

JUDICIAL, PROSECUTORIAL, AND POLICE RESOURCES



**IN FIGHT AGAINST ORGANISED
CRIME IN MONTENEGRO**

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INTRODUCTION

The fight against organised crime represents one of the key challenges for modern states. Montenegro, although the smallest country in the Western Balkan region, faces complex and multidimensional forms of organised crime, including transnational networks, drug trafficking, human smuggling, and high-level corruption. Given that an effective fight against organised crime is possible only through strong and professional institutions, this study aims to analyse the existing capacities of the key actors within Montenegro's criminal justice system – the police, the prosecution service, and the courts – with a focus on their institutional, operational, and human capacities. In addition, the paper provides concrete recommendations for strengthening these capacities, in line with European Union best practices and standards. The methodological approach includes an analysis of domestic and international reports, strategic documents, available statistical data, as well as relevant academic literature. The findings of oversight bodies such as the European Commission, the OSCE, and reports of non-governmental organisations monitoring rule of law reforms in Montenegro have also been taken into consideration.

The study is structured into five thematic sections. The first section analyses the general context of organised crime in Montenegro, including identified threats, key security challenges, as well as Montenegro's strategic framework in this area. The second section is dedicated to the institutional response of the state to organised crime, through an analysis of the existing capacities and challenges of the Special Police Department (Specijalno policijsko odjeljenje, SPO), the Special State Prosecutor's Office (Specijalno državno tužilaštvo, SDT), and the Special Department of the High Court in Podgorica, which together constitute the central components of the criminal justice chain in the fight against organised crime and high-level corruption. The third thematic section examines the recommendations of the European Union and international organisations, including the European Commission, the OSCE, and MONEYVAL, with an emphasis on the areas in which Montenegro needs to strengthen its capacities, practices, and institutional coordination in order to meet European standards. The fourth chapter presents concluding observations and key recommendations aimed at improving the functioning of institutions in combating organised crime.

The study was developed within the project *“Open Trials Project: Monitoring of Organised Crime and High-level Corruption Trials in Montenegro,”* supported by the Embassy of the Kingdom of the Netherlands, and is intended for decision-makers, state institutions, as well as international partners supporting reform processes in the fields of security and judicial reform. The ultimate objective is to contribute to a more effective and coordinated institutional response to the threat of organised crime, as one of the key obstacles on Montenegro’s path towards the European Union membership.

1. GENERAL CONTEXT OF ORGANISED CRIME IN MONTENEGRO

Organised crime in Montenegro represents a serious threat to security, stability of institutions, and the overall progress of the country towards European Union membership. Despite certain institutional reforms and the formal alignment of legislation with European standards, numerous challenges continue to burden the effectiveness of the fight against organised crime. According to the recently published Global Organised Crime Index for 2025, Montenegro ranks 64th out of 193 countries worldwide, and 10th out of 44 countries in Europe. Notably, the report highlights that Montenegro is “home to two mafia structures – the Kavač and Škaljari clans” – which continue to exert significant influence on the country’s criminal landscape. The report states that the operations of these two organised criminal groups cover the entire territory of Montenegro, as well as other countries, where members often seek refuge from law enforcement authorities. “Despite intensified activities by competent authorities, including the arrests of key leaders, these organisations continue to maintain control over criminal markets through active recruitment of new members, including within the prison system,” the report emphasizes. Furthermore, it refers to EUROPOL assessments indicating that these two groups control 30% of cocaine trafficking between Latin America and Europe.¹

According to the data from the latest Serious and Organised Crime Threat Assessment report (SOCTA, 2024)² there are currently 11 high-risk organised crime groups (OCGs) active in Montenegro, the majority of which have more than 30 members. Recently, the Police Directorate announced that OCGs in Montenegro comprise over 300 members.³ These criminal groups are predominantly engaged in international cocaine trafficking, and, as concluded in the report, they have continued the trend of forming alliances with criminal groups from other Western Balkan countries. The report particularly emphasizes that in recent periods, Montenegro has witnessed a “significant presence” of criminal groups from Turkey,

1 See more: <https://ocindex.net/country/montenegro>

2 Serious and Organised Crime Threat Assessment – SOCTA 2024. Available at: <https://www.gov.me/dokumenta/d56f67a7-5d3d-4812-8687-aff237ba5c52>

3 See more: <https://euronews.ba/region/aktuelno/29946/scepanovic-u-crnoj-gori-djeluje-11-kriminalnih-grupa>

Georgia, Russia, and other Eastern European countries, as well as their connections with high-ranking OCGs from Montenegro.

“One of the key aspects of the operations of high-risk criminal groups continues to be the use of the most severe forms of violence, manifested through the ruthless elimination of rivals in criminal activities, aimed not only at securing a monopolistic position but also at revenge, total retribution, and the complete elimination of members of opposing criminal groups.

The premise that high-risk criminal groups employ corruption as a method of operation is confirmed by their infiltration and creation of cooperative positions within law enforcement and intelligence-security agencies, which over time have evolved, so that some law enforcement officers have become members or leaders of certain operational segments within high-risk criminal groups.

The security risk posed by the activities of high-risk OCGs is further exacerbated by ineffective judicial proceedings, resulting in a significant number of members remaining free despite being charged with organising and directly committing serious crimes against life and bodily integrity. This situation primarily allows for the consolidation of high-risk OCG activities and the reestablishment of their cohesion, while simultaneously increasing the level of security risk, given that these individuals may become targets of rival criminal structures.” (from SOCTA 2024 report)

This document indicates that drug trafficking remains the dominant criminal activity for the majority of identified high-risk OCGs operating in Montenegro. Furthermore, it notes that between 2021 and 2024, no OCGs were identified in Montenegro whose primary criminal activity focused on arms trafficking. Regarding illegal migration and human trafficking, SOCTA 2024 concludes that Montenegro has retained its status as a transit country and that new methods of human smuggling during transit through Montenegro have been observed. According to SOCTA 2024, the change in the Government of Montenegro’s policy regarding the Bar Free Zone in 2021 contributed to the cessation of one of the main methods of smuggling excise goods—tobacco and tobacco products. In terms of high-level corruption, the document particularly highlights the impact of intelligence and security agencies in the previous period, which resulted, as noted, in “the identification of key cooperative positions in relation to holders of

the highest functions in the executive and judicial branches, enabling high-risk OCG members to conduct activities freely and avoid investigations.” In addition to these observed forms of OCG activity in Montenegro, the document presents the risks associated with OCGs in the areas of money laundering, terrorism and religious extremism, cybercrime, and environmental crime.

