CONFERENCE ON ACCESSION TO THE EUROPEAN UNION – MONTENEGRO –

Brussels, 17 November 2026 (OR. en)

AD 104/26

LIMITE

CONF-ME 53

PUBLIC

ACCESSION DOCUMENT

Subject: EUROPEAN UNION COMMON POSITION
- Chapter 22: Regional policy and coordination of structural instruments

EUROPEAN UNION COMMON POSITION

Chapter 22: Regional policy and coordination of structural instruments

This position of the European Union is based on its general position for the Accession Conference with Montenegro (AD 23/12 CONF-ME 2) and is subject to the negotiating principles endorsed therein, in particular:

1. any view expressed by either party on a chapter of the negotiations will in no way prejudge the position which may be taken on other chapters;

2. agreements - even partial agreements - reached during the course of the negotiations on chapters to be examined successively may not be considered as final until an overall agreement has been established;

3. as well as the requirements set out in points 24, 28, 41 and 44 of the Negotiating Framework.

The EU encourages Montenegro to continue the process of alignment with the EU *acquis,* noting that additional *acquis* may enter into force before accession, to ensure its effective implementation and enforcement, and develop already before accession, policies and instruments as close as possible to those of the EU.

The EU notes that Montenegro, in its negotiating position AD 14/16 CONF-ME 5 and its addendum AD 89/26 CONF-ME 40, accepts the *acquis* under chapter 22 as in force on 21 September 2026, and that it declares that it will be ready to implement it by the date of its accession to the European Union.

PUBLIC

Although Montenegro has not formally requested any derogations or transitional periods under this chapter, specific arrangements relating to the implementation of the Union's cohesion policy following accession may be addressed, where necessary, through temporary financial provisions under chapter 33.

Legislative framework

The EU takes note of the progress Montenegro has made in strengthening its legislative framework. This includes further developing the framework for multiannual strategic planning, budget programming and public financial management, as well as continuing alignment with the *acquis* in areas relevant to cohesion policy, notably public procurement, state aid, anti-discrimination, gender equality, the rights of persons with disabilities, environmental protection and official statistics. The EU also takes note of the establishment of a structured framework for assessing and monitoring the fulfilment of the horizontal and thematic enabling conditions and of the progress achieved in meeting these conditions. Furthermore, the EU takes note of Montenegro's preparations to become a single NUTS statistical region at levels I, II and III upon accession.

The EU also takes note of Montenegro's legislative, budgetary and administrative arrangements supporting multiannual programming, financial management and national co-financing of EU-funded programmes, including measures facilitating the participation of local authorities and civil society organisations in EU-funded projects.

The EU stresses the importance for Montenegro of completing the legislative framework for the implementation of EU cohesion policy, in particular by adopting the necessary framework and implementing legislation following the entry into force of the post-2027 EU regulatory framework. Particular attention should be given to ensuring full compliance with EU rules of programmes financed under the next multiannual financial framework (MFF), notably in the areas of public procurement, State aid, environmental protection and do no significant harm (DNSH), non-discrimination, gender equality and accessibility for persons with disabilities.

PUBLIC

The EU invites Montenegro to continue reporting on legislative alignment and the practical measures taken to ensure the effective implementation of the relevant EU *acquis* at all levels, and underlines that it will continue to closely monitor Montenegro's progress in this respect.

The EU notes that the adoption of the above-described legislative provisions **contributes to the fulfilment of the requirements of all 6 of the closing benchmarks** set in document AD 11/17 CONF-ME 3.

Institutional framework

The EU takes note of Montenegro's progress in establishing the institutional framework for the management of EU funds, building on the structures responsible for the implementation of IPA II, IPA III and Interreg. The EU also takes note of the Government's identification of the future programme authorities for cohesion policy, the governance arrangements established for the implementation of the Reform and Growth Facility (RGF), and Montenegro's plans to adopt the Law on the Implementation of EU cohesion policy and the related implementing legislation following the adoption of the post-2027 EU regulatory framework.

The EU stresses the importance of ensuring a clear separation of functions between the coordinating authority, managing authorities and the audit authority, and underlines the need to safeguard the independence of the audit authority.

