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Montenegro's EU Push: Imminent Opportunities and Challenges

Milan Nič, Dimitar Bechev, Sébastien Maillard, Zoran Nechev, Frauke Seebass, Wouter Zweers, and Iliriana Gjoni

Under its new government, Montenegro has unblocked its accession process. Although the small country faces many obstacles, it now represents the best opportunity for the EU to regain momentum for enlargement in the Western Balkans. The period until mid-2024 will be pivotal for reform progress in Podgorica and adequate response from Brussels. Their moves will also be closely watched by Russia, which is prepared to exploit new vulnerabilities in this NATO member strategically located between Serbia and the Adriatic Coast.

Montenegro started EU membership talks in 2012. While it has opened all 33 negotiating chapters, it has closed only three of them. In recent years, its accession process has stagnated due to a lack of political will. The fact that a parliamentary majority – and sometimes a constitutional majority of MPs – is required to pass key laws and confirm essential appointments in the justice system has been a serious problem.

PRO-EU MOMENTUM

On October 31, 2023, Milojko Spajić of the “Europe Now” movement (PES) was elected to form Montenegro's government. Since then, a sense of momentum and positive energy can be found among the country's leaders and officials, which is often only suggested to be present in Ukraine and Moldova.

In a short period of time, Montenegro's parliament agreed on a Supreme State Prosecutor (more than two years after the former holder of the post

retired), the last member of the Constitutional Court, and members of the Judicial Council. Better cooperation by the country's special police office with prosecutors and with Europol, the EU agency that fights transnational crime, resulted in the arrests of several high-level suspects involved in cigarette smuggling and organized crime. Furthermore, given that the opposition is backing the cabinet on matters related to the EU, broad consensus now exists in favor of improving the implementation of EU requirements. Prime Minister Spajić underscores that his ministers know that any mistakes or delays on the EU track will result in a “red card,” i.e., their dismissal. Cross-party agreement is a big advantage and an important stabilizing factor.

While Montenegro's headline goal – and an appealing message to some European partners – is to become the EU's 28th member state by 2028, the government is now focusing on the next few months. Its main short-term goal is to meet the provisional (interim) benchmarks on the

rule of law and fundamental freedoms by June. It then aims to clear the way for starting to close more negotiating chapters by October when the European Commission will publish its annual enlargement package with reports on all candidates. The Montenegrin government says four to five of these chapters are ready.

In line with the [current accession methodology](#), clearing the interim benchmarks is a condition to start closing other chapters. Progress under the so-called Fundamentals Cluster, which includes Chapter 23 (judiciary and fundamental rights) and Chapter 24 (justice, freedom, and security), determines the overall pace of negotiations (overall balance clause). Current momentum on accession might run into obstacles on these points – from both Podgorica and Brussels.

The Montenegrin government is aware that, out of 83 measures defined as interim benchmarks, it still needs to meet 32. The most prominent among

them are laws to strengthen media freedom and define the role of broadcasting regulations, which are already prepared. Along with her team, the new Minister for EU Affairs, Maida Gorčević, is coordinating government efforts to deliver them by mid-May. As we heard from EU experts on the ground, this timeline is very ambitious but doable.

Meanwhile, the European Commission is in intensive talks with Podgorica as it prepares its Interim Benchmark Assessment Report (IBAR). If this report is positive, the Belgian presidency of the Council of the European Union has promised Montenegrin leaders that it will call another intergovernmental conference (IGC) in June. There, it will propose that the Council green light the country for the next stage of the accession process.

On the EU side, a positive IBAR is not considered a given. Although no one from the EU is explaining this to the public or civil society actors in Montenegro, the report might make things more complicated. On the Montenegrin side, however, the result of the IBAR in June is already taken for granted. Polling indicates that 70 to 80 percent of Montenegrins consistently have a high level of trust in the EU and support for EU integration – results that are currently unique in the Western Balkans. This trust could be damaged by the clash of expectations at a critical moment that could be (mis)used by internal and external actors hostile to the country's Western orientation.

Another obvious challenge to Montenegro's EU prospects is presented by the lack of human capacity and technical expertise in its public administration. In some cases, this is being addressed by rehiring civil servants from previous governments of the Democratic Party of Socialists (DPS). We heard that such rehiring was even underway in ministries controlled by the "Europe Now" movement (PES).

A SOLID PARLIAMENTARY MAJORITY HOLDS AMID MULTIPLE POLITICAL FRICTIONS

Until recently, the country's youthful president and prime minister – Jakov Milatović and Miloško Spajić – were both leaders of the centrist PES. Despite the new feud between them, the current parliamentary majority is holding and looks more lasting.

Last October, Prime Minister Spajić was elected to form Montenegro's government by 46 votes in its 81-member parliament. The heterogeneous ruling coalition is led by PES (20 MPs) and includes the centrist-liberal Democrats (7), a small pro-Serbian party (3), and two ethnic Albanian parties (4). Its parliamentary majority includes 13 MPs from the pro-Serbian "For the Future of Montenegro" (ZBCG) bloc. This bloc is led by veteran nationalist politician Andrija Mandić who was elected to be parliamentary speaker. The coalition agreement stipulates that, if this cohabitation works smoothly, ZBCG will join the government "within a year" and nominate four ministers.

