

(English version)

Question for written answer E-001691/24
to the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy
Davor Ivo Stier (PPE), Michael Gahler (PPE), Tomislav Sokol (PPE), Milan Zver (PPE), Matej Tonin (PPE)
(12 September 2024)

Subject: Law on nationality in Montenegro

In today's fast-changing geopolitical environment, we are witnessing constant attempts at foreign interference in the EU and in its candidate countries' internal procedures and structures. These attempts are aimed at destabilising the EU and undermining its core values. The ongoing public discussion in Montenegro on changing the law on nationality and allowing the adoption of the decision on the right to obtain dual citizenship deserves our special and immediate attention, particularly with regard to Montenegro's path towards EU membership and the country's sovereignty.

Montenegro, with around 630 000 citizens, currently prohibits dual citizenship, and any changes in this regard could have severe and long-term consequences for the country's decision-making processes and identity. Establishing a right to dual citizenship would allow countries with a geostrategic interest in Montenegro to influence the country's election results. It is particularly concerning that the votes of the presently small number of voters in Montenegro could easily be overturned by the votes of new voters who would gain the right to vote by obtaining dual citizenship.

What steps does the Commission envisage taking to prevent these risks to Montenegro and to the EU?

Submitted: 12.9.2024

Answer given by Ms Kos on behalf of the European Commission
(20 December 2024)

The Commission follows these developments in Montenegro very closely.

In the EU, it is the competence of Member States, having due regard to international law, to lay down the conditions for the acquisition and loss of nationality, and in situations covered by EU law, the national rules concerned must have due regard to the latter ⁽¹⁾.

As a candidate country, Montenegro should refrain from any measure that could jeopardise the country's EU strategic path or the security of the EU, including when using its prerogatives to confer nationality.

The Commission expects Montenegro to urgently adopt a comprehensive electoral reform to align its legislation with European and international standards, including the recommendations of the Organisation for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights.

Any legal changes, including constitutional amendments, should be based on European standards, follow a broad consultation process and be done with the maximum cross-party political consensus.

Those changes should align with the expected EU related reforms, as notably outlined in the Montenegro 2024 Report ⁽²⁾, in view of fulfilling Montenegro's commitments to the accession negotiations.

Prior to any decision, the Commission expects Montenegro to keep the EU fully apprised of its intentions.

⁽¹⁾ Judgment of 18 January 2022, *JY v Wiener Landesregierung*, C-118/20, EU:C:2022:34, paragraph 37.

⁽²⁾ SWD(2024) 694 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=SWD:2024:694:FIN>