



ANTI-CORRUPTION REFORMS IN MONTENEGRO 2024-2025

CHAPTER 23 - FINAL BENCHMARK 2



ANTIKORUPCIJSKE REFORME U CRNOJ GORI 2024-2025

POGLAVLJE 23 - ZAVRŠNO MJERILO 2

ANTICORRUPTION REFORM IN MONTENEGRO 2024-2025

CHAPTER 23 - FINAL BENCHMARK 2



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INTRODUCTION

This study was prepared within the project “Blow the Whistle: No Corruption Blindspots in Montenegro”, implemented by the Center for Monitoring and Research (CeMI) with the support of the Bureau of International Narcotics and Law Enforcement Affairs (INL) at the Embassy of the United States in Montenegro. The study is dedicated to the analysis of the implementation of anti-corruption activities contained in final benchmark 2 of Chapter 23 – Judiciary and Fundamental Rights. The aim of the study is to provide an overview of the most important normative and strategic changes, as well as institutional development, including the role of key bodies such as the Agency for Prevention of Corruption (ACA), the Special State Prosecutor’s Office (SSPO), as well as other institutions involved in the prevention and repression of corruption.

The analysis also covers the results of the work of institutions in key segments of the anti-corruption system, including administrative procedures, criminal investigations and indictments in high-level corruption cases, as well as court proceedings before specialized court departments. Particular focus is placed on financial investigations, the temporary and permanent confiscation of proceeds acquired through criminal activity, as well as on the institutional and human resource capacities of the authorities responsible for conducting these procedures.

As a broader framework, the study analyzes these processes in the context of European Union accession negotiations of Montenegro, that is, the fulfillment of obligations under Chapter 23 – Judiciary and Fundamental Rights, with a particular focus on

final benchmark 2 relating to the fight against corruption. In this regard, the degree of implementation of activities from the Action Plan for meeting the final benchmarks in Chapter 23 was also analyzed, as well as institutional capacities, achieved results, and key challenges in establishing a sustainable and credible track record in the fight against corruption.

Methodologically, the study is based on the analysis of official documents, laws and by-laws, reports of domestic and international institutions and organizations, as well as data collected through requests for free access to information and the analysis of media content.

INSTITUTIONAL FRAMEWORK

The institutional framework for the fight against corruption in Montenegro consists of a number of bodies organized at multiple levels. At the legislative level, the Anti-Corruption Committee of the Parliament of Montenegro operates within the Parliament of Montenegro. In the domain of implementation, the system is organized through a preventive component (the Agency for Prevention of Corruption (ACA)), a repressive component (e.g. the Special State Prosecutor's Office (SSPO) for the area of high-level corruption), while the monitoring and coordination of activities are assigned to political bodies such as the National Council for the Fight Against Corruption and the Council for the Rule of Law. Additionally, anti-corruption activities are an integral part of the response to requirements arising from the accession process of Montenegro to the European Union, the coordination of which is entrusted to the Negotiating Working Group for Chapter 23.

1.1 PARLIAMENT OF MONTENEGRO - ANTICORRUPTION COMMITTEE

The Parliament of Montenegro, together with the Government of Montenegro, has a key role in shaping the legislative and strategic framework for the fight against corruption. The Parliament participates in establishing general anti-corruption policies, but also performs an oversight function over the work of other state institutions, organizations, and social actors involved in the prevention and suppression of corruption. In addition to the plenary work of the Assembly, the most important role in this process

is held by the Anti-Corruption Committee of the Parliament of Montenegro.

The Anti-Corruption Committee of the Parliament of Montenegro has a mandate to monitor and analyze the work of state authorities and institutions in the fight against corruption and organized crime, consider problems in the implementation of relevant legislation, propose measures for improving strategies, action plans, and other anti-corruption documents, and examine citizens' petitions and forward them to competent institutions in accordance with the Rules of Procedure of the Parliament of Montenegro. Through these competences, the Committee is expected to represent the central parliamentary mechanism for oversight and improvement of anti-corruption policies. At the time of drafting this analysis, the Anti-Corruption Committee of the Parliament of Montenegro does not have a chair, following the resignation of its previous chair, MP Jevto Eraković, from that position in March 2026.¹

1.2.1 NATIONAL COUNCIL FOR THE FIGHT AGAINST CORRUPTION

The current composition of the National Council for the Fight Against Corruption was established in February 2024 through the adoption of a decision by the Government of Montenegro, which defined the mandate, composition, and basic guidelines for the work of this body. The Council has a coordinating role within the anti-corruption system and is responsible for the de-

¹ Vijesti, Eraković resigned from the position of Chair of the Anti-Corruption Committee. Available at: <https://www.vijesti.me/vijesti/politika/799388/erakovic-podnio-ostavku-na-mjesto-predsjednika-odbora-za-antikorupciju>

velopment and monitoring of strategic policies in this area. In this context, one of the key tasks of the Council was the drafting and adoption of the Strategy for the Fight Against Corruption 2024–2028, thereby filling a multi-year gap in the strategic framework, given that the previous strategy had been in force in the period 2010–2014. The Strategy was adopted in June 2024 together with the Action Plan for the period 2024–2025, with serious shortcomings in its content, particularly in the part concerning the assessment of the baseline conditions, alignment, and the definition of measurable indicators for monitoring the implementation of activities.² For the purpose of monitoring the implementation of the Strategy, the National Council for the Fight Against Corruption established an Operational Team to provide support to the Council. The main tasks of the Operational Team are the collection of information on activities related to the implementation of the Strategy and the Action Plan for the implementation of the Strategy for the period 2024–2025, providing guidelines and recommendations for monitoring and fulfilling the obligations defined by the Strategy and the Action Plan, and regularly reporting to the Council on its work.³ In February 2026, the Council adopted the Report on the implementation of the Action Plan 2024–2025, and adopted the Action Plan for the period 2026–2027.⁴

The work of the National Council for the Fight Against Corruption

2 CeMI, Tehnički izvještaj o ispunjenosti Akcionog plana i Strategije borbe protiv korupcije 2024-2028. Available at: <https://cemi.org.me/me/post/tehnicki-izvjestaj-o-ispunjenosti-akcionog-plana-i-strategije-borbe-protiv-korupcije-2024-2028-1307>

3 Government of Montenegro, Decision on Amendments to the Decision on the Establishment of the National Council for the Fight against Corruption. Available at: <https://wapi.gov.me/download-preview/cb4693bf-65a0-4401-9677-c8d-0c8f4c0c8?version=1.0> .

4 Available at: <https://www.gov.me/clanak/odrzana-trinaesta-sjednica-nacionalnog-savjeta-za-borbu-protiv-korupcije>

is characterized by a pronounced lack of transparency, particularly with regard to the availability of information on its activities and adopted conclusions. Although the Council has an important coordinating role in the implementation of anti-corruption policies, the public has very limited insight into its work. On the official website of the Government of Montenegro, information on the Council's work is published sporadically and without continuity. For example, the publicly available statement on the Council's work relates to its third session held in February 2025, after which the next published information on its work appears only after more than a year, in connection with the thirteenth session held in February 2026.⁵ In the meantime, no information was published on held sessions, minutes, conclusions, or other relevant documents (with the exception of the thematic session on the Telekom affair)⁶, which significantly hampers the monitoring of the work of this body and the assessment of its contribution to the implementation of anti-corruption policies.

In accordance with the Decision on the Establishment of the National Council for the Fight Against Corruption ("Official Gazette of Montenegro", No. 016/24)⁷ the Council consists of a President, a Vice-President, and 22 members: the Deputy Prime Minister for Political System, Judiciary and Anti-Corruption – President of the Council; the Minister of Justice – Deputy President of the Council; the Deputy Prime Minister for Labour, Education, Health, and Social Affairs; the Minister of the Interior; the Minister of Finance; the Minister of Spatial Planning, Urbanism and State Property; the Minister of Public Administration; the Minis-

5 Available at: <https://www.gov.me/vlada-crne-gore/nacionalni-savjet-za-borbu-protiv-korupcije-na-visokom-nivou>

6 Available at: <https://www.gov.me/clanak/savjet-za-borbu-protiv-korupcije-drzava-da-preuzme-gonjenje-u-aferi-telekom>

7 Official Gazette of Montenegro, No. 016/24. Available at: <https://www.sluzbenilist.me/propisi/DDF626FA-5EB8-4360-8314-52DD8A98123C?page=1>

ter of Tourism, Ecology, Sustainable Development and Development of the North; the Minister of Energy and Mining; the Minister of Agriculture, Forestry and Water Management; the Director of the Agency for Prevention of Corruption; the Director of the National Security Agency; the Director of the Tax Administration; the Director of the Customs Administration; the Supreme State Prosecutor; the Chief Special Prosecutor; the President of the Supreme Court of Montenegro; a representative of the Chamber of Commerce of Montenegro; a representative of the Union of Municipalities of Montenegro; a representative of the Montenegrin Academy of Sciences and Arts; and three representatives of the non-governmental sector.

1.2.2 RULE OF LAW COUNCIL

The Rule of Law Council was established in April 2023 by a decision⁸ of the 43rd Government of Montenegro as a consultative and coordinating body tasked with monitoring and guiding the implementation of obligations within negotiating Chapters 23 (Judiciary and Fundamental Rights) and 24 (Justice, Freedom and Security). With significant delay, the new composition of the Council only began its work in January 2025.