To address the challenges of organised crime in Montenegro, the Government adopted the Strategy for Combating Transnational Organised Crime for the period 2024–2027 in November 2024. This strategy was adopted together with the accompanying Action Plan for 2024–2025. It is particularly significant to note that this is the first national strategy entirely dedicated to combating transnational organised crime, thereby establishing a unified framework for coordinated action by all relevant institutions. More than ten years ago, Montenegro had a Strategy for Combating Corruption and Organised Crime for the period 2010–2014, but following its expiration, no new strategic document was adopted to systematically regulate this area. Therefore, the new strategy represents an important step forward in defining a comprehensive and modern national policy for combating organised crime. One of the five strategic objectives outlined in this document is the enhancement of institutional capacities and the strengthening of professional development for the implementation of measures to combat transnational organised crime. To achieve this objective, the strategy proposes activities such as establishing the technical conditions for the electronic exchange of documentation and evidence between the Police Directorate, prosecution offices, and courts; creating a multidisciplinary/inter-agency training centre; conducting priority procurement to ensure investigative technology and operational tools relevant for investigations of serious organised crime, including cybercrime and encrypted communication tools; providing incentive measures related to salaries for police officers and other personnel working in organised crime sectors; strengthening criminal-intelligence and operational work against organised criminal groups; improving police competencies for cyber operations in combating transnational organised crime; and enhancing capacities for regional cooperation in preventing and combating transnational organised crime.⁴ It is expected that by the end of the year, the Bureau for Operational Coordination, designated in the Strategy as the body responsible for monitoring its implementation, will inform the public about the scope of these activities, which are scheduled for completion by the end of 2025.

⁴ Strategy for Combating Transnational Organised Crime 2024–2027, available at: <https://wapi.gov.me/download-preview/1db4222e-985d-4557-95c6-4c488369e269?version=1.0>

2. INSTITUTIONAL RESPONSE TO ORGANISED CRIME IN MONTENEGRO

Over the past decade, Montenegro has developed a specialised model of institutional response to organised crime, based on three key pillars: the Special Police Department (SPO), the Special State Prosecutor's Office (SDT), and the Special Department of the High Court in Podgorica. These institutions constitute the central mechanism for handling complex cases, with each having clearly defined competencies and a unique role within the system for countering organised crime and corruption. The existence of such a specialised institutional framework is of fundamental importance, as it represents the standard in modern European legal systems facing highly sophisticated criminal structures. This institutional framework is also crucial for fulfilling the obligations under Chapters 23 and 24 in Montenegro's EU accession negotiations, where the country is expected to deliver continuous results through a functional, independent, and effective system for combating organised crime. This study will analyse the existing capacities of these institutions in the fight against organised crime, as the assessment of their structure, staffing, work organisation, and mutual coordination provides the basis for understanding the state's real ability to adequately respond to growing security threats. However, it must be emphasized that the preparation of this analysis was partially hindered by limited access to information and a certain degree of non-transparency in the operations of some institutions, including the failure to provide requested information or the untimely and incomplete publication of information on official institutional websites, which, in accordance with transparency standards, should be regularly updated and publicly accessible. Such forms of non-transparency have slowed the research process and highlight the need for a significant improvement in institutional openness as a prerequisite for an objective assessment of the situation and the planning of sustainable reforms in the field of combating organised crime in Montenegro.

2.1. SPECIAL POLICE DEPARTMENT

The Special Police Department (SPO) is a specialised unit within the Police Directorate of Montenegro that provides direct operational support to the Special State Prosecutor's Office (SDT) in investigations of the most serious criminal offenses. The work of the SPO is based on the provisions of the Law on State Prosecutor's Offices, the Criminal Procedure Code, and the Law on Internal Affairs, as well as on subordinate acts regulating the institutional relationship between the prosecution and the police. The SPO was established in response to the need for a highly professional, independent, and operationally capable police team able to handle complex cases. The department functions as a police body operating under the direct supervision of, and at the instruction of, special prosecutors, thereby ensuring effective coordination in the most sensitive investigations.

Although organisationally part of the Police Directorate (PD), the SPO is functionally separate from other sectors and units within the PD. In December 2024, the Government of Montenegro adopted a new Rulebook on the Internal Organisation and Staffing of the Ministry of Internal Affairs and the Police Directorate, introducing a notable change regarding the status of the SPO. Under this act, the Special Police Department was granted the status of a distinct department. This formally provides the SPO with a greater degree of autonomy, in line with the European Commission's recommendations that the most sensitive police structures should be protected from external influences and possess sufficient operational independence to conduct complex investigations.

According to information presented in the recently published annual report of the European Commission on Montenegro, the new staffing act foresees an increase in the number of planned positions in the SPO from 50 to 60 officers, representing an effort to enhance the unit's capacities after a period of stagnation. However, based on publicly available data, staffing levels in the SPO remain below the optimal level. With only 33 positions currently filled, there is a clear shortage of personnel relative to the needs of the complex investigations conducted by the SPO.

