

OPEN PARLIAMENT



Parliament of Montenegro

Bulletin on the Parliament of Montenegro Performance ♦ Electronic format ♦ Release: monthly ♦ Year II ♦ No. 16 ♦ May 2012

FOREWORD

Dear readers,

You have before you the most important information on activities of the Parliament of Montenegro in the period from 1 to 31 May, which is, in the form of monthly bulletin "Open Parliament", prepared by the Service of the Parliament.

With regard to regular legislative activities in May, the Parliament adopted 18 laws, while the committees deliberated on 28 proposals for laws. Additionally, in scope of their oversight role, committees held a number of consultative hearings, considered a series of reports and organised several visits to institutions.

The column "In Focus" presents you with information on adoption of the Decision on Amendments to the Rules of Procedure of the Parliament of Montenegro, whose application starts on 31 July 2012. Some of the most significant changes to the Rules of Procedure are related to establishment of the Anti-Corruption Committee and the European Integration Committee, as well as to the solution aimed at providing greater possibility for the act proposals of MPs of parliamentary minority, which did not obtain majority in the working bodies, to be included in the agenda of the Parliament's sittings.

Furthermore, we would like to remind you that, during this month, the European Commission adopted the Report on Montenegro's Progress in the Implementation of Reforms, where it was stated that the Parliament achieved progress in regard to strengthening its legislative and oversight role, as well as in terms of increasing transparency of its work and cooperation with civil society. An unequivocal recommendation from the EC that accession negotiations be opened is of an exceptional importance for our country.

The bulletin is published monthly as a part of the programme "Open Parliament", with which the Parliament seeks to bring closer its work to Montenegrin citizens. We consider this publication to be very significant as a reliable source of information on work of the Parliament and hope it will be useful to you.

We certainly remain open for your comments and suggestions, as well as criticisms, which can help us bring more quality to our work.

*Respectfully,
Service of the Parliament*



LEGISLATIVE ACTIVITY

During May, the Parliament adopted 18 laws.

At the Fourth Sitting of the First Regular Session of the Parliament of Montenegro in 2012, the following laws were adopted: The Law on Air Transport, The Law on Prohibition of Abuse at Work, The Law on Publishing Activities, The Law on Veterinary Service, The Law on Control of Export of Dual-Use Goods, The Law on Amendments to the Law on System of Internal Financial Control in Public Sector, The Law on Amendments to the Law on Protection of Population from Infectious Diseases, The Law on Amendments to the Law on Medication, The Law on Amendments to the Law on Liability of Legal Entities for Criminal Offences, The Law on Amendments to the Law on Hydro-Meteorological Affairs, The Law on Amendments to the Law on Hydrographic Activities, The Law on Ratification of the Regional Convention on Pan-Euro-Mediterranean Preferential Rules of Origin and The Law on Ratification of the Basic Agreement between Montenegro and the Holy See.

Furthermore, the Parliament adopted the Decision on Amendments to the Rules of Procedure of the Parliament of Montenegro, as well as the Report on Performance of the Security and Defence Committee and on Results of the Parliamentary Oversight in 2011.

At the Sixth Sitting of the First Regular Session of the Parliament of Montenegro in 2012, the following laws were adopted: The Law on Amendments to the Law on Budget of Montenegro for 2012, The Law on Amendments to the Law on Excise Tax, The Law on Customs Tariff, The Law on Amendments to the Law on Tax Administration and The Law on Tax for Access to Certain Services of General Interest and for Use of Tobacco Products.

Bulletin is a part of the programme "Open Parliament", aimed at increasing transparency of work of the Parliament of Montenegro and citizen participation in the parliamentary activities. The bulletin is edited by the Service of the Parliament.