This constellation was criticized by some of Montenegro's Western allies because Mandić and the parties of the ZBCG bloc were, until recently, staunchly pro-Russian and against Euro-Atlantic integration. Yet in the coalition agreement, ZBCG committed to the government's foreign policy, including 100-percent alignment with the EU on sanctions against Russia. For the time being, Mandić is acting as a constructive player and the most vocal supporter of EU reforms while ZBCG's other leader, Milan Knežević, is presenting more radical positions. This has already created internal frictions within the bloc. The real test will come with the inclusion of ZBCG's ministers in the cabinet. This, in turn, will also increase the indirect influence and spoiler potential of Belgrade – and perhaps also Moscow – over further developments in Podgorica.

The formation of Spajić's government was the culmination of a process of political change that began in 2020 with elections that brought the long-standing rule of the Democratic Party of Socialists (DPS) under Milo Djukanović to an end. While the two previous cabinets proved to be highly unstable and unable to pass reform measures, the reform drive and relative position of the current prime minister seems to be stronger. Spajić also benefits from the opposition's calculations. Should the current arrangement unravel, PES is ready to form a majority with the DPS and parties of ethnic minorities.

Moreover, PES's strategy of depolarization – capturing the center and diffusing identity issues toward both the pro-Serbian camp and the Montenegrin sovereignty camp – seems to be paying off, for now. Of course, this partial success also provokes staged incidents around national symbols, especially by the pro-Serbia side, that are designed to keep identity politics on the forefront. For example, a doll with the image of liberal writer Andrej Nikolaidis was burned on March 2 during local carnival celebrations in the town of Herceg Novi, a bastion of ethnic Serb radicals. This act and others like it might even be encouraged from Belgrade or Moscow.

Overall, Montenegro's political setting is still very fragile and faces three immediate challenges: the upcoming reshuffle of cabinet to include the ZBCG's ministers; tensions with President Milatović who resigned from the governing PES party on February 24; and the tenuous unity of the PES parliamentary caucus. Still, the latter remains united, and tensions between the president and prime minister are not new. Thus, the biggest risk is posed by the looming reorganization of cabinet. Due to accumulated frictions, it might take place very soon and, to balance the strengthened role of ZBCG, also involve the Bosnjak Party (BS), the national conservative party of Montenegro's Bosniak

minority, joining the government. One of the political casualties of the reshuffle might be the current minister of justice, Andrej Milović, who has already been excluded from the PES.

A lot will depend on Spajić's political clout and learning curve. It seems that his government has bought time at least until the summer to consolidate its ranks and deliver results in the EU track as well as on the economy and public finances.

CONCLUSIONS

The EU needs a success story in the Western Balkans, and the entire region is closely watching Montenegro. Under previous governments, the country squandered good will by delivering little on the reforms that Brussels mandated. As a result, EU member states are now likely to take a cautious approach. While understandable, such a response to Podgorica's renewed efforts to join the European Union might miss the main point: that, through Montenegro, the EU is again gaining ground in the Western Balkans. In addition, with Russia busy with other challenges and Serbia focusing on the persistent crisis in Northern Kosovo, the EU is currently at an advantage vis-à-vis potential spoilers.

At the same time, the EU must manage high expectations in Montenegro. Recent high-profile visits by EU officials to Podgorica have inflated expectations of speedy progress toward accession

rather than emphasizing the need for delivery on reforms. If Montenegro does not meet the interim benchmarks, it will not be able to move forward on the EU track. But any success on this track is both an important consolidating factor for the governing coalition and a win for the EU. The worst-case scenario involves a return to domestic instability. A weakened government and yet another snap election could reverse the modest gains made since the Spajić cabinet came to power.

Another risk factor is the EU itself. Even if it meets the benchmarks, Montenegro might find it hard to "sell" another IGC (or "accession conference") to some member states of the EU. Albania and North Macedonia have long been waiting for an IGC due to Bulgaria's veto linked to Skopje's commitment to changing its constitution and a major bilateral quarrel that has developed between Albania and Greece. Some member states in the Council will argue for scheduling a joint accession conference for all three countries toward the end of 2024. Such a decision might undercut the current reform momentum in Montenegro at a fragile moment. It will also call the principle of rewarding merit into question. The EU's own geopolitical interest in the Western Balkans will be put in peril with competitors like Russia benefiting as a result. The European Union should therefore act decisively by encouraging Montenegro to redouble its reform efforts and ensuring that the country's commitment to change is properly acknowledged and recompensed.

This DGAP Memo outlines the main findings of a fact-finding mission to Podgorica that was jointly conducted by experts from four European think tanks – DGAP, Jacques Delors Institute, Clingendael, and Carnegie Europe – from February 18 to 20, 2024. It was co-organized by DGAP and Ana Nenezić from the local think tank Analitiko.