



Parliament of Montenegro

**Fourth quarterly report on implementation of the
Action Plan for strengthening the legislative and oversight role
of the Parliament of Montenegro**

in the period from 1 September to 1 December 2011

December, 2011

Introduction

At the meeting held on 9 December 2010, the Collegium of the President of the Parliament of Montenegro adopted the Action Plan for strengthening the legislative and oversight role of the Parliament of Montenegro for the period November 2010 to November 2011. The adoption of this document followed the Opinion of the European Commission specifying that negotiations should be opened with Montenegro regarding the accession to the European Union once the state has achieved the required level of compliance with the membership criteria, and particularly political criteria from Copenhagen where one of the seven key priorities is directly related to the Parliament of Montenegro, i.e. enhancement of the election legislative framework in line with the recommendations of the OSCE – ODIHR and Venice Commission and strengthening legislative and oversight role of the Parliament. The Action Plan is also the reflection of the need to enhance the administrative capacities of the Parliament of Montenegro required to assume the role that the Parliament is to have in the coming phases of the European Union integration process.

The Action Plan stipulates over 30 measures and activities, including explanations, responsible subjects and deadlines aimed at strengthening the legislative and oversight role of the Parliament, and also related to the adoption of laws and other acts, improvement of efficiency of the Parliament and working bodies, strengthening the administrative capacities and further enhancement of openness and transparency of work. Strengthening the capacities of the Parliament to oversee and monitor the harmonisation of the national legislation with the European Union *acquis* is one of the key priorities that the significant part of the activities and measures stipulated by the Action Plan are directly or indirectly aimed at.

The last measure from the Action Plan of the Parliament defines that the Administration of the Parliament will prepare quarterly Reports on implementation of the Action Plan for strengthening the legislative and oversight role of the Parliament of Montenegro and will submit the same to the Collegium of the President of the Parliament of Montenegro for consideration. In accordance with this, the first quarterly report was prepared, and then deliberated on and adopted by the Collegium at the meeting held on 7 March 2011 and the second quarterly report for the period from 1 March to 1 June 2011 was also prepared and subsequently deliberated on and adopted by the Collegium at the meeting held on 13 June 2011. The third quarterly report covered the period from 1 June to 1 September 2011, while this fourth quarterly report provides the review of the implementation of the measures and activities in relation to the plan, covering the period from 1 June to 1 September 2011. The report has a descriptive part, with a short description of activities implemented in the reporting period, as well as a tabular part, including indicators and status, i.e. level of completion.

Please note that on 17 December 2010 the Government of Montenegro adopted the Draft Action Plan for monitoring the implementation of the recommendations from the Opinion of the

European Commission, and after the public debate and the consultative meeting with the representatives of the European Commission - Directorate General for Enlargement held on 8 and the 9 February in Podgorica, the Government adopted the Action Plan for monitoring of implementation of recommendations from the Opinion of the European Commission on 17 February 2011. The Action Plan of the Parliament of Montenegro, i.e. tabular review of activities from the Action Plan has also been integrated into a single document.

Since the European Commission is to monitor the implementation of the Action Plan on regular basis, it has been agreed with the Delegation of the European Union in Montenegro that both the Parliament and the Government should submit monthly reviews of implemented activities that will be submitted to Brussels as an integrated document. In order to facilitate the monitoring of implementation of the Action Plan for strengthening the legislative and oversight role, the Administration of the Parliament committed to a uniform tabular reporting model that includes indicators and status, i.e. level of completion. As was the case with the two previous quarterly reports, after the consideration and adoption of the Report by the Collegium, this Report will also be submitted to the Ministry of Foreign Affairs and European Integration and the European Union Delegation in Montenegro.

During the period since the adoption of the Action Plan until 1 December 2011, out of the total 31 measures envisaged to be implemented within this time frame 22 have been fully completed, while nine have been partly completed.

Below follows the review of the level of completion of the activities stipulated by the Action Plan for strengthening the legislative and oversight role of the Parliament of Montenegro:

Activity 1: Passing of the Law on Election of Councillors and Members of Parliament, in accordance with the recommendations of the OSCE – ODIHR and the Venice Commission (completed)

After numerous meetings of the multi-party Working Group for drafting the Proposal Law on Amendments to the Law on Election of Councillors and Members of Parliament, and then the meetings of the Collegium of the President of the Parliament, at the meeting held on 22 August 2011 majority consensus was reached with regard to the text of the Proposal Law and it was concluded that the Proposal Law should be submitted by the presidents of five MP Groups, on behalf of MPs from their MP Groups.

Proposal law was submitted by the presidents or authorised representatives of the MP Groups of: DPS, SNP, SDP, NOVA and PzP. Having been considered by the line Committee on Political System, Justice and Administration, which unanimously supported the Proposal Law and proposed the Parliament to accept it, the Law was passed on 8 September 2011.

Activity 2: Defining the roles and responsibilities of the Parliament in the following stages of the EU integration process (partly completed)

Based on the data collected through ECPRD network (European Centre for Parliamentary Research and Documentation), the Section for Research, Analysis, Documentation and Library completed the research on the role of national parliaments in the accession negotiations with the EU, which is to contribute to and assist the decision makers in the process of defining the role and responsibilities of the Parliament of Montenegro in the coming phases of the EU integration. The research was submitted to the members of the Collegium of the President of the Parliament of Montenegro in December 2010. After defining the positions of the MP Groups with regard to this issue, the role and responsibilities of the Parliament in the coming stages of the EU integration process have been considered by the Collegium. The Collegium generally supported the model of work of the working bodies in the process of European integration in line with the model referred to in the measure 6 of the Action Plan. The Collegium will continue to consider this issue until the final model has been defined.