Proposals for laws considered before committees:

- **Proposal for a Law on Ratification of the Regional Convention on Pan-Euro-Mediterranean Preferential Rules of Origin** considered and proposed to the Parliament for adoption by the Committee on International Relations and European Integration.
- **Proposal for a Law on Ratification of the Basic Agreement between Montenegro and the Holy See** considered and proposed to the Parliament for adoption by the Committee on International Relations and European Integration.
- **Proposal for a Law on Deadlines for Settlement of Financial Obligations** considered and proposed to the Parliament for adoption by the Committee on Economy, Finance and Budget, the Committee on International Relations and European Integration and by the Constitutional Issues and Legislative Committee.
- **Proposal for a Law on Customs Tariff** considered and proposed to the Parliament for adoption by the Committee on Economy, Finance and Budget and the Constitutional Issues and Legislative Committee.
- **Proposal for a Law on Amendments to the Law on Custody of Temporarily and Permanently Confiscated Property** considered and proposed to the Parliament for adoption by the Committee on Economy, Finance and Budget, the Constitutional Issues and Legislative Committee and by the Committee on International Relations and European Integration.
- **Proposal for a Law on Ratification of the Free Trade Agreement between Montenegro and the EFTA states** considered and proposed to the Parliament for adoption by the Constitutional Issues and Legislative Committee and the Committee on International Relations and European Integration.
- **Proposal for a Law on Amendments to the Law on Budget of Montenegro for 2012** considered and proposed to the Parliament for adoption by the Committee on Economy, Finance and Budget and the Constitutional Issues and Legislative Committee.
- **Proposal for a Law on Amendments to the Law on Excise Tax** considered and proposed to the Parliament for adoption by the Committee on Economy, Finance and Budget and the Constitutional Issues and Legislative Committee.
- **Proposal for a Law on Amendments to the Law on Tax Administration** considered and proposed to the Parliament for adoption by the Committee on Economy, Finance and Budget and the Constitutional Issues and Legislative Committee.
- **Proposal for a Law on Tax for Access to Certain Services of General Interest and for Use of Tobacco Products** considered and proposed to the Parliament for adoption by the Committee on Economy, Finance and Budget and the Constitutional Issues and Legislative Committee.
- **Proposal for a Law on Amendments to the Law on Personal Income Tax** considered and proposed to the Parliament for adoption by the Constitutional Issues and Legislative Committee. The law proposal was also considered by the Committee on Economy, Finance and Budget and did not receive majority support of the Committee.
- **Proposal for a Law on Abolition** considered and proposed to the Parliament for adoption by the Committee on Political System, Judiciary and Administration and the Constitutional Issues and Legislative Committee.
- **Proposal for a Law on Amnesty of Persons Convicted of Criminal Offences of Insult and Defamation** considered and proposed to the Parliament for adoption by the Committee on Political System, Judiciary and Administration and the Constitutional Issues and Legislative Committee.
- **Proposal for a Law on Amendments to the Law on National Payment Systems** considered and proposed to the Parliament for adoption by the Committee on Economy, Finance and Budget and the Constitutional Issues and Legislative Committee.
- **Proposal for a Law on Amendments to the Law on Digital Radio-Diffusion** considered and proposed to the Parliament for adoption by the Committee on Political System, Judiciary and Administration, the Constitutional Issues and Legislative Committee and the Committee on International Relations and European Integration.
- **Proposal for a Law on Amendments to the Law on Road Transport** considered and proposed to the Parliament for adoption by the Committee on Economy, Finance and Budget and the Constitutional Issues and Legislative Committee.
- **Proposal for a Law on Amendments to the Law on Culture** considered and proposed to the Parliament for adoption by the Committee on Education, Science, Culture and Sports and the Constitutional Issues and Legislative Committee.
- **Proposal for a Law on Ratification of the Convention relating to international exhibitions** signed at Paris on 22 November 1928 and supplemented by the Protocols of 10 May 1948, 16 November 1966, 30 November 1972 and the Amendment of 24 June 1982 and the Amendment of 31 May 1988 considered and proposed to the Parliament for adoption by the Committee on International Relations and European Integration.
- **Proposal for a Law on Ratification of the Agreement on Economic Cooperation between the Government of Montenegro and the Government of the Republic of Azerbaijan** considered and proposed to the Parliament for adoption by the Committee on International Relations and European Integration.
- **Proposal for a Law on Ratification of the Agreement between the Government of Montenegro and the Government of the Republic of Azerbaijan on Promotion and Reciprocal Protection of Investments** considered and proposed to the Parliament for adoption by the Committee on International Relations and European Integration.
- **Proposal for a Law on Ratification of the Agreement on Economic Cooperation between the Government of Montenegro and the Government of the United**

Arab Emirates considered and proposed to the Parliament for adoption by the Committee on International Relations and European Integration.