By the Decision amending the Decision on the establishment of the Council in February 2025, its composition was expanded, so that the Council now consists of a Chair, a Deputy Chair, and representatives of key institutions within the rule of law system.⁹ Its composition includes the Deputy Prime Minister responsible

8 Government of Montenegro, Odluka o obrazovanju Savjeta za vladavinu prava. Available at: <https://wapi.gov.me/download-preview/c83d4712-9150-4176-941a-6d2b589bce57?version=1.0>

9 Government of Montenegro, Odluka o izmjeni Odluke o obrazovanju Savjeta za vladavinu prava. Available at: <https://wapi.gov.me/download-preview/8eb8904d-a1d3-468c-be93-e7e347925273?version=1.0>

for the political system, judiciary, and anti-corruption as Chair of the Council; the Minister of European Affairs as Deputy Chair; the President of the Supreme Court; the President of the Constitutional Court; the President of the Judicial Council; the Supreme State Prosecutor; the Chief Special Prosecutor; the Minister of Justice; the Minister of the Interior; the Minister of Human and Minority Rights; the Director of the Police Administration; the Acting Director of the Agency for the Prevention of Corruption; the Chief Negotiator for EU Accession; the Negotiator for Cluster I and Head of the Negotiating Group for Chapter 23; the Protector of Human Rights and Freedoms of Montenegro; and a representative of the non-governmental sector. The Rule of Law Council has the authority to:

- monitor the implementation of obligations under Chapter 23 – Judiciary and Fundamental Rights and Chapter 24 – Justice, Freedom and Security in Montenegro’s EU accession process, in line with the recommendations of the Minister of European Affairs and the negotiator for Cluster 1 – Fundamentals;
- monitor the implementation of obligations aimed at meeting the closing benchmarks in Chapters 23 – Judiciary and Fundamental Rights and 24 – Justice, Freedom and Security;
- consider the reasons for delays in the implementation of obligations and issues recommendations to state authorities, public administration bodies, and other institutions for urgent action in order to fulfill obligations under Chapters 23 – Judiciary and Fundamental Rights and 24 – Justice, Freedom and Security;
- perform other tasks in accordance with the Decision on establishing the structure for negotiations on Montenegro’s accession to the European Union.

Although the Council has an important coordinating and supervisory role in monitoring reforms in the area of the rule of law, its work is characterized by a limited level of transparency. Information on the Council's meetings, discussions, and conclusions is not systematically available to the public, which makes it difficult to monitor its activities and assess its contribution to the implementation of reforms.¹⁰ This lack of transparency is particularly significant in the context of anti-corruption policies and the European integration process. From the perspective of interim benchmark 2 under Chapter 23, which relates to the effective implementation and monitoring of anti-corruption policies, the transparency of the work of bodies that have coordinating and supervisory functions constitutes a key element of the credibility of the reform process.

1.3 CORRUPTION PREVENTION - THE AGENCY FOR THE PREVENTION OF CORRUPTION

The Agency for the Prevention of Corruption represents the central institution in Montenegro's system of corruption prevention. The Agency began operating on 1 January 2016 and was established as an independent and autonomous body for combating corruption, in line with the standards of the United Nations Convention against Corruption (UNCAC) and relevant international anti-corruption standards. The establishment of the Agency entailed the consolidation of competences from several previously existing institutions, including the Directorate for Anti-Corruption Initiative, the Commission for the Prevention of Conflict of Interest, as well as part of the competences of the State Election Commission in the area of oversight of the financing of political

¹⁰ Available at: <https://www.gov.me/vlada-crne-gore/savjet-za-vladavinu-prava>

entities and electoral campaigns.

The work of the Agency is regulated by three key laws: the **Law on the Prevention of Corruption**, the **Law on the Financing of Political Entities and Electoral Campaigns**, and the **Law on Lobbying**. This legislative framework defines the competences of the Agency, as well as the mechanisms intended to ensure its institutional autonomy, transparency of work, and accountability to the public and the Parliament of Montenegro.

The governance structure of the Agency consists of the Director and the Agency Council. The Director represents the Agency, organizes and is accountable for its work, adopts decisions, issues opinions and recommendations, undertakes other measures within the Agency's competences, and performs other duties in accordance with the law. The Council has a supervisory function over the work of the Agency and is composed of five members elected by the Parliament of Montenegro upon the proposal of the competent parliamentary committee, following a public call. The Council announces a public call for the selection of the Director of the Agency, adopts the decision on their appointment (on the basis of a public vacancy announcement, by the votes of four out of five Council members), as well as on any potential dismissal. The selection and decision-making procedures are designed to ensure transparency and openness of the process, with the aim of reducing the possibility of political or institutional influence on the work of the Agency. However, even after three public vacancy announcements during 2025 and 2026, the Council of the Agency has not succeeded in appointing a Director with a full mandate, which seriously undermines the independence and integrity of the institution. The Agency for the Prevention of Corruption has been operating in an acting capacity since August 2024.

The Council also proposes the draft budget of the Agency, which is submitted to the Parliament through the competent parliamentary committee, while the Agency regularly submits reports on its work to the Parliament of Montenegro. In this way, an institutional framework is established that combines the Agency's operational independence with mechanisms of parliamentary oversight over its work.

According to the Rulebook on Internal Organization and Systematization adopted in October 2024, a total of 98 positions have been systematized, of which 62 positions were filled at the beginning of 2026. With regard to its horizontal organization, the work of the Agency for the Prevention of Corruption is structured through several key sectors, namely: 1. *The Sector for Control of Public Officials and Political Financing*; 2. *The Sector for Corruption Prevention and Whistleblower Reports*; 3. *The Sector for Conducting Proceedings within the Agency's Competences*.

Through these three sectors, the Agency implements measures and actions within its mandate:

- Determining conflicts of interest of public officials and taking measures to prevent them
- Monitoring compliance with restrictions in the performance of public functions
- Oversight of the receipt of gifts, sponsorships, and donations
- Verification of data from Reports on the Income and Assets of public officials
- Issuing opinions and recommendations in cases of threats to the public interest and in the protection of whistleblowers
- Monitoring, providing recommendations, and assessing the effectiveness of Integrity Plans
- Adopting legal acts within its competences; initiating amendments to legislation with the aim of reducing corrup-

- tion risks and aligning with international standards
- Initiating and conducting proceedings for violations of the law, cooperating with institutions, and maintaining records and registers
- Issuing misdemeanor orders and initiating misdemeanor and other proceedings
- Organizing educational, research, and preventive anti-corruption activities, as well as engaging in international and regional cooperation in the field of corruption prevention
- Supervising lobbying; overseeing the financing of political entities and electoral campaigns, in accordance with special laws.

1.4. REPRESSION OF HIGH-LEVEL CORRUPTION - SPECIAL STATE PROSECUTOR'S OFFICE

The Special State Prosecutor's Office (SSPO) represents a key institution in the system for repressing high-level corruption and combating organized crime in Montenegro. The Special State Prosecutor's Office was established by the Law on the Special State Prosecutor's Office and began its operations in July 2015, with the aim of strengthening the state's capacity to prosecute the most complex forms of crime, including high-level corruption and organized crime. The jurisdiction of the SSPO covers criminal offences of organized crime, regardless of the prescribed penalty, as well as cases of high-level corruption, particularly when they involve public officials¹¹ or when significant material gain has been obtained. In addition, the SSPO handles cases

¹¹ Law on Amendments to the Law on the Special State Prosecutor's Office of June 2024, the jurisdiction of the SSPO was further specified through the introduction of the definition of a "high-level public official." Official Gazette of Montenegro, No. 54/2024. Available at: <https://www.sluzbenilist.me/propsi/730525E2-D917-49E4-8CF1-B37418490EB0?page=1>

involving money laundering, terrorism, war crimes, and criminal offences against electoral rights.

The Chief Special Prosecutor and Special Prosecutors are elected by the Prosecutorial Council on the basis of a public call, upon the proposal of the Supreme State Prosecutor. The term of office of the Chief Special Prosecutor is five years, while Special Prosecutors are appointed for an indefinite period, provided that they have at least four years of prior experience in the judiciary as state prosecutors or judges. According to the current organizational structure, the SSPO has systematized positions for the Chief Prosecutor and 20 Special State Prosecutors,¹² and by the end of 2025, a total of 14 prosecutors were engaged in the SSPO (the Chief Special Prosecutor, eight Special Prosecutors, and five state prosecutors seconded to the State Prosecutor's Office).¹³ With the aim of completing the staffing capacities of the SSPO, the Plan of Vacant Prosecutorial Positions for the period March 2026–March 2028 provides for the Prosecutorial Council to announce a public call to fill eight positions within the SSPO.¹⁴

The operational work of the SSPO relies on cooperation with specialized police units. In accordance with the Law on the Special State Prosecutor's Office,¹⁵ police duties in cases within its jurisdiction are carried out by officers of a specialized Police Unit, which operates within the Police Directorate.

