



## European Presidents' Conference 2026

### Country Report of the Bar Association of Montenegro for 2025

The annual country report of the Bar Association of Montenegro gives an overview of major activities and challenges that impacted the functioning of the legal profession in Montenegro in 2025. It also provides statistics on the number of lawyers and trainees that were admitted to the Bar Association of Montenegro.

#### **Adoption of the new Lawyers' Tariff**

The Bar Association of Montenegro initiated the procedure of adopting a new Lawyers' tariff, in cooperation with the Ministry of Justice, due to the need to adjust the prescribed remuneration for the work of lawyers to the current social circumstances, given that the current tariff dates from 2017. At the session held on 6 November 2025, the Government of Montenegro gave its consent to the new Lawyers' tariff, after which, on the same day, the Management Board of the Montenegrin Bar Association adopted the new Lawyers' tariff, thereby formally enabling its application as of 1 January 2026, in accordance with the prescribed legal procedures.

#### **New Ethical Code for lawyers**

By the end of February 2026, a revision of the Ethical Code for lawyers is planned. The new Code will be presented to lawyers during the following week, allowing them to provide their proposals and suggestions. This way, it is possible for the new Ethical Code, developed in collaboration with the Council of Europe and the European Commission, to be adopted at an extraordinary Assembly of the Bar Association of Montenegro, no later than Sunday, February 22.

#### **Measures to Protect the Independence of the Legal Profession**

Regarding measures to safeguard the independence of the legal profession and the autonomy of individual lawyers, the Bar Association of Montenegro notes that a significant number of actions in the past period have directly threatened these principles. In response, the Bar Association has acted on several occasions. Three notable examples illustrate the challenges faced:

1. Colleague Branko Anđelić: Following an investigation initiated by the Supreme State Prosecutor's Office based on indirect information considered mere "gossip," the Higher Court in Podgorica imposed stricter measures. The court authorized video and audio surveillance of the law office, granting access to information related to the lawyer's professional conduct. This represents a serious breach of attorney-client confidentiality and a misuse of judicial authority.

2. Colleague Mirjana Vučinić: After her nomination by the President of Montenegro for a position as Constitutional Court judge, she was publicly discredited by the Deputy Prime Minister, who labeled her a "mafia lawyer" for representing the construction company Bemax in public procurement procedures. Bemax is a major state contractor, notably engaged in the first section of the Bar-Boljare highway.

3. Colleague Đorđije Vukmir: His office was searched due to his representation of a person suspected of involvement in war events in Ukraine and Russia. The searches were conducted without the presence of a representative of the Bar Association of Montenegro and extended to his apartment and his parents' home, highlighting the risks lawyers face in performing their constitutional role.

### Participation in public debates and working groups

The Bar Association of Montenegro has its representatives in the working group of the Ministry of Justice that work on the drafting of the Proposal of the Criminal Procedure Code. Also, the Ministry of Justice of Montenegro accepted the proposal of the Montenegrin Bar Association to include a representative of the Bar Association in the work of the Commission for the Drafting of the Civil Code, as representatives of the Bar Association had been excluded from this Commission in the previous period. The Bar participated in the work of the Working Group of the Ministry of Justice of Montenegro for the drafting of the Law on Amendments to the Law on Misdemeanours through its representative. Acting upon the letter of the President of the Supreme Court requesting the designation of a representative of the Bar Association to the working group responsible for the preparation of the Guidelines for Improving Judicial Practice in Compensation Proceedings for Victims of Human Trafficking and Other Serious Criminal Offences, the Bar appointed a representative.

The Management Board of the Bar submitted a proposal to the Ministry of Justice of Montenegro to introduce into the Criminal Code the criminal offence of "Attack on an Attorney, Public Enforcement Officer, and Notary." This proposal was not accepted by the Ministry of Justice of Montenegro, with the explanation that public enforcement officers and notaries are covered by activities of public interest, while the legal profession is encompassed through the provision of legal assistance before courts and other state authorities. Having familiarized itself with the position of the Ministry of Justice regarding the proposal of the Bar Association to amend the Criminal Code, the Management Board considers that such an interpretation does not provide adequate protection for attorneys, public enforcement officers, or notaries, who, in the performance of their professional duties, are often exposed to pressures and attacks similar

to those that motivated the proposal to amend the Criminal Code of Montenegro. In this regard, the Bar Association will continue its efforts to ensure that the proposed amendments are eventually incorporated into the criminal legislation of Montenegro, thereby ensuring, in a proper and lawful manner, the independent and professional work of attorneys and guaranteeing them safe and fully unhindered access to the courts.