- **Proposal for a Law on Ratification of the Agreement on Economic and Trade Cooperation between the Government of Montenegro and the Government of the Abruzzo Region (Republic of Italy)** considered and proposed to the Parliament for adoption by the Committee on International Relations and European Integration.
- **Proposal for a Law on Amendments to the Law on Trademarks** considered and proposed to the Parliament for adoption by the Committee on Economy, Finance and Budget.
- **Proposal for Amendments to the Constitution of Montenegro** established by the Constitutional Issues and Legislative Committee.
- **Proposal for a Constitutional Law for Implementation of the Amendments to the Constitution of Montenegro** established by the Constitutional Issues and Legislative Committee.
- **Proposal for a Law on Amendments to the Law on the Judicial Council** considered and proposed to the Parliament for adoption by the Committee on Political System,

Judiciary and Administration and the Constitutional Issues and Legislative Committee.

- **Proposal for a Law on Ratification of the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of Registration of Marks** considered and proposed to the Parliament for adoption by the Constitutional Issues and Legislative Committee.
- **Proposal for a Law on Ratification of the Agreement between Montenegro and the Republic of Macedonia on Extradition** considered and proposed to the Parliament for adoption by the Constitutional Issues and Legislative Committee.

Other acts considered before committees:

- **Proposal for a Decision on Determination of Salary and Other Incomes of President and Secretary of the State Election Commission** adopted by the Administrative Committee.
- **Proposal for a Decision on Election of Two Members of the Judicial Council** considered and proposed to the Parliament for adoption by the Administrative Committee.

OVERSIGHT ACTIVITY



- At the Fifth (Special) Sitting of the First Regular Session of the Parliament of Montenegro in 2012, dedicated to Prime Minister's Hour and parliamentary questions, MPs' questions were answered by the President of the Government of Montenegro Igor Lukšić and the ministers from the Government. MPs posed seven questions to the President of the Government and 75 questions to the ministers. Also, MPs posed seven supplementary questions to the ministers.
- The Commission for Monitoring and Control of the Privatisation Procedure continued its meeting on 4 May, where it adopted conclusions in regard to control of the privatisation procedure of companies "Staklenici" and "Elastik-plastik". Also, the Commission continued the discussion which had been started earlier on privatisation of the company "Vektra Jakić". Since representative of the company "Vektra Montenegro" – current owner of the "Vektra Jakić" and representative of the "Vektra Jakić" trade union did not appear at the meeting, the Commission decided to resend summons for the next meeting, when discussion on this item of the agenda will be continued.
- The Committee on Economy, Finance and Budget held on 7 May a consultative hearing on the topic: "Implementation of the Law on Banks in part related to the Banking Ombudsman". The meeting was, apart from the Banking Ombudsman Halil Kalač, attended by representatives of: the Central Bank of Montenegro, the Association of Montenegrin Banks, as well as NGOs: the Citizen Banking Ombudsman and the Consumers Protection Center.

At the discussion, the Committee was acquainted with work of the Banking Ombudsman, as well as with problems which clients and their warrantors are faced with, in realisation of their financial rights with banks and microcredit financial institutions. MPs' questions were, *inter alia*, related to: authorities of the Banking Ombudsman, banks' credit activity, improving awareness and increasing financial literacy level of clients, number of received objections for protection of clients' financial rights, untimely submission of information and documentation to the Banking Ombudsman by banks and microcredit financial institutions, as well as the lack of solidarity of the banking sector with the economy and citizens of Montenegro. It was stated that procedure of establishing the Proposal for a Law on Consumer Credits is under way, which should improve protection of users of services in the financial sector.

