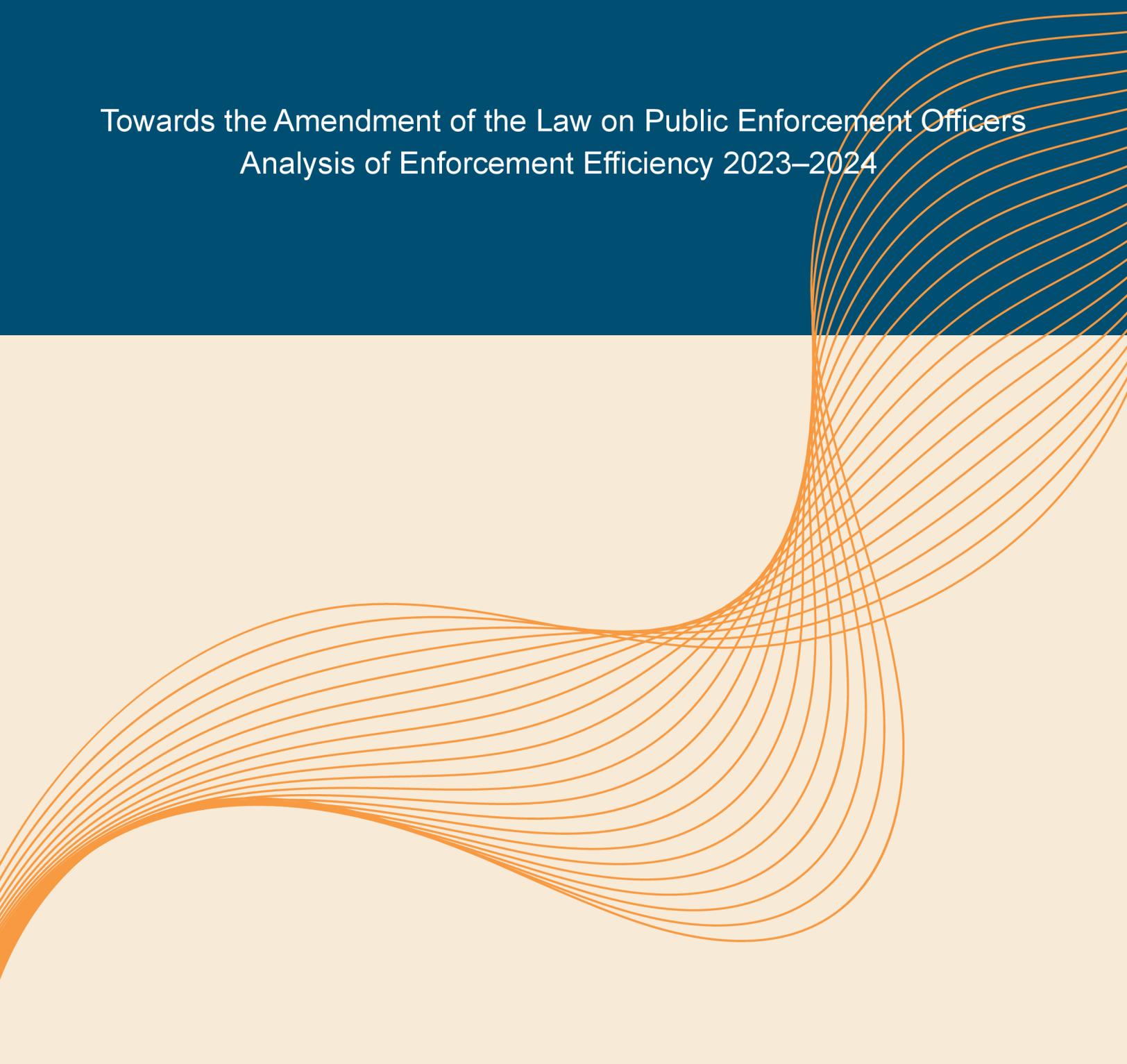


**EFFICIENCY AND
ACCOUNTABILITY OF THE
ENFORCEMENT SYSTEM IN
MONTENEGRO:
ANALYSIS OF THE WORK OF
PUBLIC ENFORCEMENT
OFFICERS AND
INSTITUTIONAL RELATIONS**

**Efficiency and Accountability of the Enforcement System in Montenegro:
Analysis of the Work of Public Enforcement Officers and Institutional
Relations**

Towards the Amendment of the Law on Public Enforcement Officers
Analysis of Enforcement Efficiency 2023–2024

The graphic consists of numerous thin, parallel orange lines that flow from the bottom left towards the top right. The lines are curved and overlap, creating a sense of movement and depth. The background is split horizontally: the top half is a solid dark blue, and the bottom half is a light beige or cream color.