12 Official Gazette of Montenegro, No. 103/2025, Decision on Amendments to the Decision on the Number of State Prosecutors. Available at: <https://www.sluzbenilist.me/cyr/propisi/118D4AD1-1503-424D-A6CD-2207BFCA99F2>

13 Special State Prosecutor's Office, Annual Report for 2025. Available at: <https://tuzilastvo.me/wp-content/uploads/2026/02/Tu-S-III-12-br.-1-26-lz-vjestaj-o-radu-za-2025.-godinu-9.-februar-2026-2.pdf>

14 Available at: <https://tuzilastvo.me/tuzilastva/donijet-plan-slobodnih-tuzilackih-mjesta-za-period-mart-2026-mart-2028-godina/>

15 Official Gazette of Montenegro, Nos. 10/2015, 53/2016 and 54/2024.

The head of this unit is appointed by the Director of the Police Directorate, with the consent of the Chief Special Prosecutor, thereby seeking to ensure functional coordination between the prosecution and the police in the investigation of complex criminal offences.

1.5 EUROPEAN INTEGRATION - NEGOTIATING WORKING GROUP FOR CHAPTER 23

In the context of the European integration process, reforms in the area of the rule of law occupy a central place in Montenegro's negotiations with the European Union. Within this framework, a particularly important role is played by the Negotiating Working Group for Chapter 23 – Judiciary and Fundamental Rights (Cluster I), as well as the Ministry of European Affairs, which coordinates the overall negotiation process with the European Union at the national level. The constitutive session of the current Negotiating Working Group for Chapter 23 – Judiciary and Fundamental Rights was held in March 2023 in Podgorica.¹⁶ Following the receipt of a positive IBAR report in the summer of 2024, the focus of the Group's work shifted to the preparation and monitoring of the implementation of the Action Plan for meeting the closing benchmarks under Chapter 23. With the aim of aligning activities related to the fulfilment of these closing benchmarks, the Negotiating Working Group held a series of thematic sessions during December 2024, dedicated to individual benchmarks. In this context, a two-day thematic session was also held focusing on closing benchmark 2 – the fight against corruption.¹⁷ The focus of the session was on designing activities

16 Minutes No. 04/1-905/23-1439. Available at: <https://www.eu.me/download/1662/23-pravosudje-i-temeljna-prava/30129/zapisnik-s-konstitutivne-sjednice-prg23-1-iii-24.pdf>

17 Minutes No. 04/1-905/25-744. Available at: <https://www.eu.me/down->

that would lead to a sustainable track record of results, particularly in the areas of combating high-level corruption, financial investigations, as well as the temporary and permanent confiscation of assets acquired through criminal activity. Following the finalization of the document, it was submitted for public consultations during January and February 2025, and was adopted by the Government on 25 April 2025.¹⁸

With regard to monitoring and reporting, the Working Group introduced a semi-annual reporting regime on the implementation of the Action Plan, and the first report was reviewed at the session held on 4 July 2025. At the same session, the level of implementation of obligations under the Accession Programme 2025–2026 was also examined, noting that in the first half of 2025 less than 20% of the obligations under Chapter 23 had been fulfilled. The level of implementation subsequently improved to some extent, with the report for the second implementation period recording 57.26% completion of due activities, while specifically under closing benchmark 2 – the fight against corruption, the level of implementation reached 64.51%.¹⁹ Both reports point to the need to intensify the pace of work of the competent institutions, as well as of the Negotiating Working Group, particularly in the context of the revision of implementation deadlines, which

<load/1662/23-pravosudje-i-temeljna-prava/33269/zapisnik-s-tematske-sjednice-prg-23-borba-protiv-korupcije-23-i-26-xii-24.pdf>

18 Action Plan for Meeting the Closing Benchmarks in Negotiation Chapter 23 – Judiciary and Fundamental Rights. Available at: <https://www.eu-me/download/1662/23-pravosudje-i-temeljna-prava/34073/25-iv-25-akcioni-plan-za-ispunjavanje-završnih-mjerila-u-pregovarackom-poglavlju-23-2.pdf>

19 Vlada Crne Gore, Ministarstvo evropskih poslova, Izvještaj o realizovanim aktivnostima iz Akcionog plana za ispunjavanje završnih mjerila u pregovaračkom poglavlju 23 – Pravosuđe i temeljna prava za izvještajni period jul – decembar 2025., Dostupno na: <https://wapi.gov.me/download-preview/9827c17e-0259-4fce-893e-e02a33f32889?version=1.0#page=4.12>

have been moved from the third to the second quarter of 2026.

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STRATEGIC AND LEGISLATIVE FRAMEWORK

2.1 STRATEGIC FRAMEWORK

Montenegro adopted the Strategy for the Fight against Corruption 2024–2028 in June 2024,²¹ together with an accompanying Action Plan for the period 2024–2025, thereby renewing the overarching strategic framework in this area after nearly a decade. The document itself explicitly states that the adoption of the Strategy is linked to obligations under Negotiation Chapter 23, while the European Commission, in its 2024 and 2025 reports, assessed that the strategic framework has been improved, but that challenges remain with regard to its application and implementation.²² Prior to the adoption of this Strategy, Montenegro operated for a long time without a unified national anti-corruption document. The previous Strategy for the Fight against Corruption and Organized Crime 2010–2014 expired without ensuring strategic continuity, and the gap was partially filled through the Action Plan for Chapter 23 and its annex – the Operational Document for the Prevention of Corruption in Areas of Particular Risk, adopted in 2016.

20 Minutes No. 04/1-905/26-163, p. 4. Available at: <https://www.eu.me/download/1662/23-pravosudje-i-temeljna-prava/37101/zapisnik-sa-sjednice-prg-od-22-decembra-2025-godine.pdf>

21 Government of Montenegro, National Council for the Fight against Corruption, Strategy for the Fight against Corruption 2024–2028. Available at: <https://wapi.gov.me/download/ba7be192-562f-4f3d-89ce-65e7eb58938e?version=1.0>

22 Commission Staff Working Document, Montenegro 2025 Report. Dostupno na: https://enlargement.ec.europa.eu/document/download/9ae69ea7-81d6-4d6a-a204-bd32a379d51d_en?filename=montenegro-report-2025.pdf

In structural terms, the Strategy is based on achieving the general objective of building a long-term and effective system for combating corruption, as well as three strategic objectives: (1) strengthening the integrity and accountability of the public sector; (2) upholding the rule of law through more effective investigations and sanctioning of corruption; and (3) strengthening national and international cooperation and public awareness.

Procedurally, the Strategy was prepared through the work of the National Council for the Fight against Corruption and a working group established in March 2024, while the official public consultation was opened on 9 April 2024 and lasted for 20 days. The consultative procedure was formally carried out; however, the available official documentation primarily confirms only the minimum procedural steps—namely, the public consultation and the publication of a report—while the substantive impact on the content of the document remained limited. This is further evidenced by a number of analyses published after the adoption of the Strategy, which identify numerous shortcomings in terms of the situation analysis, the definition of activities and indicators, as well as the already noted difficulties in the formal implementation of the envisaged activities. According to the official report on the implementation of the Action Plan for 2024–2025, as of 31 December 2025, out of 85 due activities, 43 (50.6%) had been completed, 18 partially completed, 13 not implemented, while the status of 11 activities had not been recorded.²³ The weakest result was achieved under the first strategic objective, which relates

23 National Council for the Fight against Corruption, Report on the Implementation of the Action Plan for the Implementation of the Strategy for the Fight against Corruption 2024–2025. Available at: <https://wapi.gov.me/download/a9183058-297f-4422-9c9d-1a805446e9d3?version=1.0>

to the prevention of corruption and the integrity of the public sector (42.59%). Under the second objective, the level of implementation reached 69.23%, while for the third objective it stood at 61.11%. In this regard, it is not surprising that the European Commission assessed that the monitoring and reporting of the Operational Team within the National Council remain problematic, and that the Council should assume a more proactive role, including urgently clarifying its internal structure, work plan, and resources.²⁴ At the beginning of 2026, in February, the Action Plan for the period 2026–2027 was adopted.

2.2 LEGISLATIVE FRAMEWORK

The normative framework for the prevention of corruption in Montenegro is based on three key laws: the **Law on the Prevention of Corruption**,²⁵ the **Law on the Financing of Political Entities and Electoral Campaigns**, and the **Law on Lobbying**. These regulations together form the basis for the functioning of the corruption prevention system, with the Agency for the Prevention of Corruption as the central institution responsible for their implementation and oversight. The normative framework regulates issues of conflict of interest, control of the assets and income of public officials, transparency in the financing of political parties and electoral campaigns, as well as the relations between decision-makers and interest groups through the regulation of lobbying.

24 Commission Staff Working Document, Montenegro 2025 Report, str. 37. Available at: https://enlargement.ec.europa.eu/document/download/9ae69ea7-81d6-4d6a-a204-bd32a379d51d_en?filename=montenegro-report-2025.pdf

25 The adoption of a dedicated Law on Whistleblowers is expected during 2026, which will become part of the core legal framework governing the competences and scope of work of the Agency for the Prevention of Corruption.