A significant challenge encountered by CeMI's analytical team in preparing this analysis, regarding the assessment of the actual staffing structure of the SPO, is that the new staffing act has been classified as a confidential document. Due to this status, it is not possible to conduct a complete assessment of the number of officers, their specific tasks, distribution among operational teams, or the level of specialisation of employees within the department. Although the increase in

planned positions has been officially confirmed, the extent of their actual staffing and professional diversity remains unknown to the general public and is not regularly reported, except in European Commission reports.

Regarding the spatial and technical capacities available to the SPO, the European Commission has highlighted that the conditions in which the SPO and the Special State Prosecutor's Office operate are "significantly below minimum European standards," directly limiting their ability to perform assigned duties efficiently, independently, and securely. For some time, there have been indications that these two bodies could be relocated to the building in which the Government of Montenegro was previously located, but no concrete progress has been made yet. The lack of adequate premises, digital data processing equipment, interview rooms, confidential information protection systems, and security infrastructure represents a long-standing challenge affecting the overall quality of the SPO's work. Nevertheless, these circumstances have so far not negatively impacted the efficiency or effectiveness of the SPO's operations.

With regard to the overall capacities of the Police Directorate in combating crime, the Crime-Fighting Sector represents the central operational structure of the Police Directorate responsible for implementing measures, actions, and investigations across all forms of criminal activity. According to publicly available data presented in the second annex to the European Commission's 2025 Report on Montenegro, the Crime-Fighting Sector of the Police Directorate consists of nine organisational units, with a total of 493 systematized positions.⁵ Currently, 249 officers are employed. The following table presents the overall staffing capacities of the Police Directorate in combating crime.

⁵ Available at: <https://www.gov.me/dokumenta/ada57754-b20e-43d4-99fe-b86dabb28d00>

Table: Human Resources of the Police Directorate in Combating Crime

Organisational Unit	Systematized Positions	Filled Positions	Occupancy Rate
Cabinet	9	7	77,7%
Department for Combating General Crime	42	18	42,8%
Department for Combating Corruption, Economic Crime, and Financial Investigations	55	26	47,2%
Department for Combating Drugs	25	15	60,0%
Department for Special Investigative Methods	131	75	57,3%
Department for Criminal-Intelligence Affairs	89	38	42,6%
INTERPOL-EU-ROPOL-SIRENE Department	53	30	56,6%
Department for Human Trafficking, Smuggling, and International Criminal Offenses	32	13	40,6%
Witness Protection Department	39	27	69,2%
Criminal-Tactical Unit	18	0	0%

Data on staffing levels in the Crime-Fighting Sector within the Police Directorate indicate significant limitations in the operational capacities of the police. Out of a total of 493 systematized positions, only 249 are filled, representing an average occupancy rate of approximately 50.5%. This level of staffing suggests that a substantial portion of the police's capacities is underutilized, and some organisational units are operating at what can be described as "operational survival" levels. While certain departments maintain a solid staffing level (e.g., the Witness Protection Department – 69%), others function with less than half of the required personnel (Criminal-Intelligence Affairs – 42.6%, Department for Combating General Crime – 42.8%, International Police Cooperation – 56.6%, Department for Human Trafficking, Smuggling, and Other International Offenses – 40.6%). From this data, it can be clearly concluded that the current capacities of the Crime-Fighting Sector within the Police Directorate are unsustainable and require urgent intervention to prevent further weakening of the Police Directorate's institutional capabilities.

One of the key priorities before the Government of Montenegro was the appointment of the Police Directorate Director in full mandate. That appointment took place in December 2025. This measure was crucial for several reasons. First, the Police Directorate functioned, for a long period of time, in the regimen of acting directors and several deputy directors, which created a state of institutional instability, limited management accountability and prevented long-term planning of personnel, operational and budget policies. In such an environment, it was difficult to expect the strategic strengthening of the Crime-Fighting Sector and the Special Police Department, whose capacities are essential for the prosecution of organized criminal groups. In addition, the European Commission emphasized in several consecutive reports the importance of appointing leadership with a full mandate. Political delays in the appointment of the Police Directorate Director undoubtedly had a negative impact on the dynamics of negotiations in Chapters 23 and 24, which might have consequences for the dynamics of closing these negotiation chapters by the end of the following year, which is the key priority of the Government.

2.2. SPECIAL STATE PROSECUTOR'S OFFICE (SDT)

The Special State Prosecutor's Office of Montenegro (SDT) is the central institution within the prosecutorial system responsible for prosecuting the most serious forms of criminality. This office was established through the adoption of a special law—the Law on the Special State Prosecutor's Office⁶—at the beginning of Montenegro's EU accession negotiations in Chapters 23 and 24, with the aim of strengthening institutional capacity to combat organised crime, high-level corruption, money laundering, terrorism, and war crimes—criminal offenses that require a specialised approach, a high level of expertise, and coordinated action with domestic and international judicial institutions. The SDT plays a key role in implementing state policy on combating high-profile crime, operating through a system of specialised departments covering prosecutorial work, financial investigations, analytics and research, international cooperation, digital evidence and information technology, as well as coordination within the Cabinet of the Chief Special Prosecutor. The Special State Prosecutor's Office functions as a highly specialised body, characterised by an interdisciplinary approach, integrating legal, economic, IT, and analytical expertise, and applying modern investigative methods in criminal investigations.

Within its mandate, the SDT operates independently, while its work entails intensive communication and cooperation with the police, tax and financial authorities, intelligence and security structures, international partners, and other institutions involved in the chain of combating organised crime. Due to the complexity of the cases under the SDT's jurisdiction, the efficient functioning of this institution is crucial for strengthening the rule of law and fulfilling international obligations, particularly in the context of Montenegro's EU accession negotiations in Chapters 23 and 24. For this reason, analysing the capacities, resources, and organisational capabilities of the SDT represents an important step in understanding its results, challenges, and needs for further institutional improvement.