- The Gender Equality Committee, at meeting held on 10 May, considered, as the interested working body, the 2011 Performance Report of the Protector of Human Rights and Freedoms of Montenegro, within its area of competence. The meeting was attended by the Protector of Human Rights and Freedoms of Montenegro Šučko Baković.
- After the discussion, the Committee unanimously decided to support the Report and propose to the Committee on Human Rights and Freedoms and the Committee on Political System, Judiciary and Administration to propose it to the Parliament for adoption.
- At meeting held on 11 May, the Committee on Political System, Judiciary and Administration considered the Re-

port of the Supreme State Prosecutor of Montenegro on Performance of the State Prosecution for 2011. After the discussion, the Committee supported the Report by majority of votes.

- Chairman of the Committee on Human Rights and Freedoms Đorđe Pinjatić, the Committee members: Šefkija Murić, Halil Duković and Vasel Sinishtaj and Service of the Committee visited the institution of the Protector of Human Rights and Freedoms of Montenegro on 14 May. The Protector of Human Rights and Freedoms Šučko Baković acquainted the Committee members with the institution's work, space and administrative capacities, as well as with problems this institution is faced with, which primarily concern lack of expert staff. Professional staff is primarily needed because the new Law on Protector of Human Rights and Freedoms of Montenegro expands the Protector's authorities, and establishes it as the national mechanism for protection of persons deprived of freedom from torture and other cruel, inhuman or degrading treatment or punishment and as the national mechanism for protection against discrimination. At the meeting, the interlocutors expressed readiness to continue so far successful cooperation between the Protector and the Committee.
- The Committee on Human Rights and Freedoms, at meeting held on 14 May, considered the Report on State of Protection of Personal Data in Montenegro for 2011. The meeting was attended by: Šefko Crnovršanin, Chairman of the Council of the Personal Data Protection Agency and Radenko Lacmanović and Aleksa Ivanović, members of the Council of the Agency. The Committee estimated that in Montenegro in 2011, protection of personal data had not been on a satisfactory level, but positive steps were noticed. The Committee unanimously supported the 2011 Report on State of Protection of Personal Data in Montenegro. On this matter, it will submit a report with proposal for conclusions to the Parliament.
- At meeting held on 14 May, the Committee on Human Rights and Freedoms considered the Work Programme of the Center for Preservation and Development of Culture of Minorities of Montenegro for 2012. The meeting was attended by Director of the Center Derviš Selhanović. The Committee assessed that the Center should continue to contribute to development of multiculturalism and tolerance in the society, which can be best achieved by realising joint projects of members of different national minorities. The Committee accepted the 2012 Work Programme of the Center for Preservation and Development of Culture of Minorities of Montenegro, by majority of votes.
- At meeting held on 14 May, the Security and Defence Committee considered the 2011 Performance Report of the Ministry of Defence, the 2011 Report on State in the Armed Forces of Montenegro and the 2011 Report on Use of Armed Forces of Montenegro Units in International Forces, Peace Missions and Other Activities Abroad. Minister of Defence Milica Pejanović-Đurišić, Secretary of the Ministry Nada Ulićević and Chief of Gen-

eral Staff of the Montenegrin Armed Forces, Vice Admiral Dragan Samardžić participated in the meeting's work.

The Committee was introduced to activities conducted by competent institutions in the previous year, and it also presented suggestions for improvement of work in the forthcoming period.