Activity 3: Drafting and adoption of the Law on Parliamentary Oversight in the Field of Security and Defence (completed)

The Law on Parliamentary Oversight in the Field of Security and Defence, which was prepared by the Multi-Party Working Group established by the Committee, was unanimously adopted on 22 December 2010. This Law, which has been adopted to facilitate the Parliamentary oversight in the specific field of security and defence in addition to the oversight mechanisms stipulated by the Rules of Procedure, provides the precise definition of the obligations of all actors and ensures the protection of rights and freedoms of citizens against any potential misuse.

In line with Article 12 paragraphs 1 and 2 of the Law on Parliamentary Oversight in the Field of Security and Defence, which stipulates that Parliamentary oversight should be conducted regularly according to the annual plan adopted by the Committee and at extraordinary occasions if required, the Security and Defence Committee established the Plan for conduct of the oversight role for 2011 at the 31st meeting held on 13 April 2011. In addition, the Committee, and all the other working bodies of the Parliament, adopted their performance reports for 2010 and their work plans for 2011.

Activity 4: Introduction of the practice for the Secretary of each Committee to prepare a professional opinion in the form of an informative review (briefing) for each proposed law (completed)

With the view of providing qualitative professional support to the Members of the Parliament in performing their legislative and oversight functions, the practice has been introduced for the Secretary of each Committee to prepare an informative review (*briefing*) for each item of the

Agenda of the Committee's meeting. With regard to this, guidelines for preparing and the contents of an informative review have been adopted, which define the procedure of preparation and submission of informative reviews by secretaries of Parliamentary Committees. Also, in February, training was organised for secretaries with regard to preparation of informative reviews (in cooperation with the Westminster Foundation for Democracy (WFD) and the UK House of Commons). Since the introduction of this practice in February 2011 until the end of November there was the total of 222 informative reviews completed by the Secretaries of the Committees.

In cooperation with the EU Delegation in Podgorica, the Parliament applied for 10-month expert assistance divided into several missions in the area of harmonisation of legislation and legislative impact assessment. The goal of the support is to strengthen the capabilities of the Parliament to oversee the proposed laws and their compliance with the EU acquis, as well as to gain capacities, through overseeing the regulatory impact assessments prepared by the Government and producing assessments for comprehensive amendments and specific regulations, to assume the role defined by the Inter-Institutional Common Approach to Impact Assessment of the European Commission, the European Parliament and the European Council. After three procedures of expert applying were carried out (of which the first one failed, given that none of the applying candidates met the criteria set by the Terms of Reference, and the second invitation to companies had to be repeated due to administrative reasons, in line with the EU procurement procedures), a team of experts was selected in August, so the implementation of the project commenced in September. Three experts from the area of legislative harmonisation, oversight of application of laws and analysis of impact of laws stayed in the Parliament of Montenegro in September within their first visit, which was aimed at achieving an agreement with regard to specific activities and the schedule of work under this project. Having finalised the inception report, the EUD experts stayed in Montenegro at two occasions when introductory activities under all three programme components were carried out. The visits of the experts will continue in the coming period as well, and the focus will be on the practical work with the staff from the areas defined by the project.

In the reporting period, special attention has been paid to the harmonisation of the legislation with the EU acquis through the consideration of all proposed laws that are to be harmonised with the EU acquis by the Committee on International Relations and European Integration and detailed check-up of compliance tables submitted by the Government that is carried out by Committees, which has been subject to record keeping since January of the current year. Having viewed the submitted documentation that accompanied the proposed laws until the end of November (inclusive) (the total of 120 proposed laws), there were 33 substance amendments and 31 technical amendments to the documentation confirming the compliance to the European legislation and other international treaties made at the initiative of the Committee Service.

Activity 5: Preparation of the calendar of activities of the Parliament and Working Bodies (completed)

In February 2011 the Calendar of the Parliament of Montenegro was adopted for the first time for the period through the end of the spring session, i.e. the end of July for the purpose of enhancing the planning of work of the Parliament. Also, in September the Collegium of the President of the Parliament accepted the Calendar of Activities for the period 1 September – 31 December 2011, which is posted on the website of the Parliament. The Parliamentary Calendar specifies the days in a month intended for sittings of the Plenary, meetings of working bodies, as well as Parliamentary days intended for the work of the Members of the Parliament in MP Groups and with citizens.

In line with the Action Plan, all the Committees adopted their work plans for 2011, which include the plans of oversight activities as well as annual performance reports for 2010. Some Committees have also prepared and deliberated on the briefings on semi-annual implementation of the work plans of the Committees for 2011.

Since the beginning of the year there have been 20 consultative hearings and six control hearings held:

- The Committee for Political System, Justice and Administration held one consultative hearing with the topic “Reform of Judicial System in Montenegro, in the context of Recommendations from the Opinion of the European Commission“;
- The Security and Defence Committee held two consultative hearings with the topics: “Flood Prevention in Montenegro in 2011” and “Maritime Security and Safety in Montenegro”, as well as the control hearing of the Director of the National Security Agency with the topic of organisation and actions of the members of Wahhabi movement in Montenegro.
- The Committee on International Relations and European Integration held 14 consultative hearings with regard to the Performance Report of the Ministry of Foreign Affairs for 2010; 21st, 22nd, 23rd and 24th quarterly reports on the overall activities in the process of the stabilisation and association to the EU; the first, second, fourth, fifth, sixth and seventh monthly reports on the implementation of obligations from the Action Plan for monitoring the implementation of the recommendations from the Opinion of the European Commission; the first, second and third reports on implementation of obligations from the Stabilisation and Association Agreement, as well as with regard to issuing an opinion on the candidate for ambassador of Montenegro to the Council of Europe, the candidate for ambassador of Montenegro to the Republic of Poland and the candidate for extraordinary and plenipotentiary ambassador of Montenegro to the Republic of Azerbaijan, on non-resident basis with the seat in Ankara;
- The Committee on Economy, Finance and Budget held two consultative hearings with the topics: “The current situation in the area of telecommunications with the view on implementation of the Law on Electronic Communications” and “Draft Law on