The EU underlines that the institutional arrangements for the management and implementation of cohesion policy will continue to be closely monitored.

The EU notes that the above elements **fulfil the requirements of the fourth closing benchmark** set in document AD 11/17 CONF-ME 3.

PUBLIC

Administrative capacity

The EU takes note of Montenegro's progress in strengthening the administrative capacity required for the future implementation of EU cohesion policy, building on the structures and experience developed under Interreg, IPA I, IPA II, IPA III and the RGF. The EU also takes note of Montenegro's adoption of an Employment Plan for EU Funds Management, the preparation of organisational development strategies for the future programme authorities, and the establishment of a comprehensive capacity-building framework, including a Competency Framework, Training Needs Analysis, Administrative Capacity Building Roadmap and dedicated induction and advanced training programmes for staff involved in the management of EU funds.

The EU stresses the importance of fully and timely implementing the planned staffing, training and organisational development measures and of bringing the capacity of all future managing authorities, intermediate bodies, audit and coordinating structures to the required level before accession. Particular attention should be paid to strengthening capacity among potential beneficiaries including at local level.

The EU underlines the importance of ensuring the retention and effective transfer of staff and expertise from the IPA and RGF structures to the future cohesion policy system, including through adequate career development, remuneration and staff-retention arrangements. The EU invites Montenegro to report regularly on staffing levels, recruitment, training and the implementation of organisational development strategies and will continue to closely monitor progress in this area.

The EU notes that the above elements f**ulfil the requirements of the fifth closing benchmark** set in document AD 11/17 CONF-ME 3.

PUBLIC

Programming

The EU takes note of Montenegro's preparation for the future National and Regional Partnership Plan (NRPP), with the drafting of an advanced and comprehensive strategic planning document. The EU acknowledges that the document provides the initial strategic basis for future programming and was drafted in line with the partnership principle, taking into account development challenges and relevant socio-economic developments.

The EU takes note of the information provided on the preparation of two planned cohesion chapters - Smart and Sustainable Growth, and Employment, Education, Health and Social Inclusion, and on the establishment of the managing authority for future Interreg programmes. The EU underlines the importance of a timely and effective preparation and completion of the NRPP in accordance with the post-2027 EU regulatory framework.

The EU takes note of progress with regards to the implementation and absorption of EU pre-accession funds in Montenegro, including IPA programmes, the sector operational programme on employment and social inclusion, the sector operational programme on environment and climate change and the Reform Agenda (2024-2027) under the Reform and Growth Facility. The EU underlines the particular importance of ensuring timely, sound and efficient implementation of procurement and payment plans in order to ensure the full and timely absorption of funds. Similarly, the EU takes a note of the good progress in the implementation of Interreg programmes under cohesion policy. The EU invites Montenegro to continue regularly reporting to the Commission on the implementation of procurement plans and absorption of funds.

The EU underlines the importance of timeously preparing a pipeline of high quality and mature projects for the implementation of cohesion policy. In particular, the EU takes note of Montenegro’s development of the Infrastructure Investment Master Plan 2026-2030 and notes that infrastructure investments should be closely linked to strategic planning, the medium-term budgetary framework and a set of common criteria for prioritisation. The EU will carefully monitor progress with regard to preparation in this area.

PUBLIC

The EU notes the application of the partnership principle for Interreg and IPA sector programmes and the preparation of the strategic programming document and underlines the importance of an effective implementation of the partnership principle with regard to the preparation, monitoring and evaluation of cohesion policy assistance.

The EU notes that the above elements **fulfil the requirements of the first, second and third closing benchmarks** set out in the EU Common Position AD 11/17 CONF-ME 3 (see detailed benchmark assessment report in Annex).

Monitoring and evaluation

The EU takes note of the monitoring and evaluation systems established for IPA and the submitted plan for establishing the monitoring and evaluation system for cohesion policy. The plan covers the structure for the future performance framework at measure level including indicators, milestones and targets, institutional responsibilities, evaluation arrangements and reporting obligations.