Unfortunately, due to their confidential nature, certain data that could have contributed to a more comprehensive analysis was not included. This particularly refers to data on spatial and technical capacities, information systems, and digital infrastructure.

⁶ Law on the Special State Prosecutor's Office, "Official Gazette of Montenegro", Nos. 10/2015, 53/2016, and 54/2024

Internal Structure of the Special State Prosecutor's Office of Montenegro (SDT)

The internal structure of the Special State Prosecutor's Office of Montenegro (SDT) is designed to respond to the high complexity of cases within its jurisdiction and to ensure the functional integration of operational, analytical, financial, and technical tasks that support the fight against organised crime and high-level corruption. The SDT is organised into eight clearly defined, interconnected units, each carrying out specialised functions within its area, with the Cabinet of the Chief Special Prosecutor providing a coordination role and central services offering administrative support.

- **The Department for Prosecutorial Affairs** forms the core of the SDT's operational work. This unit carries out professional and operational tasks related to preliminary inquiries and investigations, as well as the systematic collection of data on instances of high-level corruption and organised crime, which serves as the primary source of information for handling cases within the SDT's jurisdiction. The department also participates in coordination with law enforcement agencies and other institutions and performs clerical duties essential for procedural documentation.
- **The Department for Financial Investigations** focuses on the economic aspects of criminal activity, including the analysis of financial flows, determination of unlawful financial gains, and identification of assets acquired through criminal acts. This unit directly assists prosecutors in guiding the police, investigators, and expert witnesses, providing the data and analyses necessary for financial measures and asset seizure. In addition to analytical tasks, the department also performs clerical duties. It is important to note that, in line with the need for stronger economic expertise in combating high-level corruption, the SDT initiated the recruitment of additional economic specialists in 2025, which is expected to significantly enhance the quality and depth of financial analyses in cases.
- **The Department for Analytics and Research** plays a key role in managing data and information. It is a technical-analytical unit that ensures access to and exchange of data with other state authorities, develops and maintains databases, prepares statistical reports, monitors cases through internal systems, and contributes to improving procedural efficiency. This department also performs clerical duties, demonstrating the close integration of administrative support and analytical functions.

- **The Department for International Cooperation** enables the SDT to operate effectively in an international environment, particularly in the context of joint investigative teams, cooperation with foreign prosecutorial offices and international organisations, and the implementation of international agreements. This department coordinates the formal exchange of information, organises international operational cooperation, and performs clerical duties in cases with transnational components.
- **The Information Technology and Digital Evidence Unit** represents a highly specialised technical segment, whose importance continues to grow due to the increasing use of digital evidence in criminal cases. This unit performs digital forensics, the collection and processing of electronic evidence, encryption of communications and data, maintenance of IT infrastructure, protection of information systems, database management, and processing of materials obtained through special investigative measures. Additionally, the unit provides support to staff in the use of IT resources and organises videoconferencing and technical processes related to audiovisual documentation. This segment represents one of the SDT's strongest capacities, with a continuous focus on improvement.
- **The Cabinet of the Chief Special Prosecutor** functions as the central coordination unit, responsible for organising the activities of the Chief Special Prosecutor, managing protocol, communication, and media appearances, cooperating with domestic and international authorities, and preparing public statements while monitoring relevant media content. The Cabinet also handles translation tasks, website administration, provision of information in accordance with the Law on Free Access to Information, project monitoring, and the organisation of work meetings. This unit has a highly multifunctional role, linking the strategic, communicational, and operational functions of the SDT.
- **The Administrative, Technical, and Accounting Service**, including the Registry Office, carries out a wide range of tasks that ensure the smooth operation of the Prosecutor's Office. These include human resources management, payroll processing, record-keeping, financial and material operations, archiving, data processing, management of case and subject registers, preparation of periodic and annual work reports, as well as the receipt and processing of mail and submissions. This service forms the operational backbone of the administrative system, and its work is crucial for the proper functioning of the Prosecutor's Office.

- **Public Relations Service**

Human Resources Capacity and Overall Staffing of the SDT

Pursuant to the Decision on the Number of State Prosecutors (Official Gazette of Montenegro, Nos. 21/15, 13/18, 7/23, 104/23 and 103/2025), the Special State Prosecutor's Office is composed of the Chief Special Prosecutor and 20 Special Prosecutors.

As of 16 March 2026, prosecutorial functions within the Special State Prosecutor's Office are actively performed by the Chief Special Prosecutor, eight Special Prosecutors, and six State Prosecutors seconded to the Special State Prosecutor's Office.

On 5 January 2026, a new Rulebook on Internal Organisation and Systematisation of the Special State Prosecutor's Office (Tu S I-7 No. 2/2025 of 25 December 2025) entered into force. This Rulebook increased the total number of staff positions from 60 to 93. Compared to the previous Rulebook, and in line with the Law on Amendments to the Law on Civil Servants and State Employees, changes were introduced regarding position levels, titles, and requirements for the performance of duties, particularly in terms of the required level of education and relevant work experience for specific posts. The adoption of the new Rulebook represents a significant step towards the modernisation and rationalisation of the staffing structure, both in terms of the number of positions and the classification and job descriptions of civil servants. This has created the conditions for a more decisive and efficient response to criminal offences within the jurisdiction of this Office.

As of 16 March 2026, a total of 55 civil servants are employed at the Special State Prosecutor's Office, of whom 42 are women and 13 are men.

In accordance with the current Rulebook, civil servants within the Special State Prosecutor's Office are assigned to positions across eight organisational units, namely: the Criminal Prosecution Department, the Financial Investigations Department, the Analytics and Research Department, the International Cooperation Department, the IT and Digital Evidence Service, the Public Relations Service, the Office of the Chief Special Prosecutor, and the Administrative, Technical and Accounting Service, within which the Registry Office operates. In addition, the position of Secretary is systematised outside the formal organisational structure.