The most important element of this system is the **Law on the Prevention of Corruption** (“Official Gazette of Montenegro”, Nos. 53/14, 42/17, 73/23 and 54/24), which regulates measures for the prevention of conflicts of interest, restrictions in the exercise of public functions, the obligation to report the assets and income of public officials, as well as the protection of whistleblowers who report threats to the public interest. The law defines corruption as the abuse of official, business, or social position or influence for the purpose of obtaining personal or third-party benefit. The most recent amendments to the law were adopted in June 2024 as part of the so-called IBAR legislative package, through which Montenegro sought to meet interim benchmarks in negotiations with the European Union. During 2025, the Ministry of Justice initiated the preparation of new amendments to the law, aimed at further improving the system of asset control and strengthening the capacities of the Agency for the Prevention of Corruption. The proposed amendments include the obligation to report digital assets of public officials, the introduction of new mechanisms for verifying asset declarations—including access to data on inflows to the bank accounts of officials and members of their households—as well as further strengthening the institutional competences and resources of the Agency. Following the public consultation conducted in early 2025, the proposal was submitted to the European Commission for its opinion; however, as of February 2026, the Commission’s official position has not been presented to the Montenegrin public, nor are there any estimates as to when (and in what form) the law might enter parliamentary procedure.

Another important segment of the legislative framework relates to the **Law on the Financing of Political Entities and Electoral Campaigns** (Official Gazette of Montenegro, Nos. 3/20, 38/20 and 81/25). This law regulates the rules on the financing

of political entities, restrictions and prohibitions during election campaigns, as well as the supervisory role of the Agency for the Prevention of Corruption in overseeing campaign expenditures and sources of funding. Amendments to the law were adopted in July 2025 following several months of work by the Committee for Comprehensive Electoral Reform of the Parliament of Montenegro. The amendments introduce additional mechanisms for controlling campaign expenditures, including a minimum campaign spending threshold of €10,000, aimed at reducing the space for concealed financing in smaller municipalities during local elections. Furthermore, stricter limitations on employment in the public sector during election campaigns have been introduced in order to prevent the misuse of state resources. The law also further restricts so-called “incumbency campaigning,” stipulating that infrastructure projects and facilities of public importance may be inaugurated during election campaigns only in urgent cases and without public ceremonies or political promotion. Although these amendments represent a certain improvement, the law is still not fully aligned with the recommendations of international organizations, such as OSCE/ODIHR. Taking into account the current political situation in Montenegro, as well as international standards discouraging changes to the electoral legal framework in the year immediately preceding elections (parliamentary and local elections in Montenegro are scheduled for 2027), there is very little likelihood that further amendments and the required harmonization will be undertaken by the end of July 2026.

The third pillar of the preventive framework is the **Law on Lobbying** (Official Gazette of Montenegro, Nos. 52/14 and 54/24), which regulates the conditions and rules for conducting lobbying activities, as well as the transparency of contacts between lobbyists and public officials. The new law was adopted in June 2024 as part of the IBAR legislative package, following a pro-

cess of alignment with the recommendations of the European Commission and the Council of Europe. The amendments expanded the definition of lobbying to encompass a broader range of activities aimed at influencing decision-making processes, while also introducing additional transparency standards. The new framework prescribes the obligation to disclose information on lobbying contacts, including the identity of lobbyists, the areas in which lobbying is conducted, and the activities undertaken. At the same time, the competences of the Agency for the Prevention of Corruption have been expanded, as it is tasked with supervising the implementation of the law and may initiate proceedings ex officio. The law also establishes clear integrity standards for lobbyists and lobbied persons, including the obligation to avoid conflicts of interest and the prohibition of giving or receiving gifts, services, or other benefits in connection with lobbying activities. It is important to note that lobbying activities in Montenegro remain limited; during 2025, only 16 lobbyists and 2 legal entities engaged in lobbying activities were registered.²⁶

The repressive component of the anti-corruption system in Montenegro is based on a specific legislative framework governing the work of prosecution offices and courts in cases of organized crime and high-level corruption. The key elements of this framework are the **Law on the Special State Prosecutor's Office, the Law on Courts, and the Law on the Confiscation of Proceeds of Crime**. These regulations establish an institutional model that combines specialized prosecutorial action, specialized judicial proceedings, and mechanisms for the confiscation of unlawfully acquired assets, with the aim of ensuring a more effective state response to the most serious forms of corruption and high-level

²⁶ Available at: https://www.antikorupcija.me/documents/29604/Kontakt_podaci_lobista_i_pravnih_lica_koja_obavljaju_djelatnost_lobiranja_IPxJm6.pdf

crime.

Central role in this system is assigned to the Special State Prosecutor's Office (SSPO), whose organization and competences are regulated by the **Law on the Special State Prosecutor's Office** (Official Gazette of Montenegro, Nos. 53/16 and 54/24). This law governs the procedure for the appointment of the Chief Special Prosecutor and Special Prosecutors, as well as the cooperation of the SSPO with other state authorities. The latest amendments to the law were adopted in 2024 as part of the so-called IBAR legislative package. These amendments more precisely define the jurisdiction of the SSPO in cases of high-level corruption by clarifying the definition of "high-level public officials" in relation to criminal offences such as abuse of office, fraud in office, unlawful influence, incitement to unlawful influence, and the giving or receiving of bribes. The exhaustive list of "high-level public officials" to whom this jurisdiction applies includes (among others) the President of the State, Members of Parliament and the Speaker of Parliament, members of the Government, judges, prosecutors, and heads of independent regulatory bodies. This has further clarified the division of competences between different levels of the prosecution service and strengthened the role of the SSPO as the key institution for prosecuting cases of high-level corruption.

The reform process in the judiciary has been complemented by amendments to the **Law on Courts** (Official Gazette of Montenegro, Nos. 11/2015, 76/2020 and 54/2024), which further align the judicial system with the specialization of the Special State Prosecutor's Office. The most recent amendments from 2024 provide that the **High Court in Podgorica** has jurisdiction over criminal proceedings in cases of high-level corruption when the accused are high-level public officials.

Within this court, a specialized department has been established for adjudicating such cases (the *Special Department of the High Court in Podgorica*). In this way, a parallel system of specialization—both prosecutorial and judicial—has been established for the most complex cases of corruption and organized crime.

The third important element of the repressive framework is the **Law on the Confiscation of Proceeds of Crime** (Official Gazette of Montenegro, Nos. 58/15, 47/19 and 54/24), which regulates the procedures for the temporary and permanent confiscation of assets acquired through criminal activity, as well as the management of confiscated property. The amendments to this law were also adopted in 2024 as part of the IBAR legislative package. The law provides for the possibility of confiscating assets where there is a reasonable suspicion that they were acquired through criminal activity and where their value exceeds €5,000. Despite the improvements to the legislative framework, certain challenges remain. The current model of asset confiscation is still predominantly linked to criminal proceedings, while a civil-law model for the confiscation of unlawfully acquired assets has not been introduced.

In addition to the laws whose primary purpose is the prevention and repression of corruption, the legal system of Montenegro also encompasses a number of other regulations which, although not directly aimed at combating corruption, contain significant anti-corruption elements. These laws introduce mechanisms that enhance transparency, improve oversight of public and private activities, and reduce the scope for abuse of office. Through the digitalization of administrative procedures, clearer definition of institutional responsibilities, and the strengthening of oversight mechanisms, they contribute to the broader institu-

tional framework for the integrity of public administration.

In summary, this body of legislation includes: the *Law on Free Zones*, the *Law on the Government* (which is still not part of the legal system of Montenegro), the *Law on the Construction of Facilities*, the *Law on Health Care*, the *Law on Medicines*, and the *Law on Free Access to Information*.

Particular attention within the supplementary legislative framework should be given to the **Law on Free Access to Information** (Official Gazette of Montenegro, No. 160/25), which represents a key instrument of public oversight over the work of institutions and an important tool in the fight against corruption. The right of access to information enables citizens, the media, and civil society organizations to monitor the work of public authorities and to detect irregularities in their conduct. After nearly a decade of efforts to reform this legislative solution, ongoing since 2017, the new Law on Free Access to Information²⁷ was adopted by the Parliament of Montenegro in December 2025. However, the recent amendments to this law have raised serious concerns among the public, particularly the provision relating to the costs of the procedure²⁸ which has become an integral part of the law. Under this provision, the requester of information (a natural person, legal entity, or legal representative) bears the costs of proceedings before the Administrative Court even in cases of “administrative silence.” The consequence of this solution is a significantly more difficult access to information held by public authorities, particularly for non-governmental organizations and the media, thereby weakening one of the most important mechanisms of societal oversight over the work of public institutions.

27 Available at: <https://www.sluzbenilist.me/propisi/017CEA0E-8B49-4EF2-B47F-BF5A44898119>

28 Available at: <https://zakoni.skupstina.me/zakoni/web/dokumenta/zakoni-i-drugi-akti/484/3647-22783-23-3-25-8-22.pdf>

INSTITUTIONAL AND POLITICAL CONTEXT IN MONTENEGRO

European integration represents one of the few political processes in Montenegro for which a declarative political consensus exists. In this context, in March 2026, the Parliament of Montenegro (unanimously) adopted the Resolution on the Integration of Montenegro into the European Union, confirming the state's strategic commitment to EU membership.²⁹ However, the conclusion that the resolution is merely an expression of declarative political unity is supported by an overview of the political relations between the government and the opposition over the past year, which have been marked by intense institutional disputes. Two issues, in particular, polarized the political scene: the dispute over the retirement of a Constitutional Court judge in late 2024 and early 2025, and the adoption of laws regulating the security sector the Law on the National Security Agency and the Law on Internal Affairs in March 2026. Following the adoption of the security sector laws, members of parliament from the largest opposition party (DPS) resigned from leadership positions in the Parliament of Montenegro (the position of Deputy Speaker, as well as the chairs of the Committee on European Integration, the Committee on Anti-Corruption, and the co-chair of the Committee on Comprehensive Electoral Reform). From an anti-corruption perspective, this decision is particularly significant regarding the work of the Committee on Anti-Corruption,

29 Available at: <https://rtcg.me/vijesti/politika/819284/skupstina-usvoji-la-predlog-rezolucije-o-integraciji-crne-gore-u-eu.html>

as well as the Committee on Comprehensive Electoral Reform (whose mandate expired in December 2025), which should be responsible for further harmonization of the Law regarding the financing of political entities and electoral campaigns, in accordance with OSCE/ODIHR recommendations, no later than by the end of July 2026.