Investment Funds with a view on effects of application of the current law” as well as one control hearing of the Deputy Prime Minister, Minister of Finance and Minister of Economy, concerning the implementation of the previous state aid policy and obtaining additional data and information, which served the Members of the Parliament to establish their positions with regard to the Annual Report on awarded state aid in Montenegro in 2010;

- Committee on Human Rights and Freedoms held two control hearings as follows: control hearing of the Director of the Institution for Enforcement of Criminal Sanctions with the topic “Activities of the Institution for Enforcement of Criminal Sanctions concerning the findings from the Analytical Report and the Opinion of the European Commission and recommendations of the Protector of Human Rights and Freedoms of Montenegro included in the Final Opinion dated 29 March 2010, as well as the control hearing of the Minister of Human and Minority Rights with the topic: “ Implementation of the Law on Prohibition of Discrimination and Activities on Raising Awareness of the significance of preventing, reporting and sanctioning of all forms of discrimination”.
- The Administrative Committee held a consultative hearing of the candidate for the president of the Council of the Insurance Supervision Agency;
- The Commission for Monitoring and Control of the Privatisation Procedure deliberated on the privatisation procedures of the Aluminium Plant (Kombinat Aluminijuma), Margomarket Company and Arsenal Tivat, and held two control hearings under these deliberations.

In addition to the hearings, the Committees also organise thematic sessions, roundtables, public fora as well as other similar activities, of which there have been 25 held. Some examples of such activities are as follows:

- In line with the Resolution on Fight against Corruption and Organised Crime, the Committee on Political System, Justice and Administration unanimously accepted the Report on implementation of the Resolution on Fight against Corruption and Organised Crime at the meeting held on 20 July;
- The Committee on Security and Defence held a session on 9 May to consider the Brief on actions undertaken by the Supreme State Prosecution of Montenegro in the case “Balkan Warrior”. In addition to the members of the Committee, the session was also attended by the Supreme State Prosecutor Ranka Čarapić.
- At the meeting held on 2 November 2011, the Committee on International Relations and European Integration deliberated on the completed activities of the Parliamentary working bodies for the period since January until September 2011 in relation to the findings and recommendations from the Analytical Report of the European Commission.
- Also, on 14 November the Committee held public fora in Bijelo Polje and Kolašin with the topic “Role of the Parliament of Montenegro in the European integration process”.

- The Committee on Human Rights and Freedoms in cooperation with the OSCE Mission organised on 28 February in Cetinje a public forum with the topic: "Rights of a child – implementation of the Law on Preschool Education and the Law on Protection against Domestic Violence".
- Public forum in the Institute of Special Education and Rehabilitation of Persons with Hearing and Speech Impairments in Kotor with the topic "Rights of a Child – implementation of the Law on Education of Children with Special Educational Needs" was held on 30 September this year by the Committee.
- Also, on 28 October a public forum with the topic "Implementation of the Law on Prohibition of Discrimination" was held in Berane.
- On 11 March 2011, the Committee on Human Rights and Freedoms considered the Brief of the Ministry of Human and Minority Rights concerning the position of LGBT population in Montenegro at the session which was attended, upon invitation, by the Minister of Human and Minority Rights, Protector of Human Rights and Freedoms and representative of the NGO Juventas - Youth Cultural Centre.
- Also, the members of the Committee on Human Rights and Freedoms met the representatives of the Association of parents of children and youth with development disorders "Naša Inicijativa" on 21 April.
- Concerning the resolution of the issue of internally resettled persons staying at the Camp Konik I and II, the representatives of the Committee on Human Rights and Freedoms held a meeting with the representatives of relevant institutions on 3 June.
- On 27 July, the Committee on Human Rights and Freedoms considered the Brief on the Activities of the Ministry of Labour and Social Welfare in relation to the findings from the Analytical Report of the European Commission regarding the situation in the PI Institute "Komanski Most" and recommendations of the Protector of Human Rights and Freedoms of Montenegro regarding the permanent resolution of the issue of resettled and internally resettled persons staying at the Camp Konik I and II and the Brief on representation of minority nations and other minority national communities in public services, state administration bodies and local self-government bodies;
- At the meeting held on 5 September, the Committee considered the Draft Report of the European Commission against Racism and Intolerance (ECRI) on Montenegro, which was adopted at the Plenary sitting of the ECRI and submitted to state authorities of Montenegro to provide their comments. The Committee forwarded the comments on the Draft Report to the National ECRI Liaison Coordinator, in order for the same to be submitted to the European Commission against Racism and Intolerance (ECRI).
- The members of the Committee on Human Rights, upon the invitation of the Protector of Human Rights and Freedoms of Montenegro, visited the PI "Institute for Education and Professional Rehabilitation of Disabled Children and Youth" in Podgorica on 10 October.
- The Gender Equality Committee in cooperation with the OSCE Mission in Montenegro and UNDP Office in Montenegro organised the presentation of the publication "Research

on the knowledge and application of the Law on Gender Equality in the institutions of Montenegro” on 27 May.