- Members of the Committee on International Relations and European Integration, at meeting held on 18 May, spoke with Zoran Jocović, candidate for extraordinary and plenipotentiary ambassador of Montenegro to the Russian Federation and with Vera Joličić – Kuliš, candidate for extraordinary and plenipotentiary ambassador of Montenegro to the Federal Republic of Germany. After the discussion, the Committee supported by majority of votes the proposed candidates for ambassadors to the Russian Federation and the Federal Republic of Germany.
- The Committee on Human Rights and Freedoms, at meeting held on 24 May, considered the 2011 Performance Report of the Protector of Human Rights and Freedoms of Montenegro. The meeting was attended by Šučko Baković, Protector of Human Rights and Freedoms of Montenegro. He stated that the public administration's respect of rights and freedoms of citizens cannot be defined as satisfactory, but also observed that widespread and systematic violation of human rights and freedoms does not exist in Montenegro. The Committee members unanimously assessed that the Report shows in high quality the work of the institution of the Protector in the reporting period. The Committee unanimously supported the 2011 Performance Report of the Protector of Human Rights and Freedoms of Montenegro and proposed to the Parliament to adopt it.
- Delegation of the Committee on Human Rights and Freedoms visited the Children's Home "Mladost" in Bijela on 28 May. At the Committee's invitation, the Children's Home was also visited by Suad Numanović, Minister of Labour and Social Welfare and Nevenka Stanković, Deputy Protector of Human Rights and Freedoms of Montenegro for children's rights. Through direct conversation with children and employees and tour of the Children's Home, the Committee members met the living and working conditions in the Home. They were informed that, during last year with help of donations, roof of the Home had been reconstructed, and hairdressing and beauty salon and Internet centre had been opened for purposes of training and education of children. Also, an exterior access ramp had been built for needs of persons with walking difficulties. All visitors of the Children's Home unanimously assessed that conditions in the Home are constantly improving, thanks to numerous activities of the state and significant donor support as well. However, the Committee concluded that further strengthening of professional capacities is necessary, as well as employment of more experts who are in direct contact with children with developmental disabilities. Also, it was concluded that in the forthcoming period, activities should be directed towards decentralisation and deinstitutionalisation process, as well as opening services for children support at the local level.

NEWS FROM PARLIAMENT



The 6th anniversary of the independence of Montenegro celebrated in the Parliament

Towards the Independence Day, the Parliament of Montenegro organised a range of activities.

On 18 May, the Parliament was visited by around 70 fifth-grade students of primary schools in Podgorica “Maksim Gorki” and “Savo Pejanović”, who presented President Krivokapić with congratulation cards on occasion of the state holiday. Students and their teachers were given tour of the Parliament and spoke with the employees; and they finished the visit by drawing the relief, flag and coat of arms of Montenegro on the plateau in front of the Parliament building, which they gave as a gift to their country for the holiday.

On the same day, the exhibition “Restoration of the Montenegrin kingdom and the jubilee ceremony 1910”, by the author Srđa Pejović, organised by the Parliament of Montenegro in cooperation with the State Archives of Montenegro, was displayed in the hall of the Parliament. The exhibition presented on 12 display panels 75 photographs and documents of crowned European rulers and prime ministers, jubilee plaques, congratulation cards from foreign rulers, photographs of Cetinje in days of the celebration etc. Original documents were displayed in the horizontal show cases – 12 congratulation cards in French language, which were sent to King Nikola in 1910 by the foreign rulers, as a confirmation of their consent with the act of restoration of the Montenegrin kingdom.

On 21 May, the Independence Day, President of the Parliament of Montenegro Ranko Krivokapić traditionally congratulated the holiday to Montenegrin citizens from the top of mountain Lovćen, stating that it was time to turn the course towards economic progress of Montenegro.

Afterwards, the President was the guest speaker of the gathering “Šednik na gumnu”, which was organised for the first time under Lovćen by the Student Council of the Law Faculty and the ELSA. At the beginning of his speech on the topic “Montenegro and Europe”, Krivokapić thanked all those who climbed to the top of Lovćen and paid tribute to great Njegoš.

