

(English version)

**Question for written answer E-001013/26
to the Commission
Vladimir Prebilič (Verts/ALE)
(11 March 2026)**

Subject: Concerns regarding the Law on Internal Affairs and the Law on the National Security Agency in Montenegro

The draft Law on Internal Affairs (LIA) and the draft Law on the National Security Agency (LNSA) in Montenegro raise concerns regarding their compatibility with EU fundamental rights standards.

They allow for police officers to be dismissed on the basis of so-called security obstacles, relying on classified information that the affected officer may neither access nor effectively challenge.

Furthermore, the draft LNSA maintains powers allowing the National Security Agency to access citizens' data, including location data and private databases, without prior judicial authorisation.

Given this situation, can the Commission answer the following questions:

1. In the light of the right to be heard, the rights of defence and the principle of effective judicial protection under Article 41 of the Charter of Fundamental Rights of the European Union, how does the Commission assess the compatibility of the draft LIA with EU fundamental rights standards, as well as with the General Data Protection Regulation and the Law Enforcement Directive?
2. Are provisions allowing security authorities to access citizens' data without prior judicial authorisation compatible with EU standards?
3. Given the Commission's role in monitoring compliance with the EU *acquis* in the accession process, how does it assess the compatibility of these draft laws with EU fundamental rights standards?

Submitted: 11.3.2026

**Answer given by Ms Kos on behalf of the European Commission
(4 June 2026)**

The Commission took note of the adoption of the law on Internal Affairs and the National Security Agency law in Montenegro.

The Commission had assessed the two laws and finds that their data protection provisions are not yet fully aligned with the EU *acquis*, particularly the General Data Protection Regulation ⁽¹⁾ and the Law Enforcement Directive ⁽²⁾. These laws require legal adjustments to align fully with the EU *acquis* on personal data protection.

Montenegro is working on reviewing its legal framework on data protection in line with the EU *acquis* and as a first step has prepared a new draft law on Personal Data Protection. The Commission stands ready to assist Montenegro with its comprehensive data protection reform aimed to be finalised by the closure of accession negotiations.

In the context of Montenegro's accession, the Commission will closely monitor implementation of these laws and expects Montenegro to ensure merit-based police recruitments and strong procedural safeguards, and that any dismissals are justified and provide for access to full legal recourse.

Comprehensive and inclusive reforms are essential not only for the country's accession to the EU but for reinforcing public trust in Montenegro's institutions.

⁽¹⁾ Regulation (EU) 2016/679: ELI: <http://data.europa.eu/eli/reg/2016/679/oj>.

⁽²⁾ Directive (EU) 2016/680: ELI: <http://data.europa.eu/eli/dir/2016/680/oj>.