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PARLIAMENTARY OVERSIGHT OF THE SECURITY SECTOR AND THE PROCESS OF EUROPEAN INTEGRATION

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Effective democratic and civilian oversight of the security sector represents an important step towards building democratic institutions and achieving standards in the process of accession to the European Union. In the field of security, Montenegro is negotiating with the European Union within the framework of Chapter 24, where it has been making “limited progress” for years.¹ In its annual progress reports, the European Commission keeps reiterating that the reforms in Chapters 23 and 24 are crucial; these chapters are also part of the most important cluster entitled “Fundamentals” and can potentially block further negotiations.

Besides the civilian and internal oversight, and the judicial oversight of the legality of work, parliamentary oversight is an important aspect of control and improvement in the security sector. This type of oversight of the work of the security sector is extremely important for strengthening the institutions’ integrity and operational independence.² Besides being responsible for ensuring legal assumptions for the functioning of the security sector by enacting laws and strategies, the Parliament of Montenegro exercises control and oversight over the elements of the security sector such as the security forces (the Armed Forces and the Police) and the intelligence and security sector (the National Security Agency), all with the aim of controlling transparency, efficiency and accountability. The importance of the control role of the Security and Defence Committee and the Parliament becomes even greater in the light of recent events in the security and defence sector, specifically the arrest of high-ranking police officers and a member of the Committee due to their alleged connection with organised criminal groups. It is important to note that, after early parliamentary elections, the Parliament was constituted at the end of July 2023, but that the Speaker has not yet been elected. The working bodies have not been formed either.

It was precisely the Parliament of Montenegro that was recognised in the Action Plan for Chapters 23 and 24 as one of the key institutions charged with implementing activities that lead to the fulfilment of priorities: from appointments in the judiciary, to the revision of the legislative framework in the field of media and the like. However, as noted in the last report of the European Commission for Montenegro,³ the Parliament was not up to the task when it came to political dialogue and constructive engagement aimed at strengthening parliamentary oversight in the accession process.

In its reports for candidate countries, the EC observes the state of democratic institutions within the Cluster 1 - Fundamentals and five sub-chapters that include civilian oversight of the security forces. However, sub-chapter civilian oversight of the security forces isn’t included in each EC report, having in mind that half of the country reports do not cover it at all. Thus, the report for Montenegro, or the reports for Albania and Kosovo, do not include civilian oversight of the security forces, while the reports for Serbia, North Macedonia and Bosnia and Herzegovina do.⁴

Bearing in mind the importance of parliamentary oversight for achieving transparency, efficiency and accountability of the security sector, as well as the role that the Parliament can play in encouraging reforms in this sector, this analysis aims to examine the use and effectiveness of current mechanisms of parliamentary oversight of the security sector and provide recommendations for their improvement, consequent acceleration of the fulfilment of obligations from Chapters 23 and 24, and the fulfilment of political criteria in the part that concerns the functioning of democratic institutions, especially the Parliament.

The **first part** of the analysis is focused on the legal regulation and practice regarding the control mechanisms of the parliamentary Security and Defence Committee, i.e. consideration of institutions' reports, draft laws and strategic documents, review of budget funds proposed for the work of security sector actors, and organisation of parliamentary hearings and field visits. The **second part** of the analysis is dedicated to the mechanisms of control and oversight of the security sector in the plenum, and includes the analysis of the use of the following mechanisms: budget approval, parliamentary questions, interpellation and the establishment of inquiry committees and commissions.

To prepare the analysis, we used publicly available information from the Parliament's website⁵ such as reports on the work of the Parliament, reports on the work of the Security and Defence Committee, plans for the parliamentary oversight by the Committee, and minutes from sessions in the plenum and the Committee sessions. We also submitted requests for free access to information of public importance in order to obtain data that was not available on the website. The analysis is focused on the previous two parliamentary convocations,⁶ during which different parties formed the parliamentary majority and the opposition. To get a broader picture of the use of control mechanisms, we also went a step further whenever it was necessary, especially regarding the mechanisms that were determined not to have been used (at all, or to a sufficient extent) during the two convocations.

Level One: Oversight of the Security Sector in the Security and Defence Committee

The fact that the Security and Defence Committee is the only parliamentary committee whose work is regulated (and has therefore been strengthened) by a special law also speaks of the importance of effective parliamentary oversight of the security sector. Namely, the Law on Parliamentary Oversight in the Security and Defence Sector⁷ prescribes the Committee's competences, the mechanisms for exercising parliamentary oversight, the way in which the Committee plans parliamentary oversight at the annual level, and the duty of individuals and institutions to inform the Committee on issues that fall within its purview.

An additional specificity of the Security and Defence Committee is that, as a rule, its sessions are closed to the public and can only be opened by the decision of the majority of the present members of the Committee. Although the resolution of the Parliamentary Assembly of the Council of Europe stipulates that the chairmanship of the committees in charge of monitoring the budget and security services ought to be assigned to an opposition deputy in order to strengthen parliamentary control,⁸ and the Rules of Procedure⁹ do envisage this possibility, the Security and Defence Committee has never had a chairman from the opposition.¹⁰ Upon taking office, members of this Committee gain access to confidential information in accordance with the Law on Information Secrecy.¹¹ This issue has recently been brought to the fore and turned into a problem due to the recent indictment of the Special State Prosecutor's Office in which, according to the media that reported the details of the indictment, it was stated that, for disclosing confidential information, one of the members of the Committee was receiving a cut from smuggled cocaine.¹²

At the time of writing the analysis,¹³ the Security and Defence Committee in the 28th convocation of the Parliament had not yet been constituted, and therefore it is not known what its composition will be or how many members it will have. During previous convocations, the number of members and the representation of MPs from the parliamentary majority and the opposition used to vary. In the previous convocation (27th), as well as the 25th, the Committee had a total of 13 members - the ruling parties had 7, while the opposition parties had 6 members. During the 26th convocation, the composition was different. The Committee had only 7 members, and due to the boycott of the opposition, they were all from the parliamentary majority.

When it comes to the control role of the Security and Defence Committee, if we take the number of control hearings conducted by this working body as a parameter, we can say that it has intensified in the past convocation. Namely, the Committee held nine control hearings in 2021, which is more than the total number of such hearings the committee held in the past decade, while in 2022 this Committee was the most active when it comes to the control role.¹⁴ However, the Institute Alternative pointed out¹⁵ that no results of control hearings in the form of MPs' conclusions and recommendations followed the reports on conducted hearings.

Bearing in mind the above, below is an overview and assessment of the effectiveness of the key parliamentary oversight mechanisms in the Security and Defence Committee.