Speaking to the students, President Krivokapić stated that their generation was born and raised in a wrong time, the time of disputes, wars, conflicts and that Montenegro had had to restore its independence and freedom several times throughout history. He stated: “Montenegro has always been in Europe; otherwise it would not exist. The Balšići and the Crnojevići and the Vojislavljevići were in Europe, recognised and famous. In all archives, Venetian, Vatican, you will find a great story on small Montenegro” and added that destiny of a small country is to make more history than bigger countries do.

Students of ELSA had the opportunity to discuss with the President, and they mutually expressed hope that these events will become a tradition.

Hans-Joachim Falenski, Senior Adviser to the CDU/CSU Parliamentary Group in the Bundestag paid a visit to the Parliament of Montenegro

Senior Foreign Policy Adviser to the CDU/CSU Parliamentary Group in the German Bundestag Hans-Joachim Falenski visited the Parliament of Montenegro on 4 May. He was the guest speaker at the panel discussion on the topic: “Montenegro and the European Union – role and tasks of the parliament in the European integration process”, organised by the Committee on International Relations and European Integration, in cooperation with the Konrad Adenauer Stiftung.

Mr Falenski presented German experiences and position towards the issue of the EU enlargement. He spoke about relations with the Western Balkans countries and the EU member states, as well as about competences of the Bundestag in division of powers. Falenski emphasised that the Bundestag plays an exceptionally important role in decision making process on matters of the EU enlargement, citing as an example the recent consideration of recommendation to start membership negotiations with Montenegro. He stated that the recommendation to start negotiations is a confirmation of Montenegro’s dedication to reforms, which are imple-

mented towards reaching high democratic standards, but that the approaching period will bring numerous challenges which should be adequately responded to.

After the panel discussion, Falenski was received by Secretary General of the Parliament Damir Davidović. The Secretary General informed the guest about the most important changes in the work of the Parliament in the recent period, aimed at creating conditions so that it participates in the European integration process in a quality manner. He added that improvement of the administrative capacities, greater level of financial independence and increase of budget funds for the Parliament’s work significantly contributed to improvement of its autonomy.

The Secretary General emphasised that working conditions of MPs and the Service keep on being unfavourable and that the Parliament is the most transparent institution in the country. The interlocutors agreed that there is a need for improvement of administrative and expert capacities in the MP groups, which need to be the first line of expert and political support to every MP’s work.

The EC published the Report on Montenegro's Progress in the Implementation of Reforms

The European Commission published the Report on Montenegro's Progress in the Implementation of Reforms, where it unequivocally recommended that accession negotiations be opened with Montenegro next month.

The Report points out that Montenegro has made further progress in the implementation of reforms, and states, *inter alia*, that further progress has been achieved in strengthening the work of the parliament, the professionalism and de-politicisation of public administration, media freedom and cooperation with the civil society.

In section which concerns progress in work of the Parliament of Montenegro, the Report accentuates strengthening of its legislative and oversight role, including on rule of law matters, as well as reinforcement of administrative capacities, and improvement of transparency of work and cooperation with the civil society. But at the same time, it indicates the need for further implementation of reforms.

"Amendments to the Law on the election of municipal councillors and members of parliament were adopted in September 2011, thus harmonising the legislative framework for elections with the Constitution and addressing the main OSCE/ODIHR and Venice Commission recommendations on elections. Implementation of the electoral legislation has started. Vacant positions of members of Parliament have started to be filled according to the order in electoral lists. (...) Parliament's oversight role has been

The European Commission Report on Montenegro's Progress in the Implementation of Reforms can be found at the following link: http://ec.europa.eu/enlargement/pdf/key_documents/2012/montenegro_spring_report_en.pdf

IX South-East European Gathering organised in Bečići

IX South-East European Gathering was held on 25-27 May 2012 in hotel "Splendid" in Bečići. The gathering was opened by President of the Parliament of Montenegro Ranko Krivokapić.