On the other hand, the institutional structure for conducting negotiations with the European Union remains relatively stable. The negotiation process is coordinated by the Ministry of European Affairs, while the key operational role is held by the Negotiating Working Group for Chapter 23. Although the negotiating framework functions with relative stability, a key challenge is the limited administrative capacity of the institutions responsible for implementing reforms, particularly in the field of anti-corruption. This problem is present in almost all institutions that play a central role in the prevention, investigation, and prosecution of corruption.

In the **Agency for Prevention of Corruption**, 62 civil servants are currently employed out of a total of 98 systematized positions. In addition to the insufficient number of staff, the institution faces the problem of acting leadership since August 2024, the APC has not had a Director elected to a full mandate. Despite conducting three public competitions for the selection of the Agency's Director, the most recent of which concluded in March 2026, the Agency's Council failed to elect a full time Director.³⁰

Similar challenges are present in the repressive part of the sys-

30 Council of the Agency for the Prevention of Corruption, Statement from the 58th session of the Council. Available at: <https://www.antikorupcija.me/me/novosti/2603121200-saopstenje-58-sjednice-savjeta-ask/>

tem. The **Special State Prosecutor's Office** (SSPO) currently has 14 Special Prosecutors (5 of whom were seconded to the SSPO from basic and higher prosecutor's offices), even though the systematization plan provides for 21 positions.³¹ The March 2026 Plan for vacant prosecutorial positions foresees the advertisement of vacancies for eight additional Special Prosecutors.³² Nearly one-third of prosecutorial positions remain vacant, clearly demonstrating a staff deficit in the institution responsible for processing high-level corruption and organized crime

The problem of an insufficient number of employees is also pronounced in the police structures providing operational support to the prosecution. The Special Police Department (SPD), which works alongside the SSPO on high-level corruption cases, has been facing a staff shortage for a significant period. An additional challenge in the field of anti-corruption is the lack of administrative and analytical capacity within the Financial Investigation and Economic Crime Group, which acts upon the orders of basic and higher state prosecutor's offices.³³

In the context of the above, it is no surprise that the European Commission, in its 2025 Report on Montenegro, stated that the country is *moderately prepared* in the area of anti-corruption. It noted that some progress has been achieved, but emphasized the necessity to 'urgently elect a Director [in the APC] to a full mandate,' 'increase the number of final court rulings,' and 'im-

31 Special State Prosecutor's Office, Annual Report for 2025. Available at: <https://tuzilastvo.me/wp-content/uploads/2026/02/Tu-S-III-12-br.-1-26-lz-vjestaj-o-radu-za-2025.-godinu-9.-februar-2026-2.pdf>

32 Available at: <https://tuzilastvo.me/tuzilastva/donijet-plan-slobodnih-tuzilackih-mjesta-za-period-mart-2026-mart-2028-godina/>

33 Negotiating Working Group for Chapter 23, Minutes No. 04/1-905/26-163. Available at: <https://www.eu.me/download/1662/23-pravosudje-i-temeljna-prava/37101/zapisnik-sa-sjednice-prg-od-22-decembra-2025-godine.pdf>

prove the track record of proactive investigations, prosecutions, and convictions for corruption, especially in high-level cases.' Furthermore, it is essential to ensure the 'efficient functioning of the institutional framework, while providing operational capacities and financial independence for the Agency for the Prevention of Corruption,' and to 'further amend the Law on Financing of Political Entities and Electoral Campaigns [...] to address existing deficiencies and fully align the law with OSCE/ODIHR and European standards.³⁴

34 Commission Staff Working Document, Montenegro 2025 Report, str. 6-7. Available at: https://enlargement.ec.europa.eu/document/download/9ae69ea7-81d6-4d6a-a204-bd32a379d51d_en?filename=montenegro-report-2025.pdf

OVERVIEW OF THE IMPLEMENTATION OF ANTI- CORRUPTION ACTIVITIES UNDER CLOSING BENCHMARK 2 OF THE ACTION PLAN FOR CHAPTER 23 - JUDICIARY AND FUNDAMENTAL RIGHTS

Closing Benchmark 2 within negotiating Chapter 23 refers to one of the most demanding segments of Montenegro's European integration process: the construction of a functional, sustainable, and credible system for the prevention and suppression of corruption. Its complexity stems from the fact that the process is not merely reduced to the formal adoption of regulations or individual institutional interventions; rather, it requires visible progress across multiple interconnected areas. These range from the capacities of the Agency for Prevention of Corruption, the Special State Prosecutor's Office, and the courts, to financial investigations and asset forfeiture, as well as the preventive framework, legislation on political financing, and general regulatory alignment with European standards.

An analysis of the activities covered by objectives 2.1-2.6 shows that while some progress was achieved during the observed period, it remains uneven, with pronounced discrepancies between various subsystems. In certain segments, institutional forward momentum is evident, particularly regarding planning, training, the development of strategic documents, and the partial strengthening of inter-institutional cooperation. In other areas, however, progress is more than limited and remains largely at the preparatory level rather than yielding measurable results. This specifically applies to legislative reforms, permanent asset

forfeiture, the staffing of certain institutions, and the full operationalization of specific mechanisms for financial investigations.

It is particularly important to emphasize that the fulfillment of this benchmark cannot be assessed solely through the number of completed activities; instead, the focus must be on evaluating a sustainable track record. Therefore, progress must be demonstrated through the system's ability to produce continuous, credible, and institutionally grounded results: high-quality investigations, final court rulings, effective administrative investigations, proportionate and deterrent sanctions, functional coordination, and the genuine resilience of the system against political and organizational weaknesses.

2.1 OPERATIONAL CAPACITIES OF ANTI-CORRUPTION BODIES AND JUDICIAL INSTITUTIONS: VISIBLE PROGRESS, BUT LACKING FULL INSTITUTIONAL STABILIZATION

2.1 Establish appropriate operational capacities of specialized anti-corruption bodies and regular judicial institutions for the fight against corruption, including high-level corruption, through cooperation with relevant EU bodies, while ensuring the quality and adequate capacity of the training system, as well as the efficiency of the case management system.

The first objective within Closing Benchmark 2 is focused on establishing adequate operational capacities for specialized anti-corruption bodies and regular judicial institutions in the fight against corruption, including high-level corruption. This seg-

ment is of particular importance as it represents the very foundation for all subsequent results: without an adequate number of employees, clear personnel planning, developed IT systems, specialized knowledge, and inter-institutional connectivity, it is difficult to expect progress in the investigation, prosecution, and prevention of corruption.

In this sense, the adoption of the Human Resources Management Strategy of the Agency for Prevention of Corruption in August 2025 represents an important step.³⁵ Although adopted with a slight delay relative to the original deadline, its enactment signals an attempt by the APC to move personnel policy away from an ad hoc level and place it on a strategic footing. The APC has a long-standing problem with filling its personnel capacities; at the end of 2025, only 62 out of 98 systematized positions were filled. Formally speaking, this represents a 14.8% increase in the number of employees compared to the beginning of the year (54 employees). The lack of human resources signals the institutional vulnerability of the Agency, especially considering the upcoming period and its mandates related to the control of election campaign financing, given that 2027 will mark the first time all local elections are organized on a single day.

Beyond the staffing shortage, the inability to establish leadership stability within the Agency is particularly concerning. The prolonged interim status of the Director since August 2024, coupled with several failed attempts to elect a Director to a full mandate, is not merely a procedural stall; it raises questions regarding the institutional independence and integrity of the Agency's

35 APC, Human Resources Management Strategy of the Agency for the Prevention of Corruption for the period 2025–2026. Available at: https://antikorupcija.me/media/documents/Strategija_upravljanja_ljudskim_resursima_ASK_za_period_2025_-_2026_.godine.pdf

work. The fact that after three public calls during 2025 and 2026, a Director of the APC has still not been elected to a full mandate, potentially indicates attempts to exert undue political influence over the Agency's work.

On the other hand, positive developments are visible in the segment of IT system upgrades. Through the development of a website for accessing and searching reports from political entities on election campaign financing realized with the support of IFES, the need for greater transparency and technological advancement in the oversight of political financing has been recognized, and specific steps have been taken. Regarding the improvement of its operations, the APC adopted an Action Plan for monitoring the implementation of UNCAC and GRECO recommendations in March 2025,³⁶ and in September, it published its first report on the realization of these activities.³⁷ Although institutionalizing the obligation to monitor the implementation of recommendations is a positive step, these recommendations have not yet been substantially integrated into the institution's daily practice.