Consideration of Budget Funds Proposed for the Work of Actors from the Security Sector

One of the key competences of the Committee in the exercise of parliamentary oversight is the consideration of information on the execution of the budget in the part of funds intended for the work of bodies and institutions from the security sector.¹⁶ Also, in accordance with the Law,¹⁷ the Committee provides opinions and gives proposals and suggestions during the preparation of the draft law on the budget, in the part that has to do with the field of security and defence. The importance of control and oversight of purposeful spending in the security and defence sector is also indicated by the fact that, apart from the competent Committee on Economy, Finance and Budget, the Security and Defence Committee is the only committee that reviews the Law on the Final Budget Statement of institutions, along with the audit report, as well as by the fact that representatives of the State Audit Institution (SAI) also participate in the reviewing.

Upon inspection of the Committee's opinions on proposed budgets and reports on the consideration of draft laws on final budget statements over the years, it becomes noticeable that the Committee has only recently (during last convocation) established the practice of not voting on, i.e. not approving reports on final statements. Namely, the necessary majority of the members of the Security and Defence Committee did not approve the information on the execution of the budgets for 2020¹⁸ and 2021,¹⁹ or the Draft Law on the Budget for 2022.

Still, it cannot be said that the above-mentioned absence of adoption occurred as a result of the strengthened controlling role of the Committee, as the above decisions of the Committee were rather the result of specific political circumstances and a change in the balance of power in the Committee itself. Namely, after the 2020 elections, the 27th convocation of the Parliament was the first that was constituted after the three-decade long rule of the Democratic Party of Socialists (DPS) and its partners. Consequently, the new parliamentary majority had 7 out of a total of 13 MPs in the Committee, while the additional specificity was that the party of the president of the Committee was not directly represented in the Government. In this regard, the majority in the Committee was in fact expressing an opinion about the information on the execution of the budget of the previous Government, which they were not a part of.

In support of the thesis that the control function of the Committee was not strengthened in any significant way, below we will provide a more detailed overview of the course of the Committee sessions, at which MPs did not adopt budget documents that were on the agenda:

Debate on the 2023 budget and the 2021 final statement:

Although the last considered Law on the final budget statement (for the year 2021) did not receive the necessary majority of votes in the Committee, considering that 30% more than planned was spent on defence,²⁰ this did not produce any consequences for spending units. Namely, although the report did include statements of Committee members regarding the need for a more detailed clarification of the spent funds in the future, it did not contain any conclusions.

At the same session, the Report on the consideration of the final report of the State Audit Institution (SAI) on the audit of the annual financial report and the regularity of the operations of the National Security Agency for the year 2021 did receive the majority required for adoption. However, during the discussion at the session,²¹ MPs found that this subject's operations were not in line with the Law on State Property and noted the necessity of providing bookkeeping records that would contain data for all immovable property owned by the National Security Agency. However, the MPs did not adopt any conclusions and recommendations that would be submitted to this subject of oversight, nor were they an integral part of the Report on the consideration of the SAI's final audit report.²²

Debate on the 2022 budget and the 2020 final statement:

The unanimous assessment of the members of the Security and Defence Committee regarding the budget proposed for 2022 - that the funds were not properly planned and do not allow acting in accordance with the established competences - had no effect on the increase of funds for the defence and security sector in the adopted budget. Namely, by comparing the proposed budgets,²³ it can be observed that the funds that were proposed for the Ministry of Defence amounted to EUR 51 million, while in the adopted version of the budget²⁴ the amount was EUR 49 million.

Still, it is important to point out the proactivity of the Security and Defence Committee in the matter of budget control, and to recall that during the consideration of the final budget statement in 2012 the Committee adopted a conclusion obliging spending units to submit a detailed analytical report on the efficiency and effectiveness of spending approved budget funds. As stated, this report should cover the execution of the budget in the previous year and be submitted in the middle of the current year. Judging by the items on the agenda, these reports were not discussed by the MPs at Committee session. By inspecting several reports on the consideration of the Draft Law on the Final Budget Statement,²⁵ it can be concluded that despite the proactivity of the Committee, the reports were not submitted to the MPs and there were no follow-up activities regarding the spending units that ignored the Committee's requests, by use of mechanisms such as hearings, etc.

In addition to consideration of budget proposals and information on their execution, the Institute Alternative has for many years advocated for a more proactive role of the Security and Defence Committee which would include requesting and considering six-month reports on budget execution in the field of security and defence. However, the practice of requesting this information from institutions in the security and defence sector controlled by the Committee has not been observed to date.

Consideration of the Institutions' Reports: No Concrete Conclusions or Recommendations for Improving the Area of Security and Defence

One of the activities of the parliamentary oversight by the Committee involves consideration of annual reports on the work of the Ministry of Defence and the Armed forces of Montenegro, the National Security Agency, the Police Administration and the Ministry of the Interior, which are submitted to the Committee by the end of the first quarter of the current year for the previous year.

The analysis of the Committee's work shows that, in 2023, the Committee considered only the Report of the National Security Council on issues from its scope of work for the period from 13 June to 13 December 2022. The Committee did not approve the report in question. **In 2022, the Committee did not consider the annual reports on the work of institutions in the security and defence sector for the previous year.**²⁶ In 2021, it considered the Report on the work of the Ministry of Defence, the Report on the state of affairs in the Armed forces of Montenegro for the year 2020, as well as the Report on the participation of members of the Armed forces of Montenegro in peacekeeping missions, deciding not to approve said reports because they were prepared by ministers from the previous Government. This argument of the MPs should not be a sufficient argument for not adopting the reports. What remained missing were concrete conclusions and recommendations to improve the area to which the reports refer. In 2021, the Committee did not consider reports on the work of the Ministry of the Interior and the National Security Agency.²⁷

In addition to regular annual reports of institutions, the Committee is also responsible for considering annual reports in accordance with other legal regulations, such as e.g. the report on results in the fight against organised crime and corruption, the report on the state of protection and rescue, and the report on the state of road traffic safety.²⁸ Although, according to the law, it has the authority to consider reports on the application of secret surveillance measures that temporarily limit the rights and freedoms guaranteed by the Constitution by authorities and institutions, and since this activity is regularly, year after year, envisaged in the parliamentary oversight plan, the Committee has not considered these reports in years. In this area, 2021 was the only year when the Director of the National Security Agency²⁹ was subjected to a control hearing, after he said that the documentation on the implementation of unlawful surveillance of public and political figures prior to his taking office had been destroyed, in connection with which the Special State Prosecutor's Office opened a case.³⁰

The Security and Defence Committee did not show interest in considering the special six-month reports of the Director of Police Administration on the fight against organised crime and corruption, although this is provided by the Law as one of its competences. The Committee's passivity in using this mechanism is reflected in the fact that out of the 9 reports that were submitted by the Police Director from 2018 to date, the Committee considered only one report on the results of the fight against organised

crime and corruption, which is considered in mid-2019. The obligation to submit six-month reports was introduced by the amendments to the Law on Internal Affairs in 2018, with the aim of strengthening the role of Parliament in the fight against organised crime and corruption.³¹ This report is particularly important as it can serve as the basis for initiating the dismissal of police director due to insufficient results in this area (see *the section on the appointment of heads of security institutions*).