- Also, on 27 June, under the organisation of the Gender Equality Committee, Ministry of Human and Minority Rights and OSCE Mission in Montenegro, a roundtable with the topic “Participation of women in political and public life – challenges and opportunities” was held;
- The Committee on Health, Labour and Social Welfare held a session on 25 March at the occasion of marking the World Tuberculosis Day, while on 15 April in cooperation with the German Foundation Konrad Adenauer, it held a roundtable with the topic “Parliament and social policy – current challenges of social policy in Montenegro and Germany”.
- Also, the Committee held a session on 30 May in cooperation with the National Committee for Control of Smoking of the Ministry of Health and the Institute for Public Health of Montenegro in the premises of the Institute in Podgorica to mark the World No Tobacco Day;
- On 28 June, the Committee on Health, Labour and Social Welfare held a thematic sitting at the occasion of marking the international day against drug abuse, in the *PI Centre for accommodation, rehabilitation and re-socialisation of psychoactive substance addicts – Kakaritska Gora*, in Podgorica;
- On 9 February, the Committee on Tourism, Agriculture, Ecology and Spatial Planning held a thematic sitting concerning the petition of MANS with regard to the Brief on destroying extra ammunition on the temporary polygon “Prage” near Nikšić, while on 6 April it held a thematic meeting to present the Draft Law on Communal Activities.
- At the meeting held on 21 June, the Committee considered the brief on the natural catastrophe that affected the areas of city municipalities Golubovci and Tuzi on 9 June.
- Also, on 11 May, the Committee organised a roundtable with the topic “Condition of Agriculture, production activities and purchase of agricultural products” in cooperation with the Ministry of Agriculture and Rural Development, which was held in two parts, where the first part was held in Zeta, in the building of the city municipality Golubovci, and the second part in Malesija, in the building of the city municipality Tuzi;
- The Administrative Committee held a public debate on 31 May on the topic “How to determine the representatives from NGO sector in the procedure of election and appointment”, where seven non-governmental organisations took part, too.

In 2011, the Parliamentary working bodies also considered numerous reports that individual authorities submit to the Parliament, in line with the law.

The number of Parliamentary questions has also been increasing this year. In 2011 there were four sittings dedicated to the Premier’s Hour and Parliamentary questions. There were 28 Parliamentary questions in total for the Prime Minister, 283 questions for the Government members and 27 additional questions. For comparison purposes, in the same period in 2010 there

were 12 questions for the Prime Minister, 129 for the Government members and 28 additional questions.

Activity 6: Monitoring and control of the implementation of the recommendations of the European Commission from the Opinion on application for EU membership and Analytical Report (completed)

A part of planned activities of the Committees is also related to monitoring of the implementation of the EC recommendations, while it is the Committee on International Relations and European Integration that is responsible for coordination of all these activities. This Committee prepared in December 2010 a Report on findings and recommendations of the European Commission from the Opinion on the Application for EU Membership and the Analytical Report. The Chairpersons and Deputy Chairpersons of all Committees held a meeting to consider this document, which will represent the base for future oversight of the implementation of the Government Action Plan for monitoring of implementation of the recommendations from the Opinion of the European Commission.

At the end of March the Committee on International Relations and European Integration considered the first monthly report of the Government of Montenegro on the implementation of the obligations from the Action Plan for monitoring of the implementation of the recommendations from the opinion of the EC at a joint meeting with the National Council for European Integration. The second session was held in May when it was agreed that monthly reports of the Government will be considered on regular basis in future.

By the end of the reporting period there were seven joint meetings of the NCEI and the Committee on International Relations and European Integration held, where monthly reports on implementation of the obligations from the Action Plan for monitoring the implementation of the recommendations from the Opinion of the European Commission were considered.

At the 71st meeting held on 2 November, the Committee on International Relations and European Integration considered the undertaken activities of the Parliamentary working bodies aimed at monitoring and control of the implementation of the recommendations of the European Commission from the Opinion on membership application and Analytical report, and adopted relevant conclusions. Analysing the reporting period January – September 2011, the Committee concluded that it was visible that the working bodies invested significant efforts in respect of carrying out of the activities in relation to the findings and recommendations from the Opinion of the European Commission. In the conclusions it is pointed out that the working bodies have increased the level of the control role over the work of the Government, which is also evidenced by numerous hearings and actively monitored level of completion of the overall activities and obligations from the Stabilisation and Association Agreement. The contribution of the working bodies to the quality of the proposal regulations through initiation of a broad debate in the form

of various fora with active participation of the civil sector is also stated. It is also specified that there has been significant progress in improvement of Parliamentary administration. At the same time, it is noted that additional efforts should be made in the coming period in order to efficiently deal with complex challenges from the European agenda. In these terms, it is stated that the future activities of the working bodies need to focus on full implementation of the defined findings and recommendations from the new EC Progress Report. Also, the need to strengthen the internal communication and coordination of activities among the working bodies is pointed out.

Activity 7: Adoption of the Decision on Amendments to the Rules of Procedure of the Parliament of Montenegro (partly completed)

The Decision on Amendments to the Rules of Procedure of the Parliament of Montenegro was adopted on 22 December 2010 (EPA 461-XXIV). The Decision amended Article 32, among others, which facilitated for MP Groups to be able to engage more expert consultants at expense of the Parliament. The amended Article 32 stipulates that an MP Group with up to five MPs may engage one expert consultant, an MP Group with up to 15 MPs may engage 2 expert consultants and an MP Group with over 15 MPs may engage one more expert consultant for each initiated group of 10 MPs.