In the broader anti-corruption context, a specific segment of Objective 2.1 refers to specialized training. During 2025, the Center for Training in Judiciary and State Prosecution organized several specialized programs: training on money laundering, financial investigations, forensic accounting, international judicial cooperation, public procurement, digital forensics, and blockchain evidence. These trainings were intended for a wide range of par-

36 APC, Action Plan for Monitoring the Implementation of UNCAC and GRECO Recommendations for 2025. Available at: https://www.antikorupcija.me/media/documents/AP_UNCAC_i_GRECO_final.pdf

37 APC, Report on the Implementation of Activities from the Action Plan for Monitoring the Implementation of GRECO Recommendations. Available at: https://antikorupcija.me/media/documents/Izvjestaj_o_sprovo%C4%91enju_GRECO_preporuka.pdf

ticipants, including employees of prosecutor's offices, courts, the APC, the Customs Administration, and the Ministry of Internal Affairs.

Cooperation between the Special State Prosecutor's Office (SSPO) and other institutions has been partially improved. Automated access to state institutions' databases represents a vital prerequisite for efficient work on complex cases, particularly those involving financial investigations. It is unofficially estimated that the SSPO has partial access to 9 out of 11 relevant databases, which essentially supports the conclusion that while limited progress has been made, full interoperability has not yet been secured. A specific problem remains the organization and linking of cadastral data, which is not merely a technical side issue, but a central obstacle to the effective tracking of assets. The agreement between the APC and the SSPO from December 2025 serves as a positive signal toward more coordinated action, though it remains to be seen whether it will result in continuous and operational data exchange in practice, rather than just a formalization of cooperation.

Finally, the adoption of the new Rulebook on Internal Organization and Systematization of the SSPO in December 2025 envisages an increased number of staff in the departments for financial investigations, analytics, and IT/digital evidence. This indicates that the SSPO has recognized the changing nature of corruption and organized crime cases. Modern investigations rely less on traditional prosecutorial capacities and increasingly on analytical processing, financial tracking, and digital expertise. However, as previously noted, the Rulebook is a formal document that does not guarantee a resolution to the issue of personnel capacity for working on complex cases that require tracking money flows and financial investigations.

In conclusion, Objective 2.1 records moderate progress. The institutional framework has been improved to an extent, trainings have been conducted, strategic documents adopted, certain IT systems developed, and partial interoperability achieved. Nevertheless, key structural problems in establishing full operational capacities remain, such as staffing deficits, the instability of the APC's leadership, and the partial interoperability of registers.

2.2 TRACK RECORD OF INVESTIGATIONS, INDICTMENTS, AND VERDICTS IN CORRUPTION CASES: BETWEEN PARTIAL PROGRESS AND THE LACK OF A STABLE TREND

2.2 Establish a solid and sustainable track record of results in investigations, criminal prosecutions, and final court rulings in corruption cases, particularly in high-level corruption cases, including a proactive and efficient approach to international cooperation.

The second objective is an essential test of the system's actual effectiveness, as it relates to investigations, prosecutions, and final verdicts in corruption cases, especially high-level corruption. This is precisely how the existence of genuine political and institutional will to fight corruption is assessed. In this context, data on the work of the Special State Prosecutor's Office (SDT) presents a complex picture over the previous three-year period. During 2023, reports against 1,807 persons in the field of high-level corruption were processed, of which 56.61% were resolved. That year, orders to conduct investigations were issued against 19 individuals, and 10 indictments were filed against 30 persons. In 2024, the number of new reports was lower, but the percentage of resolved cases significantly increased to 74.72%.

However, at the same time, the number of indictments fell: five indictments against 12 persons and three formal charges against four persons. In 2025, four orders to conduct investigations were issued against eight persons, while five indictments were filed against 13 persons.

In the context of the presented data, the conclusion is that an improved track record of results has been only partially achieved. Specifically, while continuity in investigations and the filing of indictments has been maintained, comparative data relative to 2023 shows a significant decline in both the number of indictments and the number of persons indicted. In other words, the system does not yet exhibit a firm and predictable pattern of growing results, but rather annual oscillations.

In the context of the number of verdicts, the picture is somewhat more favorable, though there is significant room for improvement in the track record. In 2025, the Special Department of the High Court in Podgorica resolved 71 cases within its jurisdiction. In high-level corruption cases, a total of 88 cases involving 296 defendants were processed, of which 38 cases involving 119 defendants were resolved. Out of those 38, 27 cases were concluded with a verdict against 58 defendants, while 11 were resolved in other ways. Compared to 2023, when 25 court decisions were rendered against 72 defendants, one can speak of a slight increase in the number of court decisions, but not of a broader scope regarding the number of defendants.³⁸

The increase in the number of court verdicts is not negligible

38 Ministry of European Affairs, Report on the Implementation of Activities from the Action Plan for Meeting the Closing Benchmarks in Negotiation Chapter 23 – Judiciary and Fundamental Rights, for the reporting period July–December 2025. Available at: <https://wapi.gov.me/download-preview/9827c17e-0259-4fce-893e-e02a33f32889?version=1.0>

in itself, but it is insufficient to be considered a strong breakthrough. A sustainable track record implies not only quantitative growth but also the certainty that the system can permanently maintain a similar or higher level of efficiency. Given the complexity of high-level corruption cases, the number of resolved cases and verdicts is not insignificant, yet it does not eliminate the decades-long problems of lengthy proceedings, the quality of indictments, and inconsistent penal policy.

In that regard, the Supreme Court's activity regarding the monitoring of high-level corruption cases could potentially have long-term positive effects, although it is still in its early stages. The adoption of the Unified Program for Resolving Backlog Cases for the period 2025-2027³⁹ represents a useful systemic step toward managing backlogs and organizing judicial work more efficiently. However, it is important to emphasize that this document is general in nature and is not specifically focused on high-level corruption cases, nor on the work of the Specialized Department of the High Court in Podgorica. Precisely for this reason, concrete measures are vital, such as the drafting of the Sentencing Guidelines for high-level corruption cases, which the Supreme Court initiated in March 2026.⁴⁰ Through a comprehensive overview, a clear penal policy, and subsequent consistent application, these guidelines can ensure the harmonization of judicial practice and strengthen the preventive effect of sentencing policy. Yet, at the current stage, these are still the initial phases of drafting the Guidelines, rather than a finished document; therefore, the concrete effects of this measure can only be assessed in the coming period.

39 Supreme Court of Montenegro, Unified Program for the Resolution of Backlog Cases for the period 2025–2027. Available at: https://www.sudovi.me/stat-ic/vrhs/doc/Jedinstveni_program_rjesavanja_starih_predmeta.pdf

40 Available at: <https://sudovi.me/vrhs/sadrzaj/Jlww>

International cooperation represents one of the more positive elements within Goal 2.2. The cooperation between the Special State Prosecution (SDT) and Albania's SPAK, established by a memorandum in December 2024,⁴¹ gained more concrete substance during 2025, particularly in the field of transnational crime.⁴² Data on cooperation with EUROJUST, the number of letters rogatory, and the bilateral memoranda signed by the Supreme State Prosecution (VDT) in The Hague show that the international component of the Montenegrin prosecution's work is developing and expanding. According to data from the SDT's (Special State Prosecutor's Office) annual report, there was a moderate increase in the number of received and sent letters rogatory compared to 2023 (from 206 to 230). This cooperation primarily takes place through the Ministry of Justice, while direct cooperation has been established with the Republic of Serbia, Bosnia and Herzegovina, and the Republic of Slovenia.⁴³ However, when it specifically concerns high-level corruption, the impression remains that international cooperation still strengthens the general capacity of the system more than there are data on a series of concrete joint results in this particular field.

In conclusion, there are clear and visible elements of progress through a higher number of court decisions in high-level corruption cases, the development of international cooperation, and a certain level of institutional activity by the courts. However, a comparative

41 Available at: <https://tuzilastvo.me/tuzilastva/potpisan-memorandum-o-saradnji-specijalnog-drzavnog-tuzilastva-i-specijalnog-tuzilastva-protiv-korupcije-i-organizovanog-kriminala-republike-albanije/>

42 Available at: https://tuzilastvo.me/sr_rs/tuzilastva/sdt-i-spak-zajedno-u-borbi-protiv-medunarodnog-organizovanog-kriminala/

43 SSPO, Annual Report for 2025, p. 21-22. Available at: <https://tuzilastvo.me/wp-content/uploads/2026/02/Tu-S-III-12-br.-1-26-Izvjestaj-o-radu-za-2025.-godinu-9.-februar-2026-2.pdf>

decline has also been identified in the number of indictments and the number of persons indicted for criminal offenses in the field of high-level corruption. Therefore, there is significant room for improvement in the track record, particularly through a stable and sustainable upward trend in investigations, confirmed indictments, and final verdicts.

2.3 FINANCIAL INVESTIGATIONS AND ASSET CONFISCATION: GREATEST STRIDES IN INTERIM MEASURES, BUT STILL MODEST RESULTS IN PERMANENT CONFISCATION

2.3 Establish a solid track record in the interim and permanent confiscation of proceeds of crime, including a credible and consistent practice of launching parallel financial investigations in corruption cases, including high-level corruption, and with a fully operational Asset Recovery Office responsible for identifying and tracking proceeds of crime, provided with adequate human and financial resources.