The Security and Defence Committee Failed to Consider One of the Key Laws in the Area of Security

The legislative activities of the Committee in the form of consideration of laws, other regulations and general acts in the field of defence and security were less represented compared to its control activities, where there was an increased number of control hearings. Namely, in the last three years, in addition to budget laws (see *the section on consideration of budget funds proposed for the work of security sector actors*), the Committee considered only 6 others, namely: the Draft Law on Military-Intelligence and Security Affairs, the Draft Law on Amendments and Supplements to the Law on Protection and Rescue, the Draft Law on Amendments to the Law on Information Security, the Draft Law on Amendments and Supplements to the Law on Border Control, the Draft Law on Amendments and Supplements to the Law on Defence, and changes to the decisions on deploying members of the Armed forces of Montenegro to NATO forces.

The Security and Defence Committee did not take advantage of the opportunity to get involved in the consideration of the Draft Law on Internal Affairs, which was adopted in 2021, even though it is one of the most important laws in this area and it took 6 years to draft. According to the Rules of Procedure, apart from the parent committee³², other interested committees are also allowed to consider the draft text if it concerns issues that fall within their competences.³³ The Law on Parliamentary Oversight additionally stipulates that the Committee shall discuss information and initiatives that pertain to activities and documents in the field of security and defence.

The Security and Defence Committee is completely inactive when it comes to reviewing strategic documents in the field of security and defence. It has never dealt with key strategic documents in this area, such as the development strategy of the Police Administration (the last one was adopted for the period 2023-2026) or other strategic and action plans in this area. The Committee considered no strategic documents during the observed period. The Law on Parliamentary Oversight in this area specifies that the Committee considers the draft national security strategy and the draft defence strategy, but does not exclude the consideration of other strategic documents in this area that are not strictly specified.³⁴ It also did not deal with the findings of the European Commission (EC) on Chapters 23 and 24 in connection with the security sector, i.e. the annual reports and non-paper reports that the EC publishes on a semi-annual basis.

The Committee Has Not Changed its Oversight Plan for Years, Nor Has It Fully Exercised its Oversight-Related Competences Concerning the Sector

The Committee's oversight plan is copy-pasted from one year to another, and proposals³⁵ to also include therein the activities the Committee is competent to implement - such as e.g. the control of spending for procurement in the field of security and defence³⁶ - are not adopted.

Among other things, the Committee is authorised to consider special reports and information on the execution of the budgets of institutions from the security and defence sector. It can also request the preparation of reports specifically for the needs of performing its own work and carrying out oversight.³⁷ In 2021, the Security and Defence Committee received a Special Report containing the analysis of the actions of police officers of the Police Administration which were aimed at securing and restoring the disturbed public order and peace in Cetinje on 4-5 September 2021, and which was considered during the control hearing on the same topic. Based on the minutes from the meetings and the reports on the work of the Committee, it cannot be concluded whether the preparation of special reports was requested for reasons other than this particular control hearing.

Consultative and Control Hearings

In the period from January 2020 to July 2023, the Security and Defence Committee held a total of **13 control hearings**, only one of which had to do with the actions of the Ministry of Defence, while others focused on the actions of the Ministry of the Interior, i.e. the police, the prosecutor's office and the National Security Agency. The Committee was most active in 2021. In that year, it conducted 9 control hearings, which was the largest number of such hearings in a year since parliamentary control of the security sector was legally regulated. One of the reasons the work in this area was intensified is that party monopolies weakened after the formation of the parliamentary majority at the end of 2020. Namely, in December 2020, Milan Knežević from the Democratic Front - a parliamentary majority party that was not directly represented in the Government - was elected president of the Security and Defence Committee. He remained at the head of the Committee even after the unstable parliamentary majority was re-composed in February 2022,³⁸ after which his party effectively ended in the opposition.

In the observed period, decisions were made to conduct control hearings that have not yet been carried out, in connection with Europol's allegations about Police Administration officers Petar Lazović and Ljubo Milović, control hearing regarding the publication of an audio recording of possible abuses and disruption of the electoral process in the local elections in Ulcinj and control hearing concerning the published

information about the possible purchase of council mandates in the Municipal Council of Kotor. The meeting at which the hearing related to Europol's allegations was scheduled to take place was postponed due to the lack of a quorum, with no new date set. No meetings have been scheduled concerning the other two hearings.³⁹

The observed period was also characterised by the absence of representatives of the executive at the meetings, despite the fact that the Committee had invited them to participate or had scheduled their control hearings. Two such cases were noted in 2021. The Committee session at which the Prime Minister Zdravko Krivokapić, Finance Minister Milojko Spajić and Director of the National Security Agency Dejan Vukšić were supposed to undergo a control hearing on the subject of the black market of cigarettes in Montenegro was postponed because the invited representatives did not appear. Although Article 75, paragraph 6 of the Rules of Procedure of Parliament prescribes that invited authorised representatives of state bodies are obliged to respond to the invitation to a control hearing, it is obvious from the letters of the Prime Minister and the Minister that they believe that the decision on a hearing is not binding on them, and that the Committee is not competent to control the Ministry of Finance and Social Welfare.⁴⁰ Prime Minister Krivokapić also refused to appear at the session where he was supposed to undergo a control hearing regarding his statement that his arrest was being prepared. According to the law, the key mechanism in relation to the Prime Minister is the 'prime minister's hour'. Although it is not specified which representatives of the state authorities can be heard by the Committee at a control hearing, in 2022 and 2023 Prime Minister Dritan Abazović responded to invitations to control hearings regarding the security situation in the country, cigarette smuggling, and the field of international diplomacy. An overview of control hearings and representatives of institutions is available in Annex I.

Amendments to the Parliament's Rules of Procedure of 2020 established the obligation of the Committee to monitor the implementation of conclusions made based on control hearings. However, a more detailed methodology for monitoring their implementation has not been established, nor has the role of the General Secretariat and the Parliament Service in monitoring conclusions and recommendations been completely defined.⁴¹ The Committee does not have the practice of formulating clear and concrete conclusions and recommendations intended for institutions for the purpose of improving their activities in the field of security and defence. This can best be seen using the example of one of the conclusions, where the Committee concluded the following after a control hearing:

"The Committee particularly pointed out that recent events in the security sector create quite a feeling of insecurity among Montenegrin citizens, and in this regard emphasised the importance of undertaking activities to improve this, calling on all elements of the security system to react urgently."