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**PODRŠKA EU INTEGRACIJAMA CRNE GORE
– ZA NEZAVISNO I PROFESIONALNO PRAVOSUĐE
KAO KLJUČNI PREDUSLOV!**

Ovaj tekst je dio projekta „Podrška EU integracijama Crne Gore – za nezavisno i profesionalno pravosuđe kao ključni preduslov!“ koji realizuje Centar za monitoring i istraživanje CeMI, u saradnji sa Centrom za istraživačko novinarstvo Crne Gore (CIN-CG) i Centrom za građanske slobode (CEGAS). Projekat je finansiran od strane Evropske unije kroz Evropski instrument za demokratiju i ljudska prava (EIDHR), a kofinansiran od strane Ministarstva javne uprave Crne Gore.

Sadržaj ovog teksta je isključiva odgovornost CEGAS-a i ni u kom slučaju se ne može smatrati da odražava stavove Evropske unije i Ministarstva javne uprave Crne Gore.



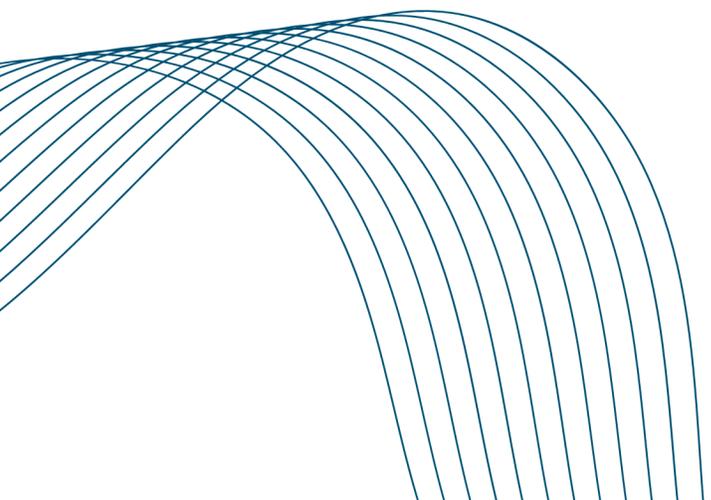
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Evropska unija



Ministarstvo
javne uprave

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1. INTRODUCTION

The enforcement of court decisions represents a key test of the rule of law in any country. A judgment that cannot be implemented in practice loses its purpose, and the legal system its credibility. Therefore, the question of enforcement efficiency is one of the central issues of judicial reform in Montenegro and a constant point of interest for the European Union within negotiation chapters 23 and 24.

The institution of public enforcement officers was introduced in 2011, and the Chamber of Public Enforcement Officers began operating in 2014. Thus, this is a profession with more than fifteen years since its normative introduction and more than eleven years since its institutional establishment. This is a sufficiently long period to assess not only the initial effects of the reform but also long-term trends.

The results are ambivalent. On the one hand, public enforcement officers have significantly relieved the courts and enabled the execution of a large number of enforcement cases. Statistical data confirms that the system has processed tens of thousands of cases and recovered millions in claims. On the other hand, problems with transparency, high enforcement costs, inconsistent procedural standards, and limited oversight contribute to low public trust in the work of public enforcement officers.

This report focuses on the period 2023–2024, aiming to provide a comprehensive analysis of the situation and highlight key challenges for the next phase of reform. Special emphasis is placed on:

- the legal framework and consistency of its application,
- institutional relations between the Chamber, the Ministry of Justice, and the courts,
- statistical indicators of enforcement success,
- mechanisms of disciplinary and ethical responsibility,

- and recommendations for improving the system, which can serve policymakers.

The aim is for this document not to be just a dry statistical analysis but a tool for decision-making. The target audience includes actors who have the power to shape rules: legislators, executive authorities, public enforcement officers, and their Chamber.

2. LEGAL AND INSTITUTIONAL FRAMEWORK

2.1. Legal Basis

The work of public enforcement officers in Montenegro is primarily based on two laws:

- The Law on Enforcement and Security (adopted 2011, amended 2014, 2015, 2017, and 2019),
- The Law on Public Enforcement Officers (adopted 2011, amended 2017 and 2019).

These laws form the foundation of the system and have not been significantly changed in the last six years. This means that the legal framework is largely stabilized, but increasing attention is shifting from legislation to implementation. The Law on Enforcement and Security regulates procedures, types of enforceable instruments, and competences. It clearly stipulates which cases fall under public enforcement officers' jurisdiction and which remain with the courts (e.g., child custody, reinstatement of employees).

The Law on Public Enforcement Officers governs the status of the profession, appointment, termination, financial compensation, disciplinary responsibility, and the role of the Chamber. Furthermore, the Law on Enforcement and Security defines what constitutes an enforceable document and authentic document, when and how enforcement may be carried out, and in which cases exclusive

jurisdiction is retained by the court. Its special value lies in the clear enumeration of enforcement instruments (from promissory notes and cheques to notarial deeds and bank guarantees), providing a broader spectrum of legal security for creditors.