Analysis of the Capacities of the Special State Prosecutor's Office in Relation to Case Volume

During 2024, the Special State Prosecutor's Office (SDT) handled a total of 2.362 criminal complaints against individuals, indicating an exceptionally high case volume within the Office's jurisdiction. When compared to the current prosecutorial capacity, this results in an average workload of 131 cases per prosecutor per year. This workload significantly exceeds typical European standards for specialised prosecutorial offices, where the average number of complex cases per prosecutor in the fields of organised crime and corruption rarely exceeds 40 per year.

The structure of SDT cases imposes a heavy burden on all prosecutors and professional associates, as these involve lengthy and complex investigations that require financial analysis, the application of covert surveillance measures, international cooperation, and processing of large volumes of digital evidence. For this reason, handling over two thousand complaints considerably strains the existing prosecutorial capacities, limits the ability to conduct strategic case management, and likely affects the duration of investigations within the Office.

On the other hand, administrative capacities, although relatively stable, are not fully aligned with the Office's actual needs. The SDT currently employs 55 civil servants across eight organisational units, the majority of whom are clerks, operators, registry staff, and technical-administrative personnel. Administrative staff perform essential tasks necessary for the functioning of the Office. However, employees face a heavy workload due to the volume of documentation, the large number of procedural actions, and the substantial amount of data processed in highly complex cases.

A particular challenge is the insufficient number of economic and financial experts, even though financial investigations are central to combating corruption and organised crime. The SDT has initiated recruitment processes for additional economic specialists in the recent period, representing an important step; however, current capacities are still not sufficient to ensure rapid and thorough financial analyses.

Concluding Considerations on the Necessity of Strengthening the SDT's Capacities in Combating Organised Crime

Cases under the jurisdiction of the Special State Prosecutor's Office (SDT) are characterised by a high degree of complexity, both in legal terms and in technical,

financial, and operational aspects. Unlike standard criminal cases, proceedings before the SDT almost always involve multiple parallel investigative streams and require the application of methodologically advanced techniques for collecting and analysing evidence. First and foremost, a significant portion of the cases involves financial investigations, which represent one of the most demanding segments in the fight against organised crime and corruption. Such investigations entail monitoring financial flows, analysing business records and balance sheets, identifying hidden financial connections, and assessing illicitly obtained assets. These tasks require specialised economic, accounting, and forensic-financial knowledge, often exceeding the scope of standard legal education for prosecutors and staff. Another critical element of case complexity handled by the SDT is the use of digital evidence in investigations. In cases of high-level corruption, money laundering, and organised crime, digital traces—such as communications, metadata, electronic documents, GPS data, and forensically seized phone and computer memory—constitute central components of the evidentiary material. Processing and analysing this evidence require technical expertise in digital forensics, proficiency with specialised software, knowledge of encryption and decryption processes, and the ability to extract relevant evidence from large volumes of digital information. A third layer of complexity arises from the pronounced international dimension of many investigations. Numerous criminal networks maintain transnational links, necessitating intensive international cooperation with EU agencies, prosecutors' offices in EU member states and other countries, police forces, and specialised agencies abroad. Procedures involving requests for international cooperation require familiarity with international legal assistance mechanisms, foreign language skills, and the ability to coordinate with numerous stakeholders.

The aforementioned areas should be prioritized for strengthening the institutional capacities of the SDT over the next two years. This becomes particularly significant given the current pace of accession negotiations and assessments that, if Montenegro maintains stable progress, it could become a European Union member state as early as 2028. In such a scenario, the Special State Prosecutor's Office would become part of the EU prosecutorial environment as the organ of a member state, which entails additional demands and expectations. Upon EU accession, the SDT would be required to operate in accordance with the highest European Union standards in the fight against organised crime and corruption, including mandatory cooperation with institutions such as EUROPOL, EUROJUST, and the European Public Prosecutor's Office (EPPO), as well as full participation in joint investigations, operational data exchange, and cross-border operations. Practically, this means that the SDT would need to maintain strong

multidisciplinary teams, advanced digital forensic capabilities, highly trained financial investigators, and well-developed international cooperation protocols.

Based on the analysis of the existing structure and caseload of the Special State Prosecutor's Office, and with a view to increasing efficiency and reducing individual workload, it is recommended to further strengthen the Office's capacities by increasing the number of prosecutors, as well as by engaging economic and analytical experts. In addition, it is recommended to expand the IT/digital forensics team and to reinforce administrative support (court reporters and operators), which would contribute to improving the overall efficiency of the institution. Strengthening these capacities represents a prerequisite for the effective and timely handling of organised crime and high-level corruption cases in Montenegro.

2.3. SPECIAL DEPARTMENT AT THE HIGH COURT IN PODGORICA

The Special Department of the High Court in Podgorica plays a key role in the "criminal law chain" that is supposed to ensure an effective response to the most serious criminal offenses in Montenegro. Due to the complexity of cases, their volume, and the high social risk, adequate staffing of this department represents one of the most important systemic prerequisites for the efficient functioning of the entire criminal justice system. In previous years, the Special Department faced a chronic shortage of judges, significant caseload pressure, and limited institutional capacities. However, at the end of 2024, a significant institutional change occurred that impacted the department's staffing framework.