The Bar Association had submitted to the Government of Montenegro Amendments to the Draft Law on Mediation in the Sale and Lease of Real Estate and the Ministry of Economic Development—Directorate for the Internal Market and Competition—rejected these proposals, with explanation that mediation in real estate transactions and the provision of legal assistance and representation of parties are two legally and substantively distinct activities; that companies and entrepreneurs are established for the purpose of generating profit, while attorneys provide legal assistance and protect the interests of clients but do not act as intermediaries, whose services involve bringing buyers and sellers together in exchange for a commission; and that the provision of legal assistance and mediation in real estate transactions are two incompatible activities. The response further states that the laws of neighboring countries prohibit legal or natural persons who do not meet the prescribed requirements and are not entered in the Register of Intermediaries from performing mediation in the sale and lease of real estate, and therefore attorneys may not perform such activities either, unless they meet the requirements prescribed by the Law on Mediation in the Sale and Lease of Real Estate.

Pursuant to the amendments to the Law on the State Prosecutor's Office, the Bar Association was invited by the Parliament of Montenegro—the Committee on the Political System, Judiciary and Administration—to select one member of the Prosecutorial Council, a distinguished legal professional from among attorneys, which procedure was completed and the Bar appointed a representative.

### **Participation in International Organizations**

During the reporting period, the Management Board decided that the Montenegrin Bar Association join the UIA (International Association of Lawyers) and the European Law Institute (ELI). Through its membership in these organizations, the Bar Association strengthens international cooperation, contributes to the promotion of the rule of law, and supports the professional development and independence of the legal profession.

### **Professional Training**

During the reporting period, the Montenegrin Bar Association continued to organize professional training for attorneys. In May, 59 attorneys completed specialized training for representing juveniles in criminal proceedings, with plans to continue such training on a regular basis. The Bar Association also organized a training session on common issues in forensic medical expert evidence in misdemeanour, criminal, and civil proceedings. In cooperation with UNHCR in Montenegro, two workshops on asylum and statelessness were organized in

Podgorica and Kotor. Attorneys were also invited to participate in online courses on legal ethics and the prohibition of ill-treatment, organized by the Judicial and Prosecutorial Training Centre in cooperation with the Council of Europe's HELP Programme. Following the amendments to the Law on Free Legal Aid, which entered into force on 1 January 2025, the need arose to organize specialized training for attorneys in the fields of protection against domestic violence and the protection of children's rights. These trainings will be organized in cooperation with the Judicial and Prosecutorial Training Centre, after which a separate list of attorneys qualified to provide free legal aid in these areas will be compiled and submitted to all courts and prosecutor's offices. In addition, the Bar Association plans to organize training on violations of Article 3 of the European Convention on Human Rights, in light of the binding instruction issued by the Supreme State Prosecutor regarding the handling of cases involving suspected torture, which is planned to be held in February 2026 with lectures to be delivered by judges of the European Court of Human Rights in Strasbourg. Also we organized a lecture on artificial intelligence in November 2025.

### **Fiscalization**

The Montenegrin Bar Association through negotiations with the Ministry of Finance, together with the Ministry of Justice and within their respective competences, with full respect for the independence and specific nature of the legal profession, it was agreed to prepare an act ensuring the protection of the autonomy of the legal profession and enabling the electronic recording of taxes upon the completion of proceedings.

In this context, and with the aim of strengthening institutional cooperation between the Ministry of Justice, the Ministry of Finance and the Montenegrin Bar Association, a Memorandum of Understanding and Cooperation was signed on 31 October 2025, confirming the joint commitment to preserving the independence and autonomy of the legal profession, improving the regulatory framework, and establishing an efficient system for tax record-keeping.

### **Statistical data on the number of lawyers and trainees in Montenegro**

On 31 December 2025 there were a total of 1065 lawyers admitted to the Bar Association of Montenegro Register of Lawyers and 126 trainees admitted to the Bar Association of Montenegro Register of Trainees. It indicates that it is still an increase in the number of lawyers in Montenegro and decrease in the number of trainees.



BAR ASSOCIATION OF MONTENEGRO  
PRESIDENT

**Danilo Mićović, attorney-at-law**

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