The Law on Public Enforcement Officers defines the profession's status, from appointment and working conditions to obligations, responsibilities, disciplinary mechanisms, and the Chamber's functioning. Amendments in 2017 and 2019 were crucial: introducing the obligation to pass judicial and public enforcement officer exams, ensuring even distribution of cases when the state is the creditor, and requiring declaration of assets and income to the Anti-Corruption Agency.

These normative advances aimed to raise the professional level and reduce room for arbitrariness. However, practice shows that it's often selective and depends on the capacity of oversight bodies. Thus, although transparency obligations were formally introduced, data on income, expenses, and disciplinary proceedings are not always publicly available.

In addition to these two key laws, public enforcement officers' work relies on several other regulations: Notaries Act, Law on Obligations, Civil Procedure Law, Companies Act, Anti-Corruption Law, and others. In the context of European integration, requirements from negotiation chapters 23 and 24 are particularly significant, obliging Montenegro to ensure independence, efficiency, and integrity of the enforcement system.

2.2. Institutional Framework

The Chamber of Public Enforcement Officers, established in 2014, plays a central role in the system. As a professional organization with legal entity status, the Chamber:

- Represents the interests of the profession,
- Adopts regulations and tariffs,
- Conducts training and professional development,

- Conducts disciplinary proceedings,
- Cooperates with state institutions and international partners.

Over the years, the Chamber has made certain advances in professionalization and visibility, such as establishing an official website and signing memoranda with domestic and regional partners. However, problems remain regarding limited transparency of its financial operations and governing bodies. The public still does not have access to the Chamber's annual reports or data on member remuneration, creating room for doubts about accountability and internal control.

The Ministry of Justice retains regulatory and oversight roles, issues secondary legislation, supervises legality of operations, and decides on appointment or dismissal of officers. Courts are relieved compared to the pre-2011 period but still play an important role in specific cases, especially family and labor disputes.

This threefold architecture—Chamber, Ministry, and Courts—provides a normative balance, but in practice there is often overlap of competences, slow inter-institutional communication, and unclear division of responsibilities. It is precisely at this intersection of law and institutions that the key challenges for the next period lie.

3. EFFICIENCY OF PUBLIC ENFORCEMENT OFFICERS

The efficiency of the enforcement system is most easily measured through statistical indicators: the number of cases, resolution pace, amount of collected claims, and procedural costs. These data provide insight into whether the system fulfills its basic purpose: ensuring legal security and execution of court decisions within a reasonable timeframe. Results are mixed. On the one hand, there is progress compared to the earlier period, but on the other hand, a high number of unresolved cases and low collection rates relative to total claims remain dominant.

3.1. Key Indicators 2023–2024

According to the Chamber of Public Enforcement Officers, the results for 2023–2024 are as follows:

Year	Total Cases in Progress	Resolved Cases	Unresolved Cases	Costs and Fees (€)	Total Claims (€)	Collected (€)	Collection Rate (%)
2023	62,803	24,924	37,879	1,894,474.94	181,422,502.23	30,220,322.02	16.65%
2024	59,157	24,192	34,965	3,984,344.93	148,868,032.19	55,328,285.59	37.16%

From the analysis, several important trends emerge:

- In both 2023 and 2024, the number of unresolved cases exceeds resolved cases. In 2023, as much as 60.3% of cases remained unresolved, while in 2024, this percentage was slightly lower but still high (59.1%). This means that more than half of enforcement proceedings are not completed within the calendar year.
- The number of resolved cases stagnates at around 24,000 annually, even though the total case volume exceeds 60,000. This creates a structural backlog that carries over from year to year.
- A particular paradox is seen in the fact that the costs and fees of public enforcement officers nearly doubled in 2024 (from €1.9 million to €3.98 million), even though the number of resolved cases remained the same.
- The most significant progress is observed in the collection rate: in 2023, only 16.7% of total claims were collected, while in 2024, the collection rate

increased to 37.2%. This is a positive step forward but still means that over 60% of claims remain uncollected.

3.2. Disciplinary Complaints and Accountability

The number of complaints regarding enforcement officers' work was:

- 2023: 28 complaints, with only one disciplinary proceeding initiated and no disciplinary responsibility established.
- 2024: 21 complaints, with no disciplinary proceedings initiated.

Compared to over 60,000 cases annually, the number of complaints is relatively small. However, it is even more problematic that almost none of the complaints result in sanctions. This creates the perception that the disciplinary system exists only on paper and lacks significant corrective function in practice.

3.3. Judicial Remedies as Corrective Measures

In 2023, 5,121 appeals were filed against decisions of enforcement judges and public enforcement officers, while in 2024, the number slightly decreased but still remained in the thousands. The majority of appeals are concentrated in Podgorica, confirming that the capital is the epicenter of enforcement disputes.