There were a total of 6 **consultative hearings** in the period that lasted from the beginning of 2020⁴² to the first half of 2023. Five related to procedural hearings of military-

-diplomatic representatives prior to their assuming office: there were two such hearings in 2022, one in 2021, and two in 2020. In the observed period, the Committee conducted only one consultative hearing on a specific topic; it was held in 2020, at a joint meeting with the Committee for Human Rights and Freedoms on the actions of competent state authorities in investigations of cases of threats and violence against journalists. In the observed period, a decision was made to hold a consultative hearing of the Director of the Police Administration Zoran Brdjanin and the Acting Assistant Director of the Police Administration for the Special Purpose Police Sector, Miloš Rakonjac, on police activities regarding the events of October 2015, when the police used excessive force against participants at an opposition protest. However, this hearing was not held because a session with this item on the agenda was never scheduled.

Appointment of Heads of Security System Institutions

This Committee is also competent to consider the proposals of candidates for appointment to leadership positions in the field of security and defence, for whom a special law stipulates that the Parliament shall give an opinion thereon. Among other things, the Committee conducts a consultative hearing of the military-diplomatic representatives of Montenegro prior to their taking office (*see the section on consultative hearings*).

The Law on Internal Affairs envisages a role of the Parliament in the election of Police Director, as well as the termination of his mandate. During the observed period, the legal procedures for the appointment of the Director of the Police Administration were not fully complied with and the procedures during his dismissal were neglected as well. Namely, after a public competition, the Government appoints the Director of Police on the proposal of the minister, and the proposal for appointment is submitted to the Parliament for opinion.⁴³ In 2021, the Committee issued a positive opinion on the candidate Zoran Brdjanin for the position of Director of the Police Administration, but he was appointed before the Committee's opinion was even discussed in the plenary session of the Parliament.⁴⁴ The Administrative Court took a decision that in this case Brdjanin was appointed in line with the law, stating that the submission of the Parliament's opinion to the Government was absent solely due to the impossibility of holding an extraordinary session of the Parliament due to the fact that there was no request for an extraordinary session, which is why the Speaker of the Parliament could not convene a session.⁴⁵ In March 2023, Zoran Brdjanin was dismissed from the post of Police Director, without following the legal procedures for the termination of his mandate.

Amendments and Supplements to the Law on Internal Affairs of 2018 stipulate the obligation of the Director of Police to submit six-month reports to the Committee (*see the section on the consideration of special reports*), whereby the Committee can propose the initiation of the procedure for his dismissal before the expiry of the period for which

he was appointed if it does not approve said report. In March 2023, the Government made a decision to dismiss the Director of Police despite the fact that the Security and Defence Committee did not submit a proposal for the initiation of the dismissal procedure as a consequence of never even having considered these reports. The Law on Internal Affairs stipulates that the director's mandate ends if the minister initiates the dismissal procedure due to non-approval of a special report by the Commission, and in the event of the occurrence of circumstances⁴⁶ provided for by the law governing the rights and obligations of civil servants and state employees.⁴⁷ Although the Administrative Court annulled the Government's decision on the dismissal of the Director of the Police Directorate Zoran Brdjanin in July 2023 and ordered the Government to make a new lawful decision within 30 days,⁴⁸ the Government adopted the proposal to terminate his mandate.⁴⁹

In the observed period, the Government of Montenegro twice appointed the director of the National Security Agency without the opinion of the Committee, and the Administrative Court issued a decision stating that the Committee's opinion is not binding. According to the Law on the National Security Agency, the director is appointed by the Government on the proposal of the Prime Minister, and the proposal is submitted to the Parliament for opinion. Namely, the Government did submit a proposal for appointment, but since the Committee did not schedule a session on this topic, the Government appointed Dejan Vukšić as the Director of the National Security Agency in June 2021 without obtaining its opinion. The president of the Committee said that the reason for not scheduling this session was the Prime Minister's ignorant attitude towards the control role of the Committee and the Parliament, and his failure to respond to the invitation to a control hearing.⁵⁰ This appointment decision resulted in an appeal by two MPs. Based on these, the Administrative Court issued a decision in November 2021 in which it found that the appointment was lawful.⁵¹

In March 2023, the Government submitted a proposal to the Parliament to appoint Boris Milić as Director of the National Security Agency, but since the Committee did not submit an opinion even after two months, the Government appointed Milić without it. This decision was supported by the judgment of the Administrative Court in the case of Dejan Vukšić, in which it was stated that the Parliament does not have a specific deadline within which it is obliged to submit an opinion, and that the provisions of the Law on Administrative Procedure were respected in that part, i.e. that the decision can be made without an opinion if said opinion is not submitted within a period of 20 days.⁵²

In accordance with the legal framework in the security sector, in 2021 the Committee considered and gave a positive opinion on the candidacy of Lieutenant Colonel Todor Goranović for the position General Director of the Intelligence and Security Sector in the Ministry of Defence.

Visit to Authorities and Institutions in the Area of Security and Defence

In addition to regular activities, the Law on Parliamentary Oversight in the Security Sector envisages extraordinary parliamentary oversight activities, including visits of members of the Security and Defence Committee to bodies and institutions from this area for the purpose of gaining insight into documentation and interviewing competent persons, with notification given no less than 24 hours earlier. Prescribing a visit as a mechanism of parliamentary oversight enables MPs to identify irregularities or difficulties in the work of the bodies they supervise on the very spot, and to propose solutions for improving their work and conditions therein.

However, in the previous two convocations, information about these visits was not included in the parliamentary oversight plans⁵³ - from the Parliamentary Oversight Plan for the year 2016 up to now. Instead, the plans have been copy-pasted from one year to the next, containing the same general 12 activities, including the control of respect for political, ideological and interest neutrality in the work of the body, organisation and implementation of consultative and control hearings, regional cooperation and international activities. However, these activities are not specified, so it is not possible to find out from the parliamentary oversight plans how the Committee will perform its oversight and control function, which control hearings it will conduct, and whether and whom it will visit.

During the previous two convocations of the Parliament, i.e. in 8 years, the Committee organised five visits. There were none in 2017, 2020 and 2022. An overview, by year, is provided below:

Table 1: Visits of the Security and Defence Committee that were organised during the previous two parliamentary convocations (27th and 26th)

2022	There were no visits
2021	Committee members visited the Port of Bar ⁵⁴
2020	There were no visits
2019	Committee members visited the Ministry of Defence ⁵⁵
2018	Committee members visited the border crossings with BiH (Ilino brdo) and the Republic of Croatia (Debeli brijeg) ⁵⁶
2017	There were no visits
2016	Committee members visited the MOI's Directorate for Emergency Management ⁵⁷

The above presented information about the visits was obtained from the Report on the Work of the Security and Defence Committee, the Report on the Work of the Parliament, and the information that was presented in the media. However, special reports on conducted visits did not find their way into the Committee's agenda, nor were any

conclusions or recommendations adopted regarding them. This is particularly important considering that, during some of these visits, the Committee found room for improvement. For example, during a visit to the MoI's Directorate for Emergency Management in 2016, it was concluded that there was a need to professionally and technically train members of the airplane-helicopter unit and modernise its equipment,⁵⁸ but this did not result in the adoption of conclusions whose implementation could be monitored by the Committee.