Before analysing the current capacities, it should be noted that in October 2024, the judges of the Special Department issued a "public appeal," warning about the seriousness of the situation at the High Court. In this statement, they emphasized that the number of judges in the department was insufficient to handle the workload of 162 active cases, including matters of exceptional complexity and public interest. The judges called for amendments to the Criminal Procedure Code, particularly due to outdated legislation that does not correspond to organised crime cases. They pointed out the urgent need to appoint new judges and support staff (advisors and clerks) to increase the operational efficiency of the department. Finally, they stressed the necessity to improve the department's spatial and technical working conditions — courtrooms, equipment, and capacities for trials involving multiple defendants. The judges concluded that if these issues are not addressed, Montenegro will be unable to provide an adequate response in terms

of the final resolution of cases of high social significance.⁷

According to available data, the Special Department of the High Court operated in the second half of 2024 with only 6–7 judges. As a result, the former Acting President of the Supreme Court, Vučković, attempted to arrange for judges from the Supreme or Appellate Court to be temporarily assigned to the Special Department of the High Court in order to assist in resolving the backlog of cases. However, none of the judges from the Supreme or Appellate Court responded positively to this initiative. Following an open letter sent by the judges of the Special Department to all relevant institutions in Montenegro—which the professional public described as an “unusual and courageous move”—the first institutional responses ensued. Specifically, at its session held on 13 December 2024, the Judicial Council unanimously decided to increase the number of judges in the Special Department of the High Court in Podgorica. By this decision, the number of judges in the Special Department was increased by six, and an increase in the number of judicial advisors was also planned, ensuring that each judge would have their own advisor. In accordance with the applicable legal provisions, judges from higher courts may be temporarily assigned to lower courts, but this requires their consent.

During the preparation of this study, it was very difficult to obtain data on the actual capacities of the Special Department regarding the number of judges handling organised crime and high-level corruption cases. On the website of the High Court in Podgorica, which is not regularly updated, there is no reliable information on which judges currently serve in the Special Department. However, based on the full transparency of the Judicial Council’s work—particularly regarding information on judicial appointments available on the Council’s website—CeMI obtained information that in the first half of 2025, the High Court in Podgorica received nine new judges. The Judicial Council appointed all nine new High Court judges in February 2025, representing a significant personnel boost to enhance the efficiency of the Special Department of the High Court in Podgorica.

However, during the process of strengthening the High Court’s staffing, four judges from the Special Department applied for promotion to the Appellate Court. This created a new challenge concerning the potential departure of part of the judicial staff from the Special Department at a time when the department had only recently begun institutional strengthening, and when it was crucial to maintain continuity in handling ongoing complex organised crime cases. At its session on 4 April 2025, the Judicial Council adopted a position that significantly mitigated

⁷ See more: <https://sudovi.me/vspg/sadrzaj/g8d4>

the risk of further staff attrition: it was decided not to appoint judges from the Special Department who are currently handling ongoing cases. In its reasoning, the Council stated that, “taking into account the public interest, the efficiency of the Special Department of the High Court in Podgorica, and the ongoing cases before this department,” it assessed that the promotion of these judges to a higher judicial rank would not be in the interest of system stability and the effective management of existing cases⁸.

Although this position of the Judicial Council is justified from the perspective of protecting continuity and functionality of the Special Department of the High Court, it raises questions about the further development of the Appellate Court’s capacities. The Appellate Court has for an extended period operated with a limited number of judges handling second-instance decisions from the Special Department, and further delays in filling positions at this court could affect its ability to decide in a timely and high-quality manner on cases of particular importance. In the long term, this situation may lead to an increase in unresolved cases, lengthening of second-instance proceedings, and additional pressure on the existing judicial staff of the Appellate Court.

To address this problem, the following options are considered: (1) targeted strengthening of the Appellate Court through accelerated appointment procedures for new judges who are not part of the Special Department of the High Court, in order to avoid jeopardizing first-instance proceedings; (2) introduction of temporary measures, such as assigning judges from the Supreme Court for a limited period; (3) amendments to the normative framework to allow more flexible personnel reallocations without compromising ongoing trials; and (4) planning for succession within the Special Department to prevent situations in which multiple judges simultaneously become candidates for higher positions.

Ultimately, both courts—the High Court in Podgorica and the Appellate Court of Montenegro—form a functional whole in the chain of prosecuting organised crime and high-level corruption, so the stability of one directly affects the efficiency of the other. It is therefore necessary to carefully manage personnel policies to maintain continuity in the work of the Special Department, while simultaneously strengthening the Appellate Court, which must have sufficient capacity to decide on appeals in the most significant organised crime and corruption cases in a timely manner.

⁸ <https://www.sudovi.me/sdsv/sadrzaj/N58d>

Spatial Capacities of the High Court in Podgorica

Adequate spatial capacities represent one of the key prerequisites for the efficient, safe, and transparent conduct of court proceedings in cases of organised crime. Trials involving a large number of defendants, defence attorneys, witnesses, and technical staff require courtrooms whose size, layout, and technical equipment allow proceedings to take place without interruptions. In complex cases with more than ten defendants, standard courtrooms are often insufficient, leading to frequent adjournments, logistical difficulties, and challenges in managing the proceedings. The lack of adequate space also affects the rights of defendants and their attorneys, preventing clear communication, proper examination of evidence, and monitoring of the procedural flow, thereby undermining the fundamental principle of a fair trial.

Beyond efficiency, an adequate courtroom is crucial for the safety of participants in judicial proceedings. Organised crime cases carry high risks due to the nature of the offenses, the profiles of the accused, and the presence of the public. Spacious and technically equipped courtrooms allow for the secure handling of defendants, proper deployment of police officers, and control over the movement of all participants in the proceedings. Infrastructure including separate entrances for detained persons, video-link equipment, audio-visual recording systems, and access control is necessary to minimize security risks, prevent procedural obstruction, and ensure uninterrupted trials. Therefore, investing in modern and functional court facilities represents an essential step in strengthening the judiciary's overall capacity to effectively handle organised crime cases.

The High Court in Podgorica, according to information obtained from this judicial instance, currently has only two courtrooms. Considering that the Special Department of the High Court handles cases with 15 to 30 defendants simultaneously, involving highly complex factual narratives and extensive evidence, the existing courtroom capacities have proven to be highly insufficient for organising such trials. For this reason, at the beginning of the mandate of the President of the Supreme Court, Mrs. Pavličić, a decision was made to allocate courtrooms from the Appellate and Supreme Courts to the High Court in Podgorica, enabling the most complex organised crime cases to be conducted under conditions that meet minimal standards of safety, transparency, and functionality. While these courtrooms currently allow for the conduct of trials in cases under the Special Department, it is clear that this is a temporary solution that depends on the availability of premises from other judicial instances and does not represent a sustainable model for long-term operation.