When the number of appeals (over 5,000) is compared with the number of cases in progress (around 60,000), approximately 8% of proceedings trigger formal appeals. This is far higher than the number of disciplinary complaints, meaning that courts remain the key corrective mechanism, and citizens more often rely on judicial control than on the Chamber's disciplinary bodies.

3.4. Qualitative Overview

Based on data from 2023–2024, the following assessments can be made:

1. The system remains overloaded: in both periods observed, over 59% of cases remained unresolved, meaning enforcement actions accumulate and carry over into subsequent years.
 2. Improvements exist but are slow: the share of resolved cases increased from 35% (2018) to 40% (2024), but this pace is insufficient to catch up with backlogs.
 3. Collection remains low: although 2024 brought an increase to 37.2%, over 60% of claims remain uncollected.
 4. Costs rise faster than results: officers' fees nearly doubled in 2024 without proportional growth in resolved cases.
 5. Professional accountability is weak: the low number of disciplinary proceedings and absence of sanctions undermine public trust.
 6. Courts continue to play a key role: the number of appeals shows that without judicial oversight, the system would lack the necessary balance.
-

4. PROFESSIONAL RESPONSIBILITY AND OVERSIGHT

Professional responsibility of public enforcement officers is the foundation of trust in the enforcement system. If procedures are carried out lawfully, ethically, and transparently, citizens and businesses have reason to believe that justice will be applied equally. However, if control mechanisms remain formal and sanctions are rare, the system is perceived as closed and self-sustaining, without real readiness to correct abuses.

4.1. Code of Ethics – Formality or Real Control?

The Code of Ethics for public enforcement officers was adopted in 2019 to specify principles of professional conduct, integrity, and impartiality.

Data shows:

- 2023: 0 requests for opinions from the Ethics Committee.
- 2024: 4 requests, but no violations were confirmed.

These numbers suggest that the Code exists more as a normative framework on paper than as an instrument producing practical change. The fact that no ethical violations were confirmed in two years may indicate flawless practice but more likely reflects that reporting and procedure mechanisms are insufficiently accessible, independent, and confidential.

4.2. Role of the Chamber of Public Enforcement Officers

The Chamber of Public Enforcement Officers, established in 2014, has key tasks: organizing the profession, conducting disciplinary procedures, and protecting the reputation of the profession. However, practice shows serious limitations:

- **Lack of financial transparency** – the public has no insight into balance sheets, expenses, or remuneration of the Chamber’s governing bodies.
- **Weak proactivity in discipline** – the Chamber reacts only when a complaint arises, while systematic oversight is rarely conducted.
- **Potential conflicts of interest** – the Chamber simultaneously represents its members’ interests and decides on their disciplinary responsibility, which can lead to mild or no sanctions.

This “closed loop” creates the perception of self-regulation without real external control.

4.3. Ministry of Justice and Courts – Underutilized Oversight

Under the current framework, the Ministry of Justice has a regulatory and supervisory role, issues secondary legislation, monitors legality of work, and can

initiate proceedings before the Chamber. However, reports show the Ministry rarely uses these mechanisms. Oversight is more administrative than substantive.

Courts, on the other hand, influence officers' work indirectly through appeals. The fact that 5,121 appeals were recorded in 2023 shows that courts still play a crucial role in system balance. However, appeals are a corrective mechanism, not a sanction.

In addition to strong judicial protection, as seen in Montenegro's enforcement system, experiences from Croatia could be considered, where the enforcement system is primarily based on FINA (Financial Agency) – a public institution that plays a key role in monetary enforcement and other financial-administrative functions.

5. INSTITUTIONAL RELATIONS: CHAMBER – MINISTRY – COURTS

The efficiency and legitimacy of the enforcement system depend not only on individual officers but also on the relationships between key institutions regulating and overseeing them. The Chamber, Ministry, and courts form a triangle of institutional accountability, but data and practice show tensions, overlaps, and significant coordination deficiencies.

5.1. Roles and Competences

The Chamber organizes the profession, conducts disciplinary proceedings, adopts regulations and tariffs, and ensures professional development. The Ministry of Justice has regulatory and supervisory functions, issues secondary legislation, conducts inspections, and can initiate disciplinary procedures. Courts, especially basic and commercial courts, oversee the legality of officers' work through appeals, while simultaneously resolving some enforcement cases themselves.

Formally, the system appears well-balanced: the Chamber protects the profession, the Ministry ensures public interest, and the courts provide final control. In practice, however, these roles often do not overlap in favor of citizens and creditors, creating closed loops and prolonging backlogs.

5.2. Disciplinary Responsibility and Weaknesses of the Chamber

Data from the last two years show that citizen complaints about officers remain relatively low compared to workload, but more problematically, these complaints almost never lead to disciplinary sanctions. In 2023, there were 28 complaints, only one disciplinary proceeding was initiated, and it concluded with no disciplinary responsibility established. In 2024, there were 21 complaints, and no disciplinary proceedings were initiated.