All in all, information about the conducted visits is scarce: the reports of the Parliament and the information presented on the website show only which members of the Committee visited certain institutions, and what the topics of the conversation were. There are no explanations for the Committee's visits, no detailed descriptions of identified irregularities in the work, no conclusions that could be binding on the visited institutions, etc. Therefore, one cannot view the Committee's visits as a functional control mechanism.

Level Two: Oversight of the Security Sector in the Plenum of the Parliament of Montenegro

Apart from the role they have in the Committee, all 81 MPs in the plenum have a key role in monitoring the work and results of the security sector, when it comes to issues that are not marked as classified. This type of oversight involves different aspects, including budget approval, asking parliamentary questions, interpellation, and the formation of inquiry committees and commissions. By discussing issues in the plenum, MPs can monitor the efficiency, accountability and transparency in the work of the security sector so as to ensure that security sector institutions operate in accordance with the law and in the interest of citizens. Below is an overview and assessment of the efficiency of the above mentioned mechanisms of parliamentary oversight by a plenary session of the Parliament of Montenegro.

Budget Approval

Approving or deciding on the state budget is one of the Parliament's most powerful mechanisms, considering that the Parliament decides on the allocation of resources for national security and the determination of priority areas, and that it is the Parliament that gives the final word on the share of GDP that will be allocated to defence (currently 2%).

However, it can be said that security and defence were not in the focus of the MPs during the consideration of the budget for 2023, since the plenum did not discuss funds for this area.⁵⁹ Additionally, although the MPs did submit 122 amendments to the budget, these also did not concern the increase of funds to spending units in the field of security and defence, i.e. the Ministry of Defence, the Armed Forces, the Ministry of the Interior, the National Security Agency and so on. On the other hand, by comparing the proposed and the adopted budget for 2022, it can be noted that the MPs did have an influence on the funds that were allocated to the security and defence sector, since funds were reduced for some spending units, and increased for others after the Committee's statement that the funds "were not determined realistically". For example, the proposal planned for the Ministry of Defence to receive EUR 51 million, while the adopted budget allocated EUR 49 million for these purposes, the Armed forces was planned to receive EUR 39 million but was allocated 38 million, while the National Security Agency's funds for 2022 were increased from the originally planned EUR 8 million to 10 million, and the Police Administration's from EUR 72 million to 73 million.

Parliamentary Questions

In addition to oversight through the work of the Committee, the legislative framework of Montenegro envisages the 'prime minister's hour' and parliamentary questions as mechanisms that are available to the Parliament to control the work of the Government. Since the end of 2020, there has been a new institute called Special Session dedicated to parliamentary questions related to a specific topic.⁶⁰ Topics are proposed by parliamentary clubs, alternately.

The analysis of parliamentary questions that were asked in 2020, 2021 and 2022 and published on the website of the Parliament showed that, in this period, MPs asked a total of 34 questions related to the security and defence sector. Of these, the most questions (16) were asked in 2021. In 2022, they asked 13 parliamentary questions on this topic, while in 2020 they asked only five.⁶¹

Interpellation on the Work of the Government

Interpellation, as a control mechanism of the Parliament that can be initiated by at least 27 MPs, is provided for by the Constitution of Montenegro and the Parliament's Rules of Procedure for the purpose of discussing specific questions about the work of the Government. Interpellation is a powerful control mechanism since the hearing can end with a conclusion on the issues that were raised by the interpellation, and a motion of no confidence in the Government may be submitted following the hearing.

When it comes to the use of this mechanism, the MPs submitted 8 interpellations since 2012, However, of which four were considered, while the remaining four were not.⁶² However, none of the interpellations that were discussed at the parliamentary sessions had to do with security and defence. There were no interpellations in this area that were initiated but did not find their way into the agenda. Although opposition MPs could initiate an interpellation relatively easily having in mind that in previous convocations they had more than 27 MPs in the Parliament, which is how many are needed to initiate it, the fact that its adoption requires a majority of votes could have been a discouraging factor. In addition, even an adopted interpellation does not necessarily have to produce consequences in the end, that is, the Government has no obligation to act in line with the MPs' decision.

| Inquiry Committees and Commissions

In the observed period, only one initiative was launched to open a parliamentary inquiry in connection with the actions of the security services during the events that took place in Cetinje on 4 and 5 September 2021, on the occasion of the enthronement of the Metropolitan of Montenegrin Littoral, Joanikije. The decision to launch a parliamentary inquiry and form an inquiry committee to collect information and facts about the actions of members of the Ministry of the Interior, the Police Directorate and the National Security Agency was adopted after a second vote. The initiative was launched by the clubs of deputies from the opposition parties – the Democratic Party of Socialists, the Bosniak Party and the club of the Socialdemocratic-Liberal Party. After a discussion that took place at the 32nd session, the proposed decision did not receive the required majority. As early as at the next session, the Committee adopted an amendment to the Proposed Decision that was submitted by 37 MPs, since the Law on Parliamentary Inquiry and the Rules of Procedure of the Parliament both stipulate that the proposal to initiate a parliamentary inquiry can be submitted by at least 27 MPs.⁶³ During the Extraordinary Session in August 2022, the Parliament adopted the Proposed Decision regarding which 43 MPs voted in favour, 35 against, and one MP abstained.⁶⁴ The inquiry committee has not yet been formed⁶⁵ and a new convocation of the Parliament has been constituted in the meantime.

Conclusion

Although the Security and Defence Committee, as well as the Parliament directly, have an important role in the exercise of democratic civilian control and oversight of the security and defence sector, there is a need to improve their efficiency so as to ensure the application of powers in terms of meeting the standards of efficiency, transparency and accountability, as well as respecting the freedoms and rights of citizens guaranteed by the Constitution. In this regard, below we provide recommendations for improving the control and oversight function of the Parliament and the Committee in charge of the field of security and defence.

The Committee also did not deal with the findings of the European Commission (EC) on Chapters 23 and 24 in connection with the security sector, that is, the annual reports and non-paper reports the EC publishes on a semi-annual basis. The above is especially important in the context of fulfilling the obligations from Chapters 23 and 24, but also the political criteria in the part that concerns the functioning of democratic institutions, especially the Parliament. These reports are not discussed in the plenum either. The Committee for European Integration plays a key role in considering documents from the process, while MPs are involved in considering issues related to European integration also through the Parliamentary Stabilisation and Association Committee of the European Union and Montenegro. The last session of this Committee was held in December 2021.