At the welcome reception, the President stated that it was good that people of different nations, religions and languages came together around the same idea – the public good, in other words partnership and tolerance. Afterwards, the guests were addressed by Deputy Chairman of the Council of Ministers and Minister of Foreign Affairs of Bosnia and Herzegovina Zlatko Lagumdžija and the US Congressman Robert Aderholt, who jointly stated that

further strengthened, notably through a steady increase in the number of parliamentary questions, control and consultative hearings with high-level state officials and discussions of reports submitted by various institutions. As regards parliamentary oversight in the area of anti-corruption, in February 2012 the Parliament decided, for the first time, to open a parliamentary investigation and establish a committee of inquiry in charge of collecting information and preparing a report on alleged corruption in the privatisation of the company "Telekom Crne Gore."

It is also stated that the Parliament's administrative capacity has been further strengthened, notably through increasing staff members, but that continued efforts are needed to further enhance administrative and expert capacity. Moreover, it is indicated that improvement has been achieved in transparency of work – in December 2011 the Parliament started publishing voting records of individual MPs on its website, and further measures have been taken to improve interaction with civil society and the public.

In the conclusion of the segment dedicated to the Parliament, it is reiterated that further progress has been made, but emphasised that efforts need to continue, primarily in regard to thorough compatibility checks of new legislation with the EU acquis, as well as that the Parliament's capacity for oversight and control of the executive power needs to be reinforced.

The European Commission Report on Montenegro's Progress in the Implementation of Reforms can be found at the following link: http://ec.europa.eu/enlargement/pdf/key_documents/2012/montenegro_spring_report_en.pdf

IX South-East European Gathering organised in Bečići

partnership is possible in differences,

The Gathering continued for the next two days, with the working session, and live streaming of the event was enabled at the website of the Parliament of Montenegro.

This event welcomes around 300 officials from roughly 30 countries of Europe and the USA and is organised each year by model of the National Prayer Breakfast in the USA. Apart from state officials, the event was attended by leaders, politicians, culture and sports workers and other prominent people from the region and the world, gathered around the idea of friendship and mutual understanding and dialogue.

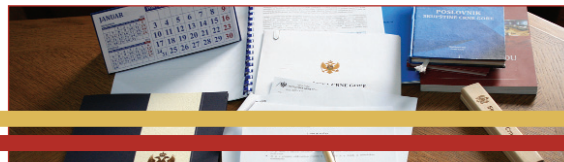
The Spring Session of the NATO Parliamentary Assembly in Tallinn

The Parliament of Estonia hosted the NATO Parliamentary Assembly's Spring Session, in Tallinn on 25-28 May. Permanent members of the delegation of the Parliament of Montenegro, MPs Borislav Banović and Vasilije Lalošević participated in the work of the Parliamentary Assembly. The Session gathered some 300 parliamentarians from the 28 NATO member states, as well as delegates from partner countries and observers, in order to discuss common international security concerns.

First day of the Session was devoted to the NATO-Russia Parliamentary Committee meeting and the meeting of

the Standing Committee. Second and third day were dedicated to the meetings of the NATO PA's Committees: Political, Civil Dimension of Security, Science and Technology, Defence and Security and Economics and Security. The Plenary Session was held on 28 May, where the participants were addressed by: President of the NATO Parliamentary Assembly dr Karl Lamers, Speaker of the Parliament of Estonia (Riigikogu) Ene Ergma, President of the Republic of Estonia Toomas Hendrik Ilves and Deputy Secretary General of NATO, Alexander Vershbow. The speeches were followed by participants' discussion on actual topics.

IN FOCUS



The Parliament adopted the Decision on Amendments to the Rules of Procedure

On May 8, the Parliament of Montenegro adopted the Decision on Amendments to the Rules of Procedure of the Parliament of Montenegro. The Proposal for a decision was signed at the Collegium of the President of the Parliament, with the consensus of all MP groups. This decision shows the continuation of good practice to adopt the Rules of Procedure by consent of all MP groups.

The Amendments to the Rules of Procedure are primarily focused on strengthening of the role of the Parliament in the European integration process and its oversight role. Namely, the Amendments envisage establishment of new working bodies, changing and widening of their competences, strengthening of its oversight mechanisms like parliamentary hearings and MPs questions, as well as providing for greater possibility for proposals of MPs of parliamentary minority to be included in the plenary agenda.