A similar pattern exists regarding the Code of Ethics: no requests in 2023, and four in 2024, but no violations were confirmed. These data create the perception that the Chamber protects the profession more than the system's integrity and public trust. Although formal, the disciplinary framework lacks practical corrective power.

5.3. Role of the Ministry of Justice

The Ministry has strong formal authority, but its practical role is mostly reactive. It assists in obtaining statistics and occasionally initiates disciplinary procedures, but the final word always rests with the Chamber. This creates a paradox: the state is responsible for the system's functioning but does not control its most important instruments. This is evident when the Chamber's disciplinary commission rejected the Ministry's proposal to sanction an officer, confirming the Chamber's de facto autonomy.

5.4. Courts as a Systemic Corrective

Unlike the Chamber and Ministry, courts have become the real corrective in the enforcement system. The number of appeals submitted by citizens and businesses each year far exceeds disciplinary complaints. In 2023, basic courts received over 5,000 appeals, nearly one-third in Podgorica. The commercial court resolved more than 90% of appeals within its jurisdiction, demonstrating far greater efficiency than the Chamber's disciplinary system.

This shows that mistakes and irregularities in officers' work are mostly corrected through courts, not internal professional mechanisms. Courts thus perform a dual function: resolving enforcement cases while simultaneously serving as a quality corrective.

5.5. Lack of Transparency and Data Exchange

Transparency is another weak point. The Chamber published case allocation data publicly only until the end of 2021, after which no updated series are available. The Ministry of Justice and other institutions, such as the Central Bank and registries, do not have regular data exchange channels; information is obtained ad hoc, upon request. This means that no institution has a complete real-time picture of the system, and citizens and creditors lack sufficient information to assess its fairness.

5.6. Geographic Disparities

Complaints and citizen dissatisfaction are concentrated in a few court centers – Podgorica, Kotor, and Ulcinj. These areas generate the highest number of cases and the most pressure on courts. Such concentration indicates that problems are not evenly distributed, and local specificities require targeted interventions.

5.7. Key Assessments

1. Disciplinary mechanisms are ineffective – the Chamber almost never imposes sanctions, which undermines the purpose of internal control.

2. The Ministry of Justice has formal authority but limited influence – its role remains reactive, without real capacity to stop abuses.
 3. Courts have become the main corrective – complaints and judicial decisions are the most important mechanism for controlling legality.
 4. Lack of transparency – the absence of publicly available and updated data on case distribution and the Chamber’s finances undermines citizens’ trust.
 5. Geographic concentration of problems – Podgorica, Kotor, and Ulcinj are hotspots that strain the entire system.
-

6. RECOMMENDATIONS: NORMATIVE CHANGES AND IMPLEMENTATION

6.1. Reducing backlog and increasing resolvability

Currently, more than half of enforcement cases remain unresolved each year, while the number of resolved cases stagnates. It is necessary to introduce a legal possibility for early termination of cases that are obviously uncollectible, after all measures to verify debtors’ assets and funds have been exhausted. Deadlines for performing basic actions by enforcement officers must be clearly defined, and the allocation of new cases should be done through an algorithm-based system, taking into account the workload and performance of each officer. These measures would significantly reduce unresolved cases and provide greater predictability of the system.

6.2. Cost discipline

Costs and fees for enforcement officers grow faster than results. A tariff structure should be established that rewards actual collections, not just procedural steps. Fixed fees must be limited, while a larger portion of rewards should be tied to actual completed obligations. Annual reports should include mandatory indicators of cost efficiency, such as average cost per resolved case and the share of costs in total collections. The goal is to keep the cost of enforcement per collected euro at an acceptable level and proportional to performance.

6.3. Transparency and open data

Transparency of the work of enforcement officers and their Chamber must be a key point of reform. It is necessary to establish a public obligation to publish updated data on case distribution per officer, duration of case stages, and the Chamber's finances. These data should be available in open, machine-readable formats and updated at least quarterly. Only in this way can citizens' trust be restored and conditions created for independent oversight.

6.4. Strengthening supervision and institutional coordination

Courts remain the key corrective for the work of enforcement officers, as the number of complaints far exceeds the number of disciplinary proceedings. Mandatory information exchange should be established between courts, the Chamber, and the Ministry of Justice so that the causes of accepted complaints are turned into binding corrective plans. For serious violations, disciplinary proceedings must involve representatives of the Ministry with veto rights over non-sanctioning decisions. This would break the closed circle of self-regulation that currently dominates.

6.5. Geographic focus

The highest number of complaints is concentrated in Podgorica, Kotor, and Ulcinj. In these areas, additional court capacities and enhanced supervision of enforcement offices should be urgently introduced. Special measures, such as group consideration of similar cases and prioritization of cases older than 18 months, can produce quick results and significantly reduce workload.

6.6. Strengthening collection mechanisms

The main reason for unsuccessful enforcement is objective uncollectibility – lack of debtor assets or funds. Cooperation between enforcement officers, the Ministry, and the Central Bank should be institutionalized through protocols on standardized queries and deadlines. This increases the likelihood of quickly locating assets and reduces the risk of multi-year procedures without results.