Proposal Decision on amendments to the Rules of Procedure of the Parliament of Montenegro was adopted at the eleventh sitting of the first regular session of the Parliament of Montenegro. The amendments are primarily related to the salaries of the employees of the Parliamentary Administration with the aim of strengthening the autonomy of the Parliament, i.e. strengthening of administrative capacities.

With regard to the amendments to the Rules of Procedure related to representation of the initiatives of the opposition on plenary sittings, the Collegium of the President of the Parliament, adopted a Conclusion at the 125th meeting held on 9 May to establish a Working Group for drafting the amendments to the Rules of Procedure of the Parliament, which is composed of the representatives of all MP Groups. The Working Group will, inter alia, deal with formulating of the model for passing of proposals of the opposition MP Groups that fail to gain the required majority in regular consideration by working bodies. The Working Group submitted the working draft that the Collegium deliberated on at the meeting held on 29 July and concluded that the Working Group failed, in spite of significant exceeding of the deadline specified by the Conclusion on Establishment, to fulfil the obligation and submit to the Collegium the agreed text of the proposal decision on amendments to the Rules of Procedure, which means that the measure and deadline envisaged by the Action Plan of the Parliament of Montenegro for strengthening legislative and oversight role haven't been complied with. At the same meeting the Collegium tasked the Working Group to continue its work in the first week of September as to prepare the proposal decision on the amendments to the Rules of Procedure, with the maximum

support possible of the representatives of political groups, in line with the Conclusion of the Collegium adopted at the 125th meeting.

In order to support this task, the Section for Research, Analysis, Library and Documentation prepared a research contribution “Comparative review of specific issues defined by Rules of Procedures of Parliaments of several countries from the region and EU”, which was submitted to the members of the Working Group, as well as the members of the Collegium.

The Working Group established to prepare the Proposal Decision on Amendments to the Rules of Procedure of the Parliament of Montenegro has completed its work. The final result of their work is the working draft of the Proposal Decision on Amendments to the Rules of Procedure of the Parliament of Montenegro submitted to the Collegium. The Collegium is competent, if assesses as required, to make corrections to the subject working draft of the decision. After that, the proposed decision will be formally placed into consideration procedure in the Parliament.

Activity 8: Analysis of the need for demarcation of responsibilities of individual committees and establishment of sub-committees (partly completed)

At the 125th meeting held on 9 May the Collegium of the President of the Parliament adopted a Conclusion to establish a Working Group for drafting Amendments to the Rules of Procedure of the Parliament, which is composed of the representatives of all MP Groups. The Working Group will, inter alia, deal with the need for division of individual working bodies due to the large scope of competencies and the elaboration of the rules for establishing sub-committees (composition, decision-making and relationship with the line committee). The Working Group submitted the working draft that the Collegium deliberated on at the meeting held on 29 July and concluded that the Working Group failed, in spite of significant exceeding of the deadline specified by the Conclusion on Establishment, to fulfil the obligation and submit to the Collegium the agreed text of the proposal decision on amendments to the Rules of Procedure, which means that the measure and deadline envisaged by the Action Plan of the Parliament of Montenegro for strengthening legislative and oversight role haven't been complied with. At the same meeting the Collegium tasked the Working Group to continue its work in the first week of September as to prepare the proposal decision on the amendments to the Rules of Procedure, with the maximum support possible of the representatives of political groups, in line with the Conclusion of the Collegium adopted at the 125th meeting.

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work is the working draft of the Proposal Decision on Amendments to the Rules of Procedure of the Parliament of Montenegro submitted to the Collegium of the President of the Parliament. The Collegium is competent, if assesses as required, to make corrections to the subject working draft of the decision. After that, the proposed decision will be formally placed into consideration procedure in the Parliament.

Activity 9: Adoption of annual Plan for harmonisation of legislation and monitoring its implementation (partly completed)

The adoption of the annual Plan for harmonisation of legislation is based on the analysis of the National Programme for Integration (NPI), following its adoption by the Government, as well as the monitoring of the implementation of the annual Work Programme of the Government. This activity is planned for the 1st quarter 2011, and the Work Programme of the Government that was adopted in the meanwhile envisages the adoption of the National Programme for Integration for the 2nd quarter. Therefore the adoption of the Plan of the Parliament is in delay too.

However, based on the Work Programme of the Government and Action Plan for monitoring the implementation of recommendations from the Opinion of the European Commission adopted on 17 February, the Administration of the Parliament prepared a brief on the proposal laws that the Government is planning to establish in 2011, by quarters, which is another measure for improving the planning of legislative activities of the Parliament.

Activity 10: Preparing and reviewing annual reports on the performance of working bodies (completed)

Performance reports for 2010 were adopted by 11 working bodies. In March, the Commission for Monitoring and Control of the Privatisation Procedure held a discussion on the activities undertaken in the previous period and accordingly adopted the conclusions on the future work.

Activity 11: Adoption of the Rules on document management procedures in the Administration of the Parliament (completed)

Internal Rules on office operations in the Parliament were adopted and have been applied since the beginning of 2011. The new rules provide for efficient document management, reduction in the number of bookkeeping journals, precise definition of the procedure of recording of e-mail, recording and archiving of documents according to their subjects rather than the sessions during which they were in the procedure, as was the case previously. Therefore, the new rules make a solid base for future introduction of the information system for monitoring of legislation.

Activity 12: Adoption of the Classification Plan (completed)

The Classification Plan was adopted at the beginning of 2011 when it commenced to be applied. The Classification Plan provides for classification of legislation according to negotiation chapters and more efficient tracking of amendments to laws and their compatibility with the European Union acquis. According to the Plan, the classification codes are allocated to all acts received in the Registry Office. All proposed laws submitted by the Government (total 147 until 1 December) are classified according to their subjects by negotiation chapters they belong to. This procedure will facilitate efficient preparation of Members of the Parliament during the negotiation process with the EU, for the reason that all proposed laws that by their subjects belong to one negotiation chapter will be kept at one place rather than according to sessions at which they are adopted as was the case previously.