In this context, there is also the possibility for the Basic Court in Podgorica to allocate its largest courtroom to the High Court, which would provide additional relief and allow for the simultaneous conduct of a larger number of complex proceedings. If institutionally coordinated and logistically feasible, this measure would significantly improve the spatial capacities of the Special Department, reduce the number of trial adjournments due to lack of space, and enhance the overall efficiency of the judiciary in addressing organised crime and high-level corruption. In the long term, such solutions highlight the need for strategic planning and investment in the construction of permanent facilities — particularly multifunctional “large courtrooms” that meet the standards for organised crime trials and enable uninterrupted proceedings in cases with a high number of defendants.

3. RECOMMENDATIONS OF THE EUROPEAN UNION AND INTERNATIONAL ORGANISATIONS ON COMBATING ORGANISED CRIME IN MONTENEGRO - WITH A FOCUS ON INSTITUTIONAL CAPACITIES

The fight against organised crime in Montenegro represents one of the key areas in the EU accession negotiations, particularly under Chapters 23 and 24. The European Commission, OSCE, and other international organisations continuously provide recommendations aimed at strengthening the institutions forming the core infrastructure for combating criminal groups – the judiciary, prosecution, and police. These recommendations most often focus on gaps in human resources, technical capacities, management, and legal frameworks, which remain the main obstacles to a more effective institutional response to organised crime and high-level corruption.

In its recently published annual report on Montenegro, the European Commission (EC) notes that Montenegro is moderately prepared in the area of combating serious and organised crime. As one of the key recommendations under Chapter 24, the EC emphasizes the need to increase the efficiency of criminal prosecution and adjudication in cases of serious and organised crime, particularly in money laundering cases, while addressing the issues of lengthy proceedings and frequent adjournments in organised crime cases. Furthermore, the EC recommends that in the upcoming year—which is expected to be crucial for Montenegro’s EU integration process—progress should be made in filling vacant positions in the Special Police Unit (SPO), the Special State Prosecutor’s Office (SDT), and the High Court in Podgorica, as well as ensuring adequate office space for both the SDT and the SPO. Finally, the EC suggests ensuring stability across all police sectors and directorates through the appointment of fully empowered managers and directors, following an objective and merit-based process. This is particularly important given that, for an extended period, the positions of Police Directorate Director and most deputies have remained in an acting capacity.

In a recently published report on the state of judicial proceedings in organised crime cases, the OSCE provided a significant overview of the overall judicial ca-

capacities in combating organised crime and corruption. The report recommended that Montenegrin judicial institutions make information on the prosecution of organised crime cases available to the public in a timely, accurate, and consistent manner, including the publication of hearing schedules, indictments, and judgments. The OSCE report also recommends that the Government of Montenegro ensure adequate spatial capacities for the Special State Prosecutor's Office (SDT) and the High Court in Podgorica, and properly equip these facilities. It notes that judges, during consultations, identified the lack of courtrooms as a major reason for their inability to meet deadlines set by the Criminal Procedure Code. Furthermore, it was recommended to strengthen the capacities of prosecutors and judges in handling money laundering cases in accordance with international standards, as well as to enhance court capacities by improving the effectiveness of judicial advisors. Specifically, the report recommends that the Judicial and Prosecutorial Training Centre expand its programs for judicial advisors and include specialised training in organised crime and corruption for advisors working with judges in the Special Department, so that they can enhance their skills and provide effective support to judges. The High Court in Podgorica was advised to reassess its organisational needs and consider the workload demands of individual judges.⁹

According to the latest MONEYVAL report, Montenegro has made significant progress in strengthening its institutional framework for combating money laundering and terrorist financing. MONEYVAL noted that Montenegro has largely addressed the deficiencies identified in relation to several recommendations of the Financial Action Task Force (FATF). Overall, out of the 40 FATF Recommendations, MONEYVAL assesses Montenegro as compliant with two recommendations, largely compliant with 31 recommendations, and partially compliant with seven recommendations. MONEYVAL further highlights significant amendments to the Law on the Prevention of Money Laundering and Terrorist Financing, as well as amendments to other legislative acts and the adoption of numerous by-laws.¹⁰

⁹ See more: https://www.osce.org/files/f/documents/e/4/570159_1.pdf

¹⁰ See more: <https://rm.coe.int/moneyval-2025-23-me-5th-round-1st-enhanced-fur/48802a38e6>

CONCLUDING REMARKS

The analysis of judicial, prosecutorial, and police capacities in combating organised crime in Montenegro reveals a clear gap between the high level of threats and risks posed by organised crime and the limited institutional resources available. The criminal landscape is marked by the active presence of organised criminal groups, including two dominant ones – the Škaljari and Kavač clans – frequent violence, and deep entanglement with corruption and the infiltration of organised crime into state structures. At the same time, the state’s institutional response is still in a “trial” phase, with a number of weaknesses that limit the scope of institutional work and the stability of outcomes.

Although a specialised institutional framework has been established – the Special Police Unit (SPO), the Special State Prosecutor’s Office (SDT), and the Special Department of the High Court in Podgorica – significant problems remain regarding staffing, spatial and technical conditions, and organisational work. The SPO has formally strengthened its status and increased the number of planned positions, but actual staffing levels remain unsatisfactory, and the new act on systematization has been classified as a secret document, making an objective assessment of capacities difficult. The Crime-Fighting Sector within the Police Administration operates with only about 50% of its positions filled, while certain key units (the criminal-intelligence, anti-trafficking, and criminal-tactical units) work with minimal operational capacity.