6.7. Court statistics and case duration

Court data on case duration should be centralized at the national level and updated regularly. Thresholds for early warning should be defined so that cases

stagnating longer than six months are automatically reported to presiding judges and the Ministry. This ensures that no case remains neglected.

7. CONCLUSION

The enforcement system in Montenegro, with public enforcement officers as key actors, has existed for fifteen years and represents one of the most significant judicial reforms since independence was restored. The introduction of this profession aimed to increase the efficiency of court decision enforcement, relieve the courts, and ensure faster realization of creditors' rights. Today, however, data and analysis show that the system has only partially achieved these expectations and still suffers from serious structural weaknesses that threaten its legitimacy and public trust.

The biggest problem remains the high number of unresolved cases. More than half of the procedures remain open each year, creating persistent backlogs that carry over from year to year. The number of resolved cases stagnates, and the system does not demonstrate the capacity to cope with the inflow of new enforcement cases. Although the collection rate increased in 2024, this is not sufficient to change the overall picture – most claims remain uncollected, and creditors lack certainty that their rights will be realized within a reasonable timeframe.

The costs of procedures are an additional source of dissatisfaction. Rewards and fees for enforcement officers rise faster than productivity, raising questions about proportionality between resources invested and results achieved. Citizens and businesses rightly expect procedures to be economically justified and costs predictable, rather than adding an extra burden that undermines the purpose of enforcement.

Professional responsibility of public enforcement officers proves to be the weakest link in the system. The number of disciplinary proceedings and sanctions is almost negligible, and the Code of Ethics is not applied in practice. The Chamber of Public

Enforcement Officers, which should be the bearer of self-regulation and a guarantee of professional quality, in reality acts more as a protector of its members than as a corrective body. The Ministry of Justice has formal authority to oversee officers' work, but in practice, this role is limited to administrative supervision and data collection. This creates a closed system in which there is no real readiness to sanction unprofessional conduct.

Courts, on the other hand, have become the main corrective of the system. The number of complaints far exceeds the number of disciplinary complaints, and basic and commercial courts correct errors and irregularities in officers' work daily. This clearly shows that citizens and businesses trust judicial control more than the Chamber's disciplinary mechanisms. The Commercial Court, in particular, demonstrates a high resolution rate and efficiency, suggesting that better results are possible with appropriate organization and supervision.

Another problem is the lack of transparency. The public has no insight into case distribution among officers after 2021, nor into the Chamber's financial operations. System data is obtained ad hoc, often at the request of NGOs or international partners, rather than through regular and proactive publication. This limits the possibility of independent oversight and further weakens public trust.

The geographic concentration of complaints in several court centers – Podgorica, Kotor, and Ulcinj – shows that the system is not equally burdened across the country. These areas bear a disproportionately high workload and require special measures for supervision, organization, and digitalization.

All these weaknesses point to the conclusion that the system of public enforcement officers in Montenegro has reached the limits of existing practice and cannot make progress toward efficiency and fairness without serious normative and organizational interventions. Solutions exist and have already been clearly identified: introducing mechanisms for early termination of uncollectible cases, redefining the tariff policy and linking rewards to actual performance, mandatory publication of data in open formats, strengthening the Ministry of Justice's role in disciplinary proceedings, and creating a mandatory feedback loop between courts, the Chamber, and the Ministry. Special focus should be placed on

the most burdened courts and officers, as targeted interventions in a few hotspots can yield disproportionately higher results across the system.

It is necessary to continue building trust and demonstrating, through strengthening positive practices, that enforcement is not a private business closed in on itself, but a profession serving citizens and the state.

If the proposed measures are consistently implemented, the enforcement system could, in a relatively short time, become more predictable, transparent, and efficient. Citizens would have a realistic expectation that court decisions are enforced effectively, creditors would gain certainty that their rights will be realized, and enforcement officers would work within clear and fair frameworks. After fifteen years of existence, the profession of public enforcement officers in Montenegro would finally consolidate and justify its existence as an instrument of legal certainty and the rule of law.

A. ANNEX TO THE ANALYSIS

The Center for Civic Freedoms (NGO CEGAS), in accordance with the legally prescribed competences of enforcement officers, courts, the Ministry, and other institutions in the chain, submitted Requests for Free Access to Information to the Ministry of Justice, the Chamber of Public Enforcement Officers, the Commercial Court, the Central Bank of Montenegro, and the Labor Inspectorate (through the Ministry of Labor, Employment, and Social Dialogue of Montenegro), requesting:

- Number of enforcement cases, received cases, total cases in progress, the ratio of resolved cases to total enforcement cases for the entire 2024, with comparative data for 2023 obtained indirectly via the Ministry of Justice.
- Overview of enforcement documents submitted by officers, with value structure for the period 01.01.2024–31.12.2024.