Activity 13: Introduction of abbreviations for parliamentary documents (partly completed)

Draft Decision on abbreviations for parliamentary documents has been produced. The Working Group that is established to determine the abbreviations for laws published in the Official Gazette of Montenegro, since its first edition after the adoption of the new Constitution in October 2007, completed the work and produced the abbreviations within the envisaged timeframe, and determination of abbreviations takes place on regular basis.

The final defining of this issue within the consideration of the amendments to the Rules of Procedure of the Parliament is in progress (see measure 7).

Activity 14: Introduction of the Record of Parliamentary Acts (RPA) (completed)

The RPA register has been established and RPA Records have been applied in the Administration of the Parliament since the beginning of 2011. In accordance with this, each act accepted by the Register Office of the Parliament is allocated an RPA reference code which consists of the combination of Arabic and Roman numerals. The Arabic numeral represents the ordinal number of the parliamentary act accepted by the Register Office in a single Parliamentary term, while the Roman numeral represents the number of the term.

Activity 15: Introduction of Eurovoc descriptors (completed)

In 2010, a multi-disciplinary Expert Group was formed to deal with the translation of Eurovoc descriptors to Montenegrin. The Expert Group completed its work within the envisaged timeframe and the translated descriptors were submitted to the competent Office of the European Union responsible for publications to verify the consistency. In meantime, the Government passed the Decree on legal-information system which stipulates that this system should contain Eurovoc descriptors, and the competent state administration authority is obliged to provide selected descriptors along with the proposed or adopted act under its responsibility to the Official

Gazette. In this fashion it will be ensured that the overall legislation is indexed by the same descriptors used by EU institutions and EU countries.

Activity 16: Adoption of the Rules of Procedure of the Section for Analysis, Documentation, Research and Library, with supporting documents (completed)

The Rules of Procedure of the Section for Analysis, Documentation, Research and Library were adopted and they commenced to be applied. Also, the Rules were adopted for submission of applications and development of parliamentary research papers, along with the Application Form. Nine research papers have been produced so far.

The Parliamentary Administration responds to all requests received from other members of ECPRD network on regular basis, and so far it has prepared and submitted 26 responses in the form of short information to ECPRD requests.

Also, the Section prepares Weekly news from the EU institutions and delivers the same to MPs and employees every Friday.

Activity 17: Preparation of the Conceptual Design for the information system that would enable IT tracking of the entire legislative process (partly completed)

Individual processes were screened and analysed in the Parliamentary Administration, and thereafter on 1 July a Working Group was formed to develop Initial Terms of Reference for “Development of the Legislative Process Support System”.

The Working Group finalised a document aimed to contribute to automating and digitalising of the legislative procedure. At the beginning of the document, the Working Group provided a very detailed description of the current situation of the infrastructure that should be relied on by the future information system – computer network, network services and accompanying hardware. That was followed by a detailed explanation of the current legislative process in the Parliament of Montenegro and guidelines for implementation of the future solution with relevant graphic documentation.

Activity 18: Adoption of the Human Resources Strategy in the Parliament of Montenegro for the period from January 2011 to December 2013, including a Training Plan (completed)

The Human Resources Strategy has been adopted, and the document stipulates the vision and mission, principles and values and strategic objectives of the development of human resources, including indicators and activities. In addition to the Strategy, the Strategic Plan with the schedule of activities has also been adopted. The Training Plan has also been prepared, which identifies the training needs that are supported by the development of monthly operational

training plans. These documents enable strategic planning of human resources development in the Parliament of Montenegro.

Activity 19: Providing intensive training for the staff of parliamentary committees and MP groups (completed)

This activity is implemented on continuous basis, as stipulated by the Action Plan.

According to the Training Plan it was envisaged that 13 trainings for the staff of the Parliament should be organised by the end of the reporting period, outside the regular programme of the Human Resources Administration, out of which 12 have been carried out. In total, the staff took part in 80 trainings, of which 12 from the Training Plan, 42 organised by the Human Resources Administration and 26 other. The total number of the training participants since the beginning of the year is 273.

In cooperation with the EU Delegation in Podgorica, the Parliament applied for 10-month expert assistance, divided into several missions, in the area of harmonisation of legislation and legislative impact assessment. Having completed the expert applying and evaluation procedure, a team of experts was selected, thus the implementation of the project commenced in September. Three experts from the area of legislative harmonisation, oversight of application of laws and analysis of impact of laws stayed in the Parliament of Montenegro in September within their first visit, which was aimed at achieving an agreement on specific activities and schedule of work under this project. Having finalised the inception report, the EUD experts stayed in Montenegro at two occasions when introductory activities under all three programme components were carried out. The visits of the experts will continue in the coming period as well, and the focus will be on the practical work with the staff from the areas defined by the project.

Activity 20: Filling vacancies in the Parliament Administration, in accordance with the Rulebook on Internal Organisation and Systematisation (completed)

As of 31 November 2011 there were 99 employees (and 19 trainees) in the Parliament Administration in comparison to 154 employees that are stipulated by the Rulebook and in comparison to 73 employees (and 12 trainees) as of 31 December 2010.

Activity 21: Defining of a plan for short and long-term resolution of the issue of office space for the needs of the Parliament (partly completed)

In order to carry out this activity envisaged by the Action Plan, a decision was adopted to rent additional office space for the needs of the Parliament. Tender documents for space renting are under preparation. Invitation to open public procurement procedure will be announced after the adoption of the budget law of Montenegro for 2012.