The SDT, on the other hand, is normatively well-positioned and internally well-organised. However, the workload significantly exceeds the standards for specialised prosecution offices. There is a shortage of economic and financial experts within the SDT, as well as a need for further specialisation of prosecutors handling cases across all areas of the office’s jurisdiction.

The Special Department of the High Court in Podgorica is at the centre of the criminal justice response to organised crime but has operated for years with an insufficient number of judges, inadequate courtrooms, and a significant backlog of cases. The “public appeal” by judges in October 2024, clearly warning that the department could not handle the workload of over 160 active cases at the time, served as a wake-up call for the judicial system. The subsequent decision by the Judicial Council to increase the number of judges and advisors represents a significant step forward but simultaneously illustrates that key interventions are

often made only after problems become publicly visible. The spatial capacities of the High Court, reliance on the temporary use of courtrooms from the Supreme, Appellate, and potentially the Basic Court, indicate that solutions remain temporary and do not ensure long-term stability.

Recommendations from the European Commission, OSCE, and MONEYVAL largely confirm the findings of this study: Montenegro is assessed as moderately prepared in combating serious and organised crime, but there is a clear need to strengthen personnel in the SPO, SDT, and High Court, provide adequate facilities, improve trial efficiency, and implement stronger measures to prevent the infiltration of organised crime into the police and judiciary.

Finally, it should be emphasized that this analysis faced limitations due to insufficient transparency of certain institutions, the non-provision of requested data, and outdated or incomplete publication of information on official websites. Such practices not only hinder independent analysis but also point to a deeper systemic problem: the fight against organised crime cannot be effective without high institutional transparency and accountability.

In light of the potential acceleration of European integration and the realistic prospect of EU membership in the coming years, it is evident that further reforms and investments in the capacities of the police, prosecution, and judiciary are necessary—not only to fulfill international obligations but, above all, to meet the internal needs of Montenegrin society to establish a sustainable and credible rule of law with tangible results in combating organised crime and high-level corruption.

RECOMMENDATIONS

Based on the conducted analysis, it is recommended that the competent institutions, in cooperation with the Government of Montenegro and international partners, prioritize the following measures in the forthcoming period:

- 1. Strengthening the Human Resources of the Police Directorate - Crime-Fighting Sector and the Special Police Unit (SPO)**
 - It is necessary to increase the number of police officers in key organisational units of the Crime-Fighting Sector, with particular focus on the Special Police Department (SPO). The Police Directorate should develop a multi-year staffing plan with clearly defined annual targets for filling vacant positions.
- 2. Ensuring Adequate Premises for the Special Police Department (SPO) and the Special State Prosecutor's Office (SDT)**
 - In line with the recommendations of the European Commission and the OSCE, a permanent solution should be secured for accommodating the Special Police Department (SPO) and the Special State Prosecutor's Office (SDT) in facilities that meet European standards (including security regimes, premises for hearings, and conditions for handling confidential data), in order to overcome the long-standing issue of inadequate working premises for these two key state institutions.
- 3. It is necessary to perform continuous activities aimed at strengthening the capacities of the Special State Prosecutor's Office (SDT):**
 - It is recommended to increase the number of special prosecutors within the Special State Prosecutor's Office (SDT) by at least 4–6, while simultaneously recruiting additional economic and financial experts, IT and digital forensics specialists, and analysts. It is also necessary to develop specialised multi-disciplinary teams for organised crime and money laundering cases, while strengthening the capacity of prosecutors to participate in Joint Investigation Teams (JITs) with EU Member States.

4. Consolidation of the Judicial Staff within the Special Department of the High Court

- It is necessary to ensure a stable number of judges and judicial advisors within the Special Department of the High Court in Podgorica, accompanied by clear succession planning and the prevention of situations in which a larger number of judges simultaneously apply for positions at a higher judicial level. The policy of the Judicial Council regarding the promotion of judges from the Special Department should remain conservative for at least the next two years, until proceedings in organised crime and high-level corruption cases are brought to a state of regular efficiency and timeliness.

5. Spatial strengthening of court capacities for organised crime cases

- Systematically resolve the issue of “large courtrooms” in Podgorica: it is necessary to plan and construct at least two permanent multifunctional courtrooms capable of accommodating a larger number of defendants and defence attorneys, equipped with modern audio-visual technology, video-link facilities, security protocols, and separate entrances for detained individuals. In the meantime, it is essential to formalize the allocation of courtrooms from the Appellate, Supreme, and Basic Courts to the Special Department of the High Court in Podgorica through clear protocols for organising trials in cases of organised crime and high-level corruption, with particular attention to security aspects.

6. Stability of leadership and integrity in the police and judiciary

- In line with the recommendations of the European Commission, urgently end the “acting” status in the leadership of the police and key sectors through transparent, merit-based, and competitive procedures. At the same time, strengthen internal integrity mechanisms and internal controls in the police, prosecution, and judiciary to reduce the risk of organised crime infiltrating these state institutions.

7. Specialised training and strengthening the role of judicial and prosecutorial advisors

- In cooperation with the Judicial and Prosecutorial Training Centre, develop specialised programs (organised crime, money laundering, digital evidence, financial investigations) aimed at judicial and prosecutorial advisors. Advi-

sors working in the Special Department of the High Court and the SDT should receive priority training so that they can support judges and prosecutors in analytical and procedural tasks.

8. Regular public reporting on results in the fight against organised crime

- It is necessary to establish a practice of annual (or semi-annual) consolidated reports on the results in the fight against organised crime and high-level corruption, jointly published by the Police Directorate, the SDT, and the High Court. The reports should include an overview of cases, statistical data, key trends, and limitations, while respecting the confidentiality of proceedings. This would increase public trust and strengthen institutional accountability in combating organised crime and high-level corruption.

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