Legislative activities of the Security and Defence Committee, in the form of consideration of laws, other regulations and general acts in the field of security and defence, remained in the shadow of the Committee's control role due to the increased number of control hearings. The Committee did not get involved in the consideration of important legal acts (for which it was not the competent committee), and has not considered any strategic documents from this area for years.

The Security and Defence Committee has been drawing up the Parliamentary Oversight Plan using the same form for years now, never departing from what is legally provided for –namely, it does not use its authority to fully exercise control over this sector by also considering other types of reports, requiring the submission of special reports for its own needs, and so on.

Due to the decision of the president of the Committee not to schedule session to consider proposals for the appointment of leaders in the security sector, those appointments were made without the Committee's opinion. Also, for years, the Committee has not reviewed the special reports of the Director of the Police Administration, which happens to be a prerequisite for potentially requesting the termination of his mandate.

Although the number of control hearings did increase, this did not result in concrete conclusions and recommendations regarding the improvement of the work of individual institutions that were the subject of control hearings depending on the topic. In addition to the fact that the conclusions and recommendations are set broadly, an additional reason why the control hearings have no effect is that there are no adequate mechanisms for monitoring the implementation of conclusions and recommendations.

Despite the existence of budget control mechanisms, it can be concluded that the effects of the Committee's control are not always satisfactory. Examples from practice show that although shortcomings were noted in the operations of the National Security Agency, the Committee did not adopt binding conclusions or recommendations that would affect the improvement of the situation. In addition, the Committee did not use its powers to request and consider six-month reports on the execution of the budget in the security and defence sector, which is something that could have contributed to better control over the spending of funds.

The mechanism of regular and extraordinary oversight in the form of visits to institutions in the area of security and defence, although provided for by the Law on Parliamentary Oversight, was not often used considering that there were only five visits in 8 years. Parliamentary oversight plans do not contain information about visits that will be made in the current year, and the organisation of visits depends on the will and initiative of the members of the Committee. This makes the visits an *ad hoc* activity. When visits are organised, the Committee neither considers nor adopts reports on them, so there are no conclusions or recommendations that would be binding on the visited institutions.

When it comes to the control of the budget of the security sector in the plenum, it can be said that security and defence were not the focus of the MPs when considering the budget for this year. Security or defence were not mentioned during the discussion, or in the amendments, although this is necessary to ensure adequate support and funds for this sector, which is essential for national security and stability. Other mechanisms for controlling this sector, such as interpellation, were not used in the plenum either. The reasons for this can be found in the fact that the legal consequences thereof have not been legally specified.

Recommendations

1. The Security and Defence Committee should regularly review the six-month reports on results in the fight against organised crime and corruption, submitted by the Director of the Police Administration;
2. The Committee should consider reports on the application of secret surveillance measures and request additional reports from institutions so as to adequately monitor the implementation of such measures by authorities and institutions that temporarily limit rights and freedoms guaranteed by the Constitution;
3. The Committee should deal with the findings of the European Commission on Chapters 23 and 24 in the part that refers to the security sector, that is, with the annual reports and non-paper reports the EC publishes on a semi-annual basis;
4. The Security and Defence Committee should provide specific recommendations for improving the work of individual institutions under its purview, especially when reports on the work of those institutions are not adopted following consideration;
5. The Security and Defence Committee should accept suggestions from other stakeholders, especially those from the civil society, about activities that should be included in the parliamentary oversight plan;
6. The Security and Defence Committee should view its responsibilities proactively and require the submission of special reports, in addition to the regular reports submitted by the institutions in accordance with the laws;
7. Improve the oversight role of the Security and Defence Committee through the consideration of the six-month report on the execution of the budget in the field of security and defence and through consideration of internal audit reports on institutions from this sector;
8. The Commission should intensify visits to institutions as a mechanism it has at its disposal, with the aim of detecting problems in the work of institutions under its purview and making recommendations for their improvement;
9. The Law on the Parliament and the Government should regulate interpellation, as well as its consequences and duties of the Government, and prescribe the obligation of ministers to attend interpellations;
10. In its reports on Montenegro, the European Commission should include parliamentary oversight as well as the sub-chapter "Civilian Oversight of the Security Forces".

Annex 1: Control Hearings of the Security and Defence Committee

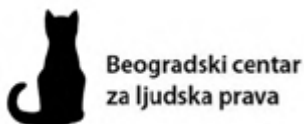
Year	Topic	Representatives of institutions
2023	Events in the security sector	<p>Prime Minister, Dritan Abazović</p> <p>Minister of the Interior, Filip Adžić</p> <p>Chief Special Prosecutor, Vladimir Novović</p> <p>Head of the Special Police Department, Predrag Šuković</p> <p>Until recently, Director of the Police Administration, Zoran Brdjanin</p> <p>Acting Director of the National Security Agency, Boris Milić</p> <p>Coordinator of the Bureau for Operational Coordination of Bodies of the Intelligence and Security Sector, Marko Kovač</p>
2022	Seizure of approximately 500 kg of cocaine	<p>Deputy Prime Minister, Dritan Abazović</p> <p>Director of the Police Administration, Zoran Brdjanin</p> <p>Director of the National Security Agency, Dejan Vukšić</p> <p>Chief Special Prosecutor, Milivoje Katnić</p> <p>Special Prosecutor, Miroslav Turković</p> <p>Head of the Special Police Department, Dragan Radonjić</p>
	Threats that were sent to institutions and schools in Montenegro on 1 April 2022	<p>Minister of the Interior, Sergej Sekulović</p> <p>Director of the Police Administration, Zoran Brdjanin</p> <p>Director of the National Security Agency, Dejan Vukšić</p> <p>Chief Special Prosecutor, Vladimir Novović</p>
	Current events in the security sector, with special emphasis on the issue of possible cigarette smuggling and the field of international diplomacy	<p>Prime Minister, Dritan Abazović</p> <p>Minister of the Interior, Filip Adžić</p> <p>Minister of Defence, Raško Konjević</p> <p>Minister of Foreign Affairs, Ranko Krivokapić</p> <p>Until recently, Acting Director of the National Security Agency, Savo Kentera</p> <p>Acting Supreme State Prosecutor, Maja Jovanović</p> <p>Chief Special Prosecutor, Vladimir Novović</p>
2021	Work of the National Security Agency in the light of respect for guaranteed constitutional and legal rights	<p>Acting Director of the National Security Agency, Dejan Vukšić</p>