The third objective relates to financial investigations and the confiscation of proceeds of crime. Considering the Montenegrin normative framework, this is one of the most sensitive and complex issues in the fight against corruption and organized crime, as the confiscation of benefits demonstrates that the repressive system does not only react at the formal level of criminal liability, but significantly disrupts the economic foundation of criminal activity.

Based on data regarding the quantity and type of seized assets, the greatest progress has been achieved in the area of interim confiscation and the freezing of assets. Already during 2024, a significant increase in the value of temporarily seized property was recorded compared to 2023, including tens of millions of euros in funds held in commercial bank accounts, as well as funds in foreign currencies. This trend continued into 2025, during which EUR 69,019,081.46, RUB 2,037,432.00, USD 192,290.77, CHF 624.24, and GBP 3,000.00 were seized from commercial banks in 22 cases.⁴⁴ In this regard, the interim measures segment has become more active, and these specific mechanisms of financial repression are being used more intensively than before.

However, it is precisely in this area that the gap between the application and effect of interim measures and the results in permanent confiscation which depend on final court verdicts is most pronounced. During 2024 and 2025, the High Court issued only one final decision per year for the permanent confiscation of proceeds of crime, both involving a single passenger motor vehicle. While the value of assets under disposal ban measures significantly increased in 2025 including luxury apartments, garage spaces, and land it still comes down to a single final verdict from December 2025.⁴⁵ Consequently, while there have been certain shifts in this area and the system has shown it can achieve significant prohibitions on the disposal of property, con-

44 SSPO, Annual Report for 2025, p. 76. Available at: <https://tuzilastvo.me/wp-content/uploads/2026/02/Tu-S-III-12-br.-1-26-lzvjestaj-o-raduz-za-2025.-godinu-9.-februar-2026-2.pdf>

45 Vijesti, Assets of the former Minister of Security of Bosnia and Herzegovina finally confiscated in Montenegro. Available at: <https://www.vijesti.me/vijesti/crna-hronika/789255/imovina-bivseg-ministra-bezbjednosti-bih-pravosnaz-no-zapljenjena-u-crnoj-gori>

tinuity in increasing the track record of results has not yet been demonstrated.

This is the central weakness of objective 2.3. Interim measures, the freezing of funds, and the launching of financial investigations are important and necessary steps, but they are not sufficient on their own to ensure the long-term efficiency of the system. The European standard in this field requires a consistent practice in which financial investigations run parallel to criminal proceedings and result in final, permanent asset confiscation. In the context of the work of the prosecution offices in March 2025, the Supreme State Prosecutor's Office issued the Instruction for the Conduct of State Prosecution Offices regarding the implementation of financial inquiries and financial investigations.⁴⁶ In the Montenegrin case, figures indicate that while this specific segment of the system is gradually developing, the other related to the finality of court verdicts and permanent asset forfeiture measures remain highly limited

On the other hand, when the analysis shifts toward the police dimension necessary for establishing a functional system in this area, the overview of results is significantly weaker. Advanced training for police officers in conducting parallel financial investigations has not been implemented to the planned extent. Although training plans for 2025 and 2026 recognize this field, their execution is contingent upon priorities and available resources, which in practice means that these trainings are not systemically guaranteed. According to available information,

46 Supreme State Prosecutor's Office, Instruction on the Conduct of State Prosecutor's Offices in Carrying Out Financial Inquiries, i.e., Financial Investigations. Available at: https://tuzilastvo.me/wp-content/uploads/2025/03/Uputstvo_za_postupanje_drzavnih_tuzilastava_za_sprovođenje_finansijskog_izvidjaja_odnosno_finansijske_istrage.pdf

only four officers from the Special Police Department participated in three training sessions, and notably through the support of international partners. The achieved result is far from the target set for 2025, which envisioned three advanced training courses and 15 trained officers.

An additional problem is the personnel reinforcement of the Special Police Department and the Financial Investigation Unit. Due to the level of data confidentiality, the public does not have full insight into the actual capacities and personnel shortages within these organizational units of the Police Directorate.⁴⁷ Available information indicates that only one officer has been employed in the Financial Investigation Unit and four officers in the Special Police Department assigned to financial investigations significantly below the target of 12 new officers envisioned by this measure.⁴⁸

Of particular concern is the fact that within the jurisdiction of the Ministry of the Interior, internal procedures for conducting parallel financial investigations have not been drafted, the procurement process for financial investigation software has not been initiated, and consequently, training for officers to use such software has not been implemented. In other words, an entire

47 The Rulebook on Internal Organization and Systematization of the Ministry of Interior states that information on the number and types of systematized positions within the Special Police Unit “constitutes data classified at a certain level of secrecy in accordance with Article 10, paragraph 2 of the Law on Data Secrecy (Official Gazette of Montenegro, Nos. 14/08, 76/09, 41/10, 40/11, 38/12, 44/12, 14/13, 18/14, 48/15, 74/20 and 113/24).” Available at: <https://www.gov.me/dokumenta/d7e7e12f-b890-4fe5-8ea8-e8d56d8dbd63>

48 Ministry of European Affairs, Report on the Implementation of Activities from the Action Plan for Meeting the Closing Benchmarks in Negotiation Chapter 23 – Judiciary and Fundamental Rights, for the reporting period July–December 2025. Available at: <https://wapi.gov.me/download-preview/9827c17e-0259-4fce-893e-e02a33f32889?version=1.0>

operational package of activities aimed at this goal has not even been launched, remaining entirely unfulfilled.

For these reasons, it can be concluded that Objective 2.3 is perhaps the best example of uneven reform and measure implementation within Closing Benchmark 2: while certain progress is visible on the prosecutorial-judicial front specifically regarding interim measures and the normative regulation of procedures the finality of court decisions for the permanent confiscation of proceeds of crime, as well as the police and technological components, lag significantly behind. Consequently, the system is not yet consolidated to a level where one could speak of a solid and sustainable track record, nor of real effects that would significantly limit the economic benefits of engaging in criminal activity.

2.4 PREVENTION OF CORRUPTION AND THE INSTITUTIONAL INDEPENDENCE OF THE APC: STRATEGIC DEVELOPMENT EXISTS, BUT KEY LEGISLATIVE CHANGES ARE DELAYED

2.4 Consolidate a robust framework for the prevention of corruption, including a solid and lasting track record of administrative investigations and deterrent sanctions, with the Agency for the Prevention of Corruption (APC) operating with full political and operational independence and acting in an effective, impartial, and proactive manner in cases falling within its jurisdiction, alongside adequate prosecutorial follow-up in cases where the Agency detects potential unlawful conduct, while ensuring that the appointment and recruitment of its leadership and staff are merit-based.

The fourth objective focuses on the preventative framework, administrative investigations, and the functional independence of the Agency for the Prevention of Corruption. The focus is not only on improving the quantitative indicators of the APC's work but also on ensuring institutional, managerial, and financial independence, enabling the Agency to act professionally and proactively as a genuine pillar of the preventative system.

The greatest challenge in this segment is the delay of key legislative reforms. Amendments to the Law on Prevention of Corruption, which were supposed to be adopted by the end of 2025, have been pushed back to 2026. A similar situation exists regarding the Draft Law on Whistleblowers. The delay in adopting these normative solutions has direct consequences on the functionality of the system, as these specific laws were expected to enhance the capacities of the APC, introduce stronger mechanisms for verifying assets and income including digital assets and strengthen protection mechanisms for persons reporting corruption.

On the other hand, the APC has demonstrated a certain degree of progress in terms of its own organizational development. The APC Development Strategy 2025-2028 was adopted in March 2025, along with the accompanying Action Plan,⁴⁹ and the APC reports on its work on a regular quarterly and annual basis. However, it is important to note that strategic documents can only achieve their full institutional effect when there is stable

49 Council of the Agency for the Prevention of Corruption, Decision No. 00-472/3-25. Available at: https://www.antikorupcija.me/media/documents/Odluka_o_usvajanju_Strategije_razvoja_ASK_za_2025_godinu.pdf. It is noteworthy that the Strategy is one of the few documents of the Agency for the Prevention of Corruption that is not publicly available on the Agency's website.

leadership, resolved issues of personnel deficits and competencies, and a finalized normative framework that allows for the full implementation of the Agency's mandate.

Progress is also evident in the field of education conducted by the APC for other target groups. The Agency developed a Training Plan for those bound by the law and, throughout 2025, organized numerous training sessions for various categories of participants, totaling hundreds of attendees. Furthermore, a media campaign titled "Montenegro Without Corruption" was launched in cooperation with the National Council for the Fight Against Corruption. Despite these activities, the APC's strategic communication leaves room for improvement; the actual reach of communication and educational activities depends on their continuity and their integration with concrete institutional mechanisms for reporting, protection, and the processing of irregularities.

Regarding the improvement of institutional cooperation, during 2025, the APC signed Memoranda of Cooperation with the Clinical Center of Montenegro (KCCG) and the National Council for the Fight Against Corruption, as well as a Cooperation Agreement with the Special State Prosecutor's Office. In the coming period, it will be necessary to assess the actual effects of these memoranda specifically, to what extent they have led to the establishment of routine patterns of cooperation, and to what extent they remain merely an expression of declarative institutional connectivity. In conclusion, the preventative framework cannot be assessed as relatively consolidated as long as key legislative interventions are delayed, and the APC continues to operate without full leadership stability or filled capacities. In such a context, strategies, training sessions, and memoranda represent an important part of institutional stability, but they are insufficient

to compensate for the structural weaknesses arising from delayed reforms and insufficiently strong institutional guarantees of the Agency's independence and integrity.