As regards the long-term resolution of the space capacities, on 28 July the Government of Montenegro adopted a *Study of potential solutions for providing space required for the work of the Parliament of Montenegro and the Ministry of Foreign Affairs and European Integration*, in the part related to the Parliament, and tasked the General Secretariat of the Government to define the final status of the proposal in cooperation with the General Secretary of the Parliament.

At the meeting held on 3 November, the Collegium of the President of the Parliament passed a decision to accept the locations proposed in the *Study of potential solutions for providing space required for the work of the Parliament of Montenegro and the Ministry of Foreign Affairs and European Integration* and proposed to the Government to pass the required decisions as to create conditions for announcing the competition for the conceptual design of the facility of the Parliament of Montenegro in line with the defined requirements. After the required preparations have been completed in the Government, the funds in the budget 2012 will be allocated for development of the conceptual design.

Activity 22: Improving spatial and personnel requirements for the work of MPs, based on earlier assessments of the needs (partly completed)

Under this measure a comparative review was produced, which includes a brief description of the current situation of the spatial capacities in the Parliament, tabular presentation of the data on the area and spatial facilities of several national parliaments taken over from the ECPRD network (European Centre for Parliamentary Research and Documentation) and collected by a questionnaire that the Parliamentary Administration sent to the addresses of several parliaments in the region. Tender documents for space renting are under preparation. Invitation to open public procurement procedure will be announced after the adoption of the budget law of Montenegro for 2012.

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have been completed in the Government, the funds in the budget 2012 will be allocated for development of the conceptual design.

Activity 23: Providing access to the Parliament building for persons with disabilities (partly completed)

Public invitation to tender for procurement and installation of folding electric stair lifts for the needs of disabled persons for internal installation into the Parliament of Montenegro was published on 1 June 2011, and the deadline for opening of bids was 28 June. Under the legal procedure, on 12 July a decision was passed to annul the public competition for procurement and installation of the folding electric stair lifts for the needs of disabled persons for internal installation in the Parliament of Montenegro, for the reason that no valid bids were received.

The open procedure for selection of the most favourable bid for procurement and installation of the folding electric stair lifts for the needs of disabled persons for internal installation in the Parliament of Montenegro was announced on 1 November. The public procurement open procedure is in progress. One bid was received and public opening was carried out on 28 November. Further procedure of evaluation and selecting the bid is in progress.

Activity 24: Preparation and publication of the Annual Report on Performance of the Parliament of Montenegro (completed)

The Annual Report for 2010 has been produced and posted on the website in Montenegrin and English. This annual report was for the first time produced by the Parliamentary Administration on its own, and yet only two months after the expiry of the year. The report contains comprehensive data on the results of legislative and oversight work of the Parliament, information on special activities of the Parliament, its committees and organisation units, including international cooperation as well as the review of the development of administrative capacities.

Also, the Parliamentary Administration has introduced the system of monthly reporting which facilitates better insight into the work of employees and organisational units, and at the same time facilitates the development of semi-annual and annual reports on the level of the Parliament.

Semi-annual performance report (for the period 1 January – 30 June) was posted on the website of the Parliament on 26 July. In addition, 150 copies of the report were printed in Montenegrin language.

The brief on the legislative and oversight activity of the Parliament of Montenegro until the spring session in 2011 was posted on the website of the Parliament on 1 August.

Activity 25: Signing of the Memorandum of Understanding between the Parliament of Montenegro and NGOs (completed)

Memorandum on cooperation between the Parliament of Montenegro and the Network of organisations of civil sector for democracy and human rights was signed on 30 March of the current year. The Memorandum is the result of the project implemented in cooperation of the Centre for Development of NGO Network and the Parliament, and the draft document was prepared by the Working Group whose members were MPs and representatives of non-governmental organisations. The Memorandum defines the principles of cooperation between the Parliament of Montenegro and NGO Network in the area of democratisation and human rights, which will be applied to all other NGOs interested in cooperation with the Parliament. In parallel with the signing of the Memorandum, a form was posted on the website of the Parliament that the civil sector representatives and individuals can fill out to submit their opinions, proposals and suggestions to the Parliament which are subsequently forwarded to the body or an organisational unit related to the contents of the completed form.

The cooperation of the Parliament of Montenegro and the civil sector is constantly improving and enhancing, which is particularly confirmed by increased participation of civil sector representatives in the meetings of working bodies, especially in case of consultative hearings and other kinds of participation, which has been subject to accurate record keeping within monthly reports of the secretaries of working bodies since the beginning of the current year. Thus, since the beginning of the year there have been around 90 communications addressed to the working bodies of the Parliament by the civil sector representatives (proposals, applications, proposal amendments, requests for free access to information, comments to draft acts, appeals, petitions and the like), as well as around 90 participations in the meetings of working bodies by around 50 organisations, including participations in consultative hearings.

Activity 26: Roundtable discussion of Members of the Parliament and media representatives (completed)

Roundtable “Parliament, Media and Citizens” was held on 12 July. The participants were the representatives of MP Groups in the Montenegrin Parliament, editors-in-chief of the media accredited to monitor Parliamentary activities, representatives of the European Union Delegation in Montenegro and Great Britain Embassy in Podgorica. The roundtable was organised by the Parliament of Montenegro within the programme of cooperation with the Westminster Foundation for Democracy (WFD), in the partnership with Thomson Reuters Foundation from London and Institute for Media of Montenegro. The goal of the roundtable of the MPs and media

representatives was to exchange opinions and adopt conclusions that would contribute to better understanding and cooperation.