2021	Media reports about Stevan Simijanović ⁶⁶	Deputy Prime Minister of Montenegro, Dritan Abazović
	Possible violation of the Data Privacy Law	Deputy Prime Minister, Dritan Abazović Acting Director of the National Security Agency, Dejan Vukšić
	Security situation in the country	Minister of the Interior, Sergej Sekulović
	Media reports about the existence of links between organised crime and representatives of the judiciary, the prosecutor's office and part of the Police Administration	Deputy Prime Minister, Dritan Abazović
	Actions of state authorities in the accident that involved the official vehicle of the General Secretariat of the Government of Montenegro	Minister of the Interior, Sergej Sekulović Acting Director of the Police Administration, Zoran Brdjanin Deputy Head of the Basic State Prosecutor's Office, Nikola Boričić
	Actions of members of the Police Administration, the Sector for Security and Defence, in Cetinje on 4 and 5 September 2021	Deputy Prime Minister, Dritan Abazović Minister of the Interior, Sergej Sekulović Minister of Defence, Olivera Injac Director of the Police Administration, Zoran Brdjanin Director of the National Security Agency, Dejan Vukšić and Acting Director General of the Directorate for Protection and Rescue in the Ministry of the Interior, Miodrag Bešović
	Current events in the security sector	Deputy Prime Minister of Montenegro, Dritan Abazović Acting Supreme State Prosecutor, Dražen Burić Chief Special Prosecutor, Milivoje Katnić Director of the National Security Agency, Dejan Vukšić Head of the Special Police Department, Dragan Radonjić
	Gathering information about possible abuses during the competition for cadets to go to military academies abroad	Minister of Defence, Olivera Injac
2020	/	/

About the Project

This publication is written within the project “Fundamentals in focus: European integration beyond action plans”. The overall objective of this project is to substantively contribute to the sustainable rule of law reforms in Serbia and Montenegro by bridging the gaps between political criteria and the rule of law reforms under Cluster I within the new EU enlargement methodology.

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Endnotes

- 1 “The European Commission Report: Political Instability and Tensions Halt Reforms”, Institute Alternative, 12 Oct 2022, <https://bit.ly/3WmJgU4>
- 2 Belgrade Centre for Security Policy (BCSP), *Parliamentary Control of the Police and the European Integration Process: The Missing Link for Returning to Fundamental Reforms*, 2022, <https://cutt.ly/hwmo2LrW>
- 3 *Ibid.*
- 4 European Policy Centre, *Identifying Inconsistencies in the 2022 European Commission’s Annual Reports for WB6*, 4 Sept 2023, <https://cutt.ly/mwmoBlup>
- 5 Website of the Parliament of Montenegro, <https://bit.ly/3PzE2CQ>
- 6 27th and 26th convocations of the Parliament
- 7 Law on Parliamentary Oversight in the Security and Defence Sector (“Official Gazette of Montenegro”, no. 080/10 of 31 Dec 2010)
- 8 “Announcement: The opposition to chair the Security and Defence Committee”, Institute Alternative, 27 Nov 2012, <https://bit.ly/48yhTxz>
- 9 Rules of Procedure of the Parliament of Montenegro (“Official Gazette of Montenegro”, no. 081/21 of 27 July 2021)
- 10 The following persons have been presidents of the Security and Defence Committee from 2003 to date: Budimir Šaranović (DPS), Luid Škrelja (DPS), Ranko Krivokapić (SDP), Mevludin Nuhodžić, Obrad Mišo Stanišić (DPS) and Milan Knežević (DNP).
- 11 Law on Information Secrecy (“Official Gazette of Montenegro”, nos. 014/8 of 29 Feb 2008, 076/09 of 18 Nov 2009, 041/10 of 23 July 2010, 040/11 of 8 Aug 2011, 038/12 of 19 July 2012, 044/12 of 9 Aug 2012, 014/13 of 15 March 2013, 018/14 of 11 Apr 2014, 048/15 of 21 Aug 2015, and 074/20 of 23 July 2020)
- 12 “SDT: Out of a tonne and a half of cocaine, Božović got 140 kilos”, Dan, 4 Oct 2023, <https://cutt.ly/BwnHzGbl>
- 13 September 2023
- 14 “Monitoring Report on the Work of the Security and Defence Committee”, Nikoleta Pavičević, Marko Sošić, 2021, <https://bit.ly/3tk6PUB>
- 15 *Ibid.*
- 16 Ministry of Defence, the Armed forces of Montenegro, the National Security Agency, the Police Directorate, Ministry of the Interior and Public Administration, as well as other bodies and institutions dealing with security and defence issues.
- 17 Article 7, paragraph 2 of the Law on Parliamentary Oversight of the Security and Defence Sector (“Official Gazette of Montenegro”, no. 080/10 of 31 Dec 2010)
- 18 Report on the consideration of the Draft Law on the Final Budget Statement for 2020, in the part that refers to the spending units in the security and defence sector, no. 33/21-7/5, <https://bit.ly/3FmhUr3>
- 19 Report on the consideration of the Draft Law on the Final Budget Statement for 2021, in the part that refers to the spending units in the security and defence sector, no. 33/22-4/6, <https://bit.ly/3LLFwJ0>
- 20 Report on the consideration of the Draft Law on the Final Budget Statement for 2021, 33/22-4/6, <https://cutt.ly/hwnnpYf6>

21 Minutes from the 37th session of the Security and Defence Committee of the Parliament of Montenegro, held on 23 Dec 2022, <https://cutt.ly/ywnpaDaY>

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23 Draft Law on Amendments and Supplements to the Law on the Budget of Montenegro for 2022, <https://cutt.ly/MwnpdyoY>

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25 Report on the consideration of the Draft Law on the Final Budget Statement of Montenegro for 2021 no. 33/22-4/6, <https://cutt.ly/9wnpdldC>

26 Parliament of Montenegro, Report on the work of the Security and Defence Committee for 2022, <https://cutt.ly/iwnsts5u>

27 Parliament of Montenegro, Report on the work of the Security and Defence Committee for 2021, <https://cutt.ly/1wnstLuE>

28 Article 4 of the Law on Parliamentary Oversight of Security and Defence Sector provides for the consideration of special reports of bodies and institutions in this field.

29 The control hearing was held on 10 March 2021, at the Second Session of the Security and Defence Committee, <https://cutt.ly/JwmMPSmU>

30 Radio Free Europe, *Montenegro's secret service under the investigation of the special prosecutor's office*, 8 Feb 2021, <https://cutt.ly/bwmMSChp>

31 Institute Alternative, *MPs do not care about the reports on crime*, 23 Sept 2022, <https://cutt.ly/1wnsrcxT>

32 Committee on Political System, Judiciary and Administration

33 Article 137 of the Rules of Procedure of the Parliament of Montenegro ("Official Gazette of Montenegro" no. 081/21 of 27 July 2021)

34 Article 7 of the Law on Parliamentary Oversight in the field of security and defense states, among other things, that the competence of the Committee is *to consider proposals for laws, other regulations and general acts in the field of security and defense*.