- Analytics of queries from the forced collection system and the Central Register of Transaction Accounts by type of query for the same period from the Central Bank.
- From the Chamber: number of complaints by citizens regarding enforcement officers in 2024, the Code of Ethics, records of violations, disciplinary proceedings and outcomes, number of cases carried over, cases in progress, resolved and unresolved cases for 2024.

The Ministry of Labor, Employment, and Social Dialogue of Montenegro did not respond to the request regarding the number and method of engaging the Labor Inspectorate in matters concerning public enforcement officers for 2024.

Tables (Translated Names):

- “I” – Enforcement cases based on an enforcement document
- “IV” – Enforcement cases based on a verified document
- “Ivm” – Enforcement cases based on a verified document and promissory note
- “Ip” – Enforcement cases based on complaint

Table 1 (2023)

A)

Total cases in progress	Total resolved cases	Total unresolved cases	Costs and fees of public enforcement officers	Ratio
62,803	24,924	37,879	€1,894,474.94	16.65%

B)

Total claims	Amount collected in enforcement proceedings
€181,422,502.23	€30,220,322.02

Table 2 (2024)

A)

Total cases in progress	Total resolved cases	Total unresolved cases	Costs and fees of public enforcement officers	Ratio
59,157	24,192	34,965	€3,984,344.93	37.16%

B)

Total claims	Amount collected in enforcement proceedings
€148,868,032.19	€55,328,285.59

Table 3 (Complaints and outcomes – 2023)

Number of complaints	Number of disciplinary proceedings initiated	Number of disciplinary responsibilities established
28	1	0

Table 4 (Complaints and outcomes – 2024)

Number of complaints	Number of disciplinary proceedings initiated	Number of disciplinary responsibilities established
21	0	0

Table 5 (Requests for opinion to Ethics Committee – 2023)

Number of requests submitted	Number of violations established by Ethics Committee
0	0

Table 6 (Requests for opinion to Ethics Committee – 2024)

Number of requests submitted	Number of violations established by Ethics Committee
4	0

Table 7 (“I”, “Iv”, “Ivm” – 2023)

COURT NAME	Cases in progress 01.01.2023	Cases received	Total cases	Resolved cases	Unresolved cases	Ratio
Basic Court in Bar	53	71	124	92	32	74.19%

COURT NAME	Cases in progress 01.01.2023	Cases received	Total cases	Resolved cases	Unresolved cases	Ratio
Basic Court in Berane	19	117	136	121	15	88.97%
Basic Court in Bijelo Polje	0	147	147	146	1	99.31%
Basic Court in Cetinje	4	21	25	20	5	80%
Basic Court in Danilovgrad	6	27	33	30	3	90.91%
Basic Court in Herceg Novi	23	47	70	49	21	70%
Basic Court in Kolašin	1	31	32	32	0	100%
Basic Court in Kotor	23	160	183	164	19	89.62%
Basic Court in Nikšić	20	55	75	63	12	84%
Basic Court in Plav	25	53	78	63	15	80.76%
Basic Court in Pljevlja	5	14	19	17	2	89.47%
Basic Court in Podgorica	53	318	371	329	42	88.67%

COURT NAME	Cases in progress 01.01.2023	Cases received	Total cases	Resolved cases	Unresolved cases	Ratio
Basic Court in Rožaje	1	42	43	43	0	100%
Basic Court in Ulcinj	3	22	25	17	8	68%
Basic Court in Žabljak	0	6	6	4	2	66.66%
TOTAL	236	1,131	1,367	1,190	177	87.05%

Table 8 (“I”, “Iv”, “Ivm” – 2024)

COURT NAME	Cases in progress 01.01.2024	Cases received	Total cases	Resolved cases	Unresolved cases	Ratio
Basic Court in Bar	32	59	91	51	40	56.04%
Basic Court in Berane	15	69	84	67	15	94.40%
Basic Court in Bijelo Polje	1	167	168	165	2	98.80%
Basic Court in Cetinje	5	22	29	29	2	88.24%

COURT NAME	Cases in progress 01.01.2024	Cases received	Total cases	Resolved cases	Unresolved cases	Ratio
Basic Court in Danilovgrad	4	19	23	19	4	86.36%
Basic Court in Herceg Novi	21	53	74	35	39	66%
Basic Court in Kolašin	0	17	17	15	2	97.50%
Basic Court in Kotor	19	166	185	156	29	84.32%
Basic Court in Nikšić	13	52	65	53	10	88%
Basic Court in Plav	15	43	58	39	19	67.24%
Basic Court in Pljevlja	2	21	23	15	8	65.22%
Basic Court in Podgorica	33	215	248	178	56	65%
Basic Court in Rožaje	0	32	32	26	6	81.25%
Basic Court in Ulcinj	19	20	39	27	12	30.7%
Basic Court in Žabljak	42	215	257	226	31	87.94%

COURT NAME	Cases in progress 01.01.2024	Cases received	Total cases	Resolved cases	Unresolved cases	Ratio
TOTAL	221	1,170	1,393	1,034	260	81.30%

Note: Data were collected via SPI and transferred from responses of Basic Courts in Montenegro. Some discrepancies exist and data processing methods differ, but the overall trends are indisputable.