The EU also takes note of the detailed plan and timetable for setting up a Management Information System that will support the implementation of the cohesion policy funds. It includes the future system architecture, interoperability arrangements, cybersecurity requirements and a phased timetable covering technical specifications, procurement, development, testing and deployment. The EU underlines the importance of establishing a functional monitoring and evaluation system, including an adequate MIS, in time for the implementation of cohesion policy. The EU will continue to closely monitor progress in this area.

The EU notes the setting-up and functioning of monitoring committees under IPA bilateral assistance, cross-border cooperation programmes, sector operational programmes and the Reform Agenda.

The EU notes that the above elements **fulfil the requirements of the sixth closing benchmark** set out in the EU Common Position AD 11/17 CONF-ME 3 (see detailed benchmark assessment report in Annex).

PUBLIC

Financial management and control

The EU takes note of the progress Montenegro has made in establishing and implementing a management and control system for Interreg and EU pre-accession assistance, building on the experience gained under IPA I, IPA II, IPA III and RGF as well as Interreg programmes. The EU also notes that further work is needed regarding the effective functioning of the management and control system.

The EU also takes note of the experience gained through the entrustment of budget implementation tasks under IPA III, the introduction of annual management declarations, the strengthening of assurance arrangements through key performance and risk indicators, and the measures taken to ensure national co-financing of EU-funded programmes. The EU underlines the importance of ensuring the national co-financing for measures to be supported with future cohesion policy funds.

Given the importance of sound financial management for the implementation of cohesion policy, the EU recalls the need for Montenegro to comply, upon accession, with the specific financial management and control requirements applicable to cohesion policy. The EU underlines the importance of ensuring the effective functioning of the management and control system, including the protection of the Union's financial interests through an independent designated audit authority and the Anti-Fraud Coordination Service (AFCOS), internal audit functions and the continuous use of the Irregularity Management System (IMS). The EU will continue to closely monitor Montenegro's preparedness in this area, notably by strengthening the administrative capacity of internal audit functions, strengthening cooperation between governing bodies and internal auditors, and ensuring that the reporting of irregularities keeps on improving, building on a positive trend. In particular, the EU expects Montenegro to continue strengthening its management verifications for Interreg. In this respect, the EU expects Montenegro to regularly report to the relevant Interreg managing authorities regarding the actions being taken to ensure the effective functioning of the system of management verifications.

PUBLIC

The EU notes that the above elements **fulfil the requirements of the first closing benchmark** set in document AD 11/17 CONF-ME 3.

The EU invites Montenegro to continue reporting on the implementation of the framework, strengthening of administrative capacity, and steps undertaken as regards further alignment of its legislation related to the EU *acquis* in this chapter (Regional policy and coordination of structural instruments).

* * *

In view of the above considerations, the EU notes that, at this stage, this chapter does not require further negotiations.

Monitoring of progress in the alignment with and implementation of the EU *acquis* will continue throughout the negotiations. The EU underlines that it will devote particular attention to monitoring all specific issues mentioned above with a view to ensuring Montenegro's administrative capacity, including for the effective functioning of the management and control system, its ability to implement and enforce the *acquis* in this chapter and the completion of the legislative alignment. Particular consideration needs to be given to the links between the present chapter and other negotiation chapters. A final assessment of the conformity of Montenegro's legislation with the EU *acquis* and of its implementation capacity can only be made at a later stage of the negotiations. In addition to all the information the EU may require for the negotiations in this chapter, and which is to be provided to the Conference, the EU invites Montenegro to provide regularly detailed written information to the Stabilisation and Association Council on progress in the implementation of the *acquis* and in the strengthening of its administrative capacity.

In view of all the above considerations, the EU will, if necessary, return to this chapter at an appropriate moment.

PUBLIC

The EU notes that Montenegro, in its negotiating position AD 14/16 CONF-ME 5 and its addendum AD 89/26 CONF-ME 40, Montenegro accepts the *acquis* under chapter 22 as in force on 21 September 2026, and that it declares that it will be ready to implement it by the date of its accession to the European Union.

Furthermore, the EU recalls that there may be new *acquis* between 21 September 2026 and the conclusion of the negotiations.

PUBLIC