35 The Institute Alternative proposed that the Security and Defence Committee, among other things, include consultative hearings on procurement in the field of security and defence in the parliamentary oversight plan, with a focus on the implementation and improvement of the regulatory framework, <https://cutt.ly/fwnsuw2A>, <https://cutt.ly/VwnsuktS>

36 The Institute Alternative has been pointing out for years that it is necessary to strengthen the control role of the parliamentary committee in the field of control of the so-called confidential procurements, especially since planning and reporting on this type of procedure is not tied to the achievement of strategic goals in the security and defence sector. In addition, this is precisely the type of procurements this Committee should control, as some of them are marked as classified and are not subject to control by those who do not have access to classified information.

37 Articles 5 and 7 of the Law on Parliamentary Oversight of the Security and Defence Sector ("Official Gazette of Montenegro", no. 080/10 of 31 Dec 2010)

38 The rearrangement of the Montenegrin political scene is a consequence of the conflict in the previous parliamentary majority, which has led to the fall of the Government of Zdravko Krivokapić in February 2022. At the end of April, the minority Government of Dritan Abazović was voted in, when the representatives of the Democratic Front, from whose ranks the president of the Committee is, did not attend the session..

39 Institute Alternative, *Are Parliamentary Committees Up to the Task? – Analysis of the work of five committees*, 19 Dec 2022, <https://cutt.ly/TwnH2H66>

40 Institute Alternative, *Monitoring Report: Security and Defence Committee*, 8 Dec 2021, <https://cutt.ly/WwnspY8M>

41 Institute Alternative, *Parliamentary oversight in Montenegro: A New Era or Just New Rules?*, 30 Oct 2021, <https://cutt.ly/ywnsayud>

42 There were two convocations of the Parliament in the observed period; the 26th convocation lasted until 23 September 2020, while the 27th lasted from 23 September 2020 to 27 July 2023.

43 Law on Internal Affairs

44 The nomination proposal is still in the procedure, <https://cutt.ly/WwnsuMHq>

45 Administrative Court, *Zoran Brdjanin was appointed Director of Police Administration in accordance with the law*, 18 June 2023, <https://cutt.ly/UwnJB7XQ>

46 Law on Civil Servants and State Employees: If he is sentenced to an unsuspended prison sentence, if he is convicted of a criminal offence that makes him unworthy of performing duties in a state authority, if a disciplinary measure of termination of employment has been imposed on him by an enforceable order, as well as in other cases prescribed by a special law.

47 Institute Alternative, *Statutory procedures for the dismissal of the director of the Police Administration were not followed; the control mechanisms of the Security and Defence Committee were not there, and neither were the mechanisms for the determination of responsibility*, 30 March 2023, <https://cutt.ly/0wnsirjX>

48 Administrative Court, *Unlawful decision of the Government of Montenegro to terminate the mandate of Zoran Brdjanin, Director of Police Administration*, 18 June 2023, <https://cutt.ly/YwnJ58l4>

49 Vijesti, *Government dismisses Brdjanin yet again*, 3 Aug 2023, <https://cutt.ly/5wnsijys>

50 The Committee failed to schedule a session to consider the submitted proposal for five months, although in the meantime it did schedule other session. Due to the failure to schedule a session, the Speaker of the Parliament used the legal opportunity to put this issue on the agenda, but the session was not held due to the lack of a quorum. Vijesti, *Vukšić without legitimacy?*, 16 June 2021, <https://cutt.ly/VwnJQdYO>

51 Vijesti, *Administrative Court: Vukšić's appointment was lawful*, 10 Nov 2021, <https://cutt.ly/YwnsoplM>

52 The judgment states that, if it is necessary to issue a preliminary opinion in order to make a decision, the public law authority is obliged to issue said opinion within 20 days from the day when the consent, confirmation and approval, i.e. opinion was requested, unless otherwise prescribed by law or another regulation. In case of failure to act within the deadline, the decision can be issued without the obtained opinion. Administrative Court decision no. U 3274/21, <https://cutt.ly/ewnKoofg>

53 Parliamentary oversight plans for the years 2016, 2017, 2018, 2019, 2020, 2021, 2022 and 2023

54 "Members of the Security and Defence Committee visited the Port of Bar", Security and Defence Committee, Nov 2021, <https://cutt.ly/qwnplqMq>

55 Visit of members of the Security and Defence Committee to the Ministry of Defence of Montenegro, Security and Defence Committee, Nov 2019, <https://cutt.ly/EwnpxixN>

56 Visit of members of the Security and Defence Committee to the Border Police Sector, Security and Defence Committee, Nov 2018, <https://cutt.ly/ewnpczSN>

57 Members of the Security and Defence Committee visited the Mol's Directorate for Emergency Management, Analitika portal, 2016, <https://cutt.ly/qwnpc6wi>

58 *Ibid.*

59 Minutes from the fourth session of the Second Regular (Autumn) Session of the 27th convocation of the Parliament of Montenegro, held on 12, 13, 14, 16, 19, 20, 21, 22, 23 and 27 December 2022, <https://cutt.ly/ownpbq1g>

60 Decision on amendments and supplements to the Rules of Procedure of the Parliament of Montenegro, "Official Gazette of Montenegro", no. 129/20 of 30 Dec 2020

61 <https://www.skupstina.me/me/sjednice/poslanicka-pitanja-i-odgovori>

62 **Four interpellations have been considered** since 2012, specifically in the fields of: education, agriculture and foreign affairs (2021), as well as in the field of economy in connection with the Decision on borrowing EUR 150 million from Credit Suisse Bank (2012), while **the remaining four have not been considered**: in the area of justice, human and minority rights (2021) to examine the issues relating to the work of Zoran Pažin, Minister of Justice (2019), and to examine the Government's policy in the area of health, the political system and the judiciary (2019).

63 Article 3 of the Law on Parliamentary Inquiry ("Official Gazette of Montenegro", no. 038/12 of 19 July 2012)

64 Parliament of Montenegro, Report on the Work for 2022, <https://cutt.ly/iwnsts5u>

65 The Administrative Committee did not schedule a session to elect the head, president and members of this inquiry committee. However, in the same period, the Administrative Committee could not form another inquiry committee in connection with the wind power plant project Možura because the MPs could not agree on who was the government and who was the opposition.

66 Stevan Simijanović was charged with falsifying documents, as he was detained in 2021 on suspicion of using a forged US passport. He presented himself as a US diplomat in Vienna, at the OSCE Mission. In media statements, he claimed that he actively participated in the agreements on the formation of a new Government in Montenegro after the 2020 elections, <https://cutt.ly/lwnGZ8tx>

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Podgorica, October 2023.