. Montenegro was a member of the UN Human Rights Council. Montenegro continued to ensure good cooperation with the European Court of Human Rights.