Activity 27: Roundtable discussion on the issues of conflict of interest of Members of the Parliament (completed)

The conflict of interest roundtable focused on the issues of conflict of interest of Members of the Parliament was held on 10 June with the participation of the Government and NGO sector and foreign experts. The gathering concluded that support should be provided to the amendments to the law that would not allow MPs to be members of administrative and supervisory boards of enterprises under majority ownership of the State, as well as the amendments that would not allow the engagement of MPs in the state and local executive authorities.

The Law on Prevention of Conflict of Interest was adopted on 29 July at the 11th sitting of the first regular (spring) session in 2011.

Activity 28: Improving internal communication within the Parliamentary Administration (partly completed)

In the reporting period, a comparative review of procedures and practices in a number of parliaments with regard to this issue was prepared, and thereafter a meeting of the representatives of the Parliamentary Administration and WFD experts was held, where various models of internal communication were discussed. It was concluded that strategic approach to this issue should be taken, through development of relevant documents that would respond to the needs of the Parliament in the best way. A group of employees commenced their work on development of the document that is to define the basic issues related to internal communication, and according to the proposed schedule of work, the working drafts of these documents can be expected in the first half of the next year.

In the meanwhile, the Parliamentary Administration made some steps in the direction of internal communication strengthening. Thus, a working draft of the manual for employees that will cover all relevant information meaningful to the employees at one place has been prepared.

The Parliamentary Administration created all required prerequisites for introducing the Broadcast service of the Parliament of Montenegro, i.e. the notification system through short SMS messages delivered to mobile phones. Namely, it is planned that as of 1 December MPs should be notified about holding of the sittings by SMS messages. The system should substitute the previous notifications by written letters/telegrams. The system has been introduced for the reason of rationalization of the notification procedure, both in respect of the speed of the transfer of information and reduction of costs in relation to the previous system.

For the purpose of improving the internal communication among the employees, the IT Section has developed an intranet portal, whose test version will be available within the computer network of the Parliament by the end of December. The work on developing the portal will be an ongoing process in 2012.

Also, an initial document for automating of the legislative procedure has been produced, which will also affect the area of internal communications.

Activity 29: Further improving of the transparency of the Parliament and its communication with the public (completed)

The transparency of the Parliament and communication with the public are improved on continuous basis. This year, direct broadcasting from the press position in the Parliament building is facilitated via Internet. Also, all relevant information is regularly posted on the website which is partially redesigned so it provides better visibility of available information. The form for submission of opinions of the civil sector representatives has been posted on the website of the Parliament.

In January of the current year the publication of the monthly newsletter “Open Parliament” commenced in cooperation of the Parliament of Montenegro and the Centre for Democratic Transition which is supported by the European Commission through the EU Delegation in Podgorica.

Numerous visits to the Parliament (there is a form on the website of the Parliament for citizens to apply to visit the Parliament) were organised in the previous period, as well as exhibitions, and the session of the Children’s Parliament.

In 2011, the number of requests for free access to information significantly increased. Since the beginning of the year, the Parliament received the total of 156 requests for FAI (with the total of 504 sub-requests). All requests were responded to, of which 72 responds allowed the access, for 39 requests the Parliament was not in possession of the requested information, and 43 responses were in the form of notification that the requested information was already published or another authority was responsible for the same. In relation to two requests, two conclusions were made (they are made in case when a request is rejected, given that the administrative matter has already been resolved).

In the period since 1 June, the requests have been mostly related to access to information on the implementation of the activities envisaged by the Action Plan, financial operations (e.g. copies of acts containing the information on the amount spent from the budget of the Parliament of Montenegro for payment of transport costs, accommodation costs, then data on journals for travels of MPs abroad and in Montenegro), as well as the information on public procurement.

General Secretary of the Parliament has issued an order that in November the voting results of MPs should commence to be posted on the website of the Parliament.

It is expected that starting from the spring session of the Parliament in 2012, all 6.200 voting listings since the 24th Parliamentary term was constituted should be available on the website of the Parliament.

Activity 30: Program "Open Parliament" (completed)

The first edition of the monthly newsletter "Open Parliament" was published on 4 February in cooperation with the Centre for Democratic Transition, supported by the European Commission through the EU Delegation in Podgorica. So far, nine editions of this electronic newsletter were published on the website of the Parliament and the website of the CDT, in Montenegrin and English, which is distributed to nearly 900 addresses.

In 2011, the implementation of the Internship Project has continued in cooperation with the Centre for Democratic Transition. The selection procedure for students was completed and since March five students have been having the opportunity to get on-site knowledge of the work of parliamentary services and take part in their activities.

The preparation of the project "Democratic Workshop" is in progress. The Project is intended for primary school children, and it will be implemented in cooperation with ERSTE Foundation and Austrian Parliament. Having carried out the public competition, the non-governmental organisations that met the set conditions were sent a request to submit information required for the following phase of the application process. Thereafter, in November, representatives of these organisations were interviewed and NGO Forum MNE entered the final phase of the process for selection of the local partner.

Activity 31: Reporting on the implementation of the Action Plan (completed)

The Action Plan envisages quarterly reporting to the Collegium of the President of the Parliament. This is the 4th quarterly report which covers September, October and November. The first quarterly report was adopted on 9 March and it covered the period December, January and February, the 2nd quarterly report that covered the period March, April and May was adopted by the Collegium of the President of the Parliament on 13 June, while the 3rd quarterly report was adopted in September this year.

Monthly reports on implementation of the Action Plan are regularly submitted to the Ministry of Foreign Affairs and European Integration, which prepares an integrated report and submits it to the European Commission.