2.5 STRATEGIC FRAMEWORK FOR THE FIGHT AGAINST CORRUPTION: PARTIAL OPERATIONALIZATION, BUT YET TO FULLY TRANSLATE INTO SYSTEMIC RESULTS

2.5 Adequately apply and introduce a robust strategic framework for the prevention of and fight against corruption, based on a new multi-annual anti-corruption strategy in line with European standards. Translate the aforementioned into significant improvements in the prevention of and fight against corruption in the most vulnerable sectors and, as necessary, more broadly.

Objective 2.5 is focused on the adequate application and introduction of a solid strategic framework for preventing and combating corruption, based on a multi-annual anti-corruption strategy. In this segment, the cooperation between the APC and the Special State Prosecutor's Office represents one of the concrete institutional steps. As previously noted, the Cooperation Agreement was signed in December 2025, and 12 pieces of information were exchanged with the SSPO in cases based on whistleblower reports. However, the second vital element of this activity cooperation with the Police Directorate has not been fully formalized, and the Politically Exposed Persons (PEP) database has yet to be developed. The implementation status of this activity reveals a deeper problem within Montenegro's strategic framework. The technical and information infrastructure required to make such

cooperation systemic and routine remains underdeveloped. Consequently, inter-institutional cooperation remains largely dependent on individual requests, contacts, or initiatives, rather than on an automated and predictable system.

On the other hand, in February 2026, the National Council for the Fight Against Corruption adopted the Report on the Implementation of the Action Plan 2024-2025, as well as a new Action Plan for the period 2025-2026,⁵⁰ thereby fulfilling the formal requirement of Closing Benchmark 2. However, the quality of monitoring and the implementation status of activities within the Action Plan for the Anti-Corruption Strategy reveal significant shortcomings in this area. Only 50.6% of activities have been fully implemented, while for as many as 12.7% of activities, the competent institutions failed to provide information on their implementation status.⁵¹

In conclusion, while a strategic framework exists, monitoring is regular, and cooperation between certain actors has been formalized, the quality of that cooperation remains limited. The implementation of the strategic framework is unsatisfactory, raising the question of whether a stronger systemic connection has been substantively achieved particularly in the context of narrowing the space for corruption in high-risk sectors.

50 Available at: <https://www.gov.me/clanak/odrzana-trinaesta-sjednica-nacionalnog-savjeta-za-borbu-protiv-korupcije>

51 National Council for the Fight against Corruption, Report on the Implementation of the Action Plan for the Implementation of the Strategy for the Fight against Corruption 2024-2025. Available at: <https://wapi.gov.me/download/a9183058-297f-4422-9c9d-1a805446e9d3?version=1.0>

2.6 FINANCING OF POLITICAL ENTITIES AND ELECTION CAMPAIGNS: A NORMATIVE STEP FORWARD WITHOUT FULL ALIGNMENT WITH EUROPEAN STANDARDS

2.6 Adopt and effectively implement legislation on the financing of political parties and election campaigns in accordance with European standards.

The adoption of the Law on Financing of Political Entities in July 2025 represents an important normative step forward. However, despite years of work on the new Law, its content has not been substantively aligned with the recommendations of international partners. In this context, the European Commission has clearly pointed out that the amendments to this law only partially adopted the OSCE/ODIHR recommendations and that further alignment of the normative framework will be necessary.⁵² In other words, this is a typical example of partial reform: the law was enacted, but it failed to eliminate all previously identified weaknesses.

Regarding sub-legal operationalization, the APC has prepared a whole series of rulebooks and instructions relating to campaign oversight, the filing of complaints, templates for financial plans and reports, and reporting by third parties which are a novelty in this legislative solution. Additionally, at the beginning of 2026, the Ministry of Finance issued a decision on the amount of budget funds for financing the regular work of political entities, rely-

⁵² Commission Staff Working Document, Montenegro Report 2025, p. 3. Available at: <https://www.eeas.europa.eu/sites/default/files/2025/documents/Montenegro%20Report%202025.pdf>

ing on the newly prescribed limit for the regular financing of political entities' operations. However, secondary legislation only elaborates on the application of legal solutions. If the system is not normatively aligned with international standards, these sub-legal acts cannot independently ensure the efficiency of the oversight system or its resilience against abuse.

The third activity within this objective relates to improving the transparency of the financing of political entities through the development of IT tools. To this end, the APC, in cooperation with IFES, has prepared a working version of a web application containing all financial information on the income and expenditures of political entities since 2016. While this is an important step that shows a certain degree of progress has been made in normative and technical terms, the overall assessment in this area remains heavily influenced by the fact that substantive alignment with European normative standards has not yet been achieved. The readiness to fully harmonize with OSCE/ODIHR recommendations remains one of the most critical tests of political will for systemic anti-corruption reform.

RECOMMENDATIONS

STRENGTHENING THE INDEPENDENCE AND AUTONOMY OF KEY INSTITUTIONS

1. *Enhance the Independence and Autonomy of the APC:* Ensure the unhindered operation of the Agency for the Prevention of Corruption free from political influence, including protection from pressure by the Parliament, the Government, or other institutions.

2. *Election of the APC Director:* The Council of the APC should elect a Director to a full mandate as urgently as possible, following a transparent procedure and an evaluation of candidates based on expertise and integrity criteria. It is essential to end the prolonged institutional instability and restore the Agency's authority.

3. *Preservation of the APC's Budgetary Independence:* The Government and the Parliament must adopt the practice of respecting the legal solution that guarantees the APC a budget of 0.2% of the total state budget, in order to protect the financial autonomy and independence of the institution.

IMPLEMENTATION OF ANTI-CORRUPTION ACTIVITIES

4. *Accelerate the Pace of Implementing Obligations from the Action Plan for Chapter 23:* Given the altered dynamics of activity implementation relative to the current Action Plan (shifting the

implementation deadline from Q3 to Q2 of 2026), ensure effective mechanisms for monitoring and coordinating the work of the competent state authorities.

HUMAN RESOURCES MANAGEMENT

5. *Strengthening APC Capacities:* Continue the functional empowerment of all internal structures within the Agency, including the implementation of the Human Resources Management Action Plan and the professional development of employees.

6. *Ensure the Long-term Functionality of the Special State Prosecutor's Office (SSPO):* Strengthen the internal capacities of the SDT by hiring a larger number of special prosecutors as well as administrative staff in the Financial Investigation Department.

7. *Strengthen Personnel Capacities in the Police Directorate:* Urgently complete the staffing of the Special Police Department and the Financial Investigation Unit. Ensure regular and intensive training for police officers on conducting financial investigations.

TRANSPARENCY, OVERSIGHT, AND THE FIGHT AGAINST CORRUPTION IN PRACTICE

8. *Accelerate Asset Confiscation:* Improve the legislative framework and procedures for the seizure of proceeds of crime, including the introduction of a civil asset forfeiture model, while enhancing the management of seized assets.

9. *Judicial Verdict Database:* Establish a specific public database of verdicts in confiscation cases to increase transparency and accountability.

10. *Establish a Specific Mechanism for Tracking High-Level Corruption Cases Throughout the Entire Chain of Proceedings:* It is necessary to develop a unified tracking system that would provide insight into the movement of cases from the initial report and investigation, through indictment, to the final verdict and eventual confiscation, allowing for a more precise evaluation of institutional performance.

11. *Accelerate the Development and Application of Sentencing Guidelines in High-Level Corruption Cases:* The Supreme Court should complete this process within a short timeframe and subsequently ensure the monitoring of guideline application to improve the consistency of judicial practice and strengthen the deterrent effect of penal policy.

12. *Develop Internal Procedures and Technical Tools for Parallel Financial Investigations within the Police:* It is necessary to urgently draft procedures, procure specialized software, and conduct targeted training for police officers to ensure the long-term functionality of financial investigations within the Police Directorate.

13. *Abuse of State Resources in Election Campaigns:* Strictly enforce the prohibition on employment and contractual engagements during election campaigns, and restrict the promotion of political entities through the use of state resources.

REVISE THE NORMATIVE FRAMEWORK

14. *Legislative Amendments for Clear Categorization of Public Officials:* Urgently adopt amendments to the Law on Prevention of Corruption and proceed with the drafting of secondary legisla-

tion that categorizes public officials and defines their obligations in accordance with this law.

15. *Strengthening Whistleblower Protection:* Adopt the Law on the Protection of Whistleblowers as quickly as possible. Create a safe environment for reporting and for the processing of whistleblower reports, while establishing specific legal guarantees against retaliation toward whistleblowers.

16. *Amend the Law on Financing of Political Entities and Election Campaigns:* Initiate amendments and supplements to the Law on Financing of Political Entities and Election Campaigns and fully harmonize this legislative solution with international standards and recommendations.

17. *Revise New Provisions in the Law on Free Access to Information that Diminish Transparency:* It is particularly necessary to re-examine provisions that hinder access to information due to procedural costs, as these directly reduce the ability of NGOs and the media to perform public oversight of the work of government authorities.

18. 5. *Alignment with GRECO Recommendations:* Continuously update legislation and institutional practices in accordance with GRECO (Group of States against Corruption) recommendations.