Table 9 (“Ip” – complaints per court 2023)

COURT NAME	Number of complaints
Basic Court in Bar	454
Basic Court in Berane	419
Basic Court in Bijelo Polje	472
Basic Court in Cetinje	139
Basic Court in Danilovgrad	150
Basic Court in Herceg Novi	150
Basic Court in Kolašin	24
Basic Court in Kotor	943
Basic Court in Nikšić	287
Basic Court in Plav	35
Basic Court in Pljevlja	5
Basic Court in Podgorica	1,527

COURT NAME	Number of complaints
Basic Court in Rožaje	68
Basic Court in Ulcinj	447
Basic Court in Žabljak	1
TOTAL	5,121

Table 10 (“Ip” – complaints per court 2024)

COURT NAME	Number of complaints
Basic Court in Bar	533
Basic Court in Berane	325
Basic Court in Bijelo Polje	728
Basic Court in Cetinje	151
Basic Court in Danilovgrad	70
Basic Court in Herceg Novi	83
Basic Court in Kolašin	34
Basic Court in Kotor	746
Basic Court in Nikšić	270
Basic Court in Plav	30
Basic Court in Pljevlja	3

COURT NAME	Number of complaints
Basic Court in Podgorica	1,458
Basic Court in Rožaje	68
Basic Court in Ulcinj	969
Basic Court in Žabljak	–
TOTAL	5460

Table 11 (“I” – Commercial Court 2023)

Cases in progress 01.01.2023	Cases received	Total cases	Resolved cases	Unresolved cases	Ratio
45	126	171	139	32	81.28%

Table 12 (“I” – Commercial Court 2024)

Cases in progress 01.01.2024	Cases received	Total cases	Resolved cases	Unresolved cases	Ratio
32	172	204	173	31	84.80%

Table 13 (“Ip” – Commercial Court 2023)

Total cases in progress	Resolved cases	Unresolved cases	Ratio
1,358	1,268	117	91.55%

Table 14 (“Ip” – Commercial Court 2024)

Total cases in progress	Resolved cases	Unresolved cases	Ratio
997	880	117	96.99%

B. Suggestions

During the work on the study, standard problems occurred with the SPI system and a chronic lack of systematized data, or inadequate application of smaller parts of the digitalized system.

Institutions still do not understand the priorities of the civil sector, and critical review is often unnecessarily perceived as an attack, which is a methodological error. CEGAS provided numerous suggestions and critiques of its work, which further contributed to the quality of the ongoing debate based on qualitative and expert grounds.

At a panel organized as a proactive working group with public discussion and draft study presentation, numerous professional insights, comments, and disagreements were heard from judges, enforcement officers, prosecutors, NGO colleagues, and journalists.

CEGAS team considers the following insights useful and important:

- The same case can be recorded for several consecutive years as “unresolved at year-end,” meaning the procedure is ongoing and the case is alive. This indicates that reporting methodology for unresolved cases should be significantly improved, and cases should be classified by year initiated, type of case, enforcing officer, likelihood of enforcement, and reasons for non-enforcement over multiple years.
- Courts have a significantly higher enforcement realization rate than enforcement officers, which is a topic for further research, offering options

such as:

a) Improving the existing system

b) Modifying and introducing a combined model (disputable and easily collectible claims taken over by a State Financial Agency)

c) Full takeover of the enforcement system by the Financial Agency and courts

- Disciplinary responsibility exists only if two conditions are met: (i) clearly prescribed norm that can be predicted, and (ii) the enforcement officer is at fault. Findings confirm that the Chamber and Ministry of Justice did not develop these prerequisites for effective disciplinary proceedings.
- According to the Chamber, a significant number of disciplinary proceedings were initiated since the system was established:
 - 2015: 19 proceedings, 5 warnings, 2 fines, 1 temporary suspension
 - 2016: 7 proceedings, 2 fines, 1 permanent suspension, 1 temporary suspension
 - 2017: 8 proceedings, dismissed or terminated
 - 2018–2021: several proceedings with fines (exact data not provided)
 - 2022: none
 - 2023: 1, dismissed as unfounded
 - 2024: none
- Notably, in 4 cases where disciplinary proceedings were initiated, 4 enforcement officers resigned voluntarily. There is no information if potential criminal liability was investigated, or if proceedings were closed to cover up responsibility.
- Anti-corruption mechanisms have progressed in the previous period, e.g., enforcement officers are now required to submit asset declarations to the Anti-Corruption Agency. Further improvements and transparency remain a challenge.