One of the most significant changes relates to the establishment of the Anti-Corruption Committee, which will be tasked to perform oversight of the work of state authorities in fight against organised crime and corruption.

Other key amendments to the Rules of Procedure refer to dividing some of the existing committees due to the increased scope of their competences. Instead of the previous Constitutional Issues and Legislative Committee, the Constitutional Committee and Legislative Committee will be established. The competences of the Constitutional Committee will include deliberation of the motion for amending the Constitution, the motion to initiate the procedure for determining whether the President of Montenegro has violated the Constitution, as well as dealing with other tasks related to amending and implementing the Constitution. Likewise, the Committee on International Relations and European Integration will be divided into the Committee on International Relations and Emigrants and the European Integration Committee. The Committee on International Relations and Emigrants will deal, *inter alia*, with the status of Montenegrin emigrants and propose measures in relation to exercising, promoting and protecting their rights. By establishing a committee with the task to monitor the accession negotiations between Montenegro and the European Union and to give opinions on negotiating positions and other issues, the Parliament of Montenegro has once again confirmed its full commitment to the association process.

The competences of all committees have also been widened. The Security and Defence Committee is tasked with parliamentary control not only of the work of the Police and the National Security Agency, but also of other security bodies and services. At the same time, the Committee on Human Rights and Freedoms is given an addi-

tional task to deliberate and take positions on petitions and complaints of citizens and legal entities, which relate to exercising of the citizens' rights. The Amendments to the Rules of Procedure also define that each committee will, within its competences, monitor and assess harmonisation of laws with the EU acquis, but also oversee implementation of adopted laws. The Amendments also define establishment of subcommittees, which will conduct their activities exclusively within scope of work of their founding committee.

Aiming to provide greater possibility for the act proposals of opposition parties to be included in the agenda of the Parliament's sittings, the Decision on Amendments to the Rules of Procedure defines that proposal of the agenda also contains the proposals of acts submitted by MPs of parliamentary minority, which did not obtain majority in the working bodies.

In addition, the Amendments to the Rules of Procedure now define that the Prime Minister's hour is to be held once a month. This provision has replaced the previous solution, according to which the Prime Minister hour was supposed to be held once in two months. Also, a Member of Parliament, who poses a question to the Prime Minister, will have the possibility to make comments to Prime Minister's answer within three minutes, after which the Prime Minister has the right to respond to the comment.

Establishment of new committees and widening competences of the existing ones, and other solutions as well, will provide for new institutional mechanisms for strengthening legislative and oversight role of the Parliament of Montenegro, which will directly contribute to higher work quality of the highest legislative authority.

The Decision on Amendments to the Rules of Procedure of the Parliament of Montenegro will be applied as of 31 July of 2012.



FROM THE HISTORY OF MONTENEGRIN PARLIAMENTARISM



LAW ON MINIMAL CUSTOMS TARIFF FOR THE PRINCIPALITY OF MONTENEGRO

6/19 December 1903

WE
NIKOLA I

By the grace of God

PRINCE AND SOVEREIGN OF MONTENEGRO

On the proposal of Our Minister of Finance

Upon hearing Our State Council

Have decided to proclaim and decree the following

LAW ON MINIMAL CUSTOMS TARIFF

Article 1

On goods which are imported or exported from the Principality of Montenegro, customs shall be charged based on import or export tariff, which make integral part of this law.

For goods which are in transit through Montenegro, customs shall not be paid, only statistical and secondary taxes, exempting cases envisaged by the Ministry of Finance.

Article 2

The Law on General Customs Tariff applies to imported goods from all countries; and for goods from contracting states, it applies in parts where it is not dif-

ferently defined by the trade agreements, and also when the importer demands changing of this law.

Article 5

At the proposal of Minister of Finance, the Government of the Principality can determine by Prince's decree a bigger customs than the one in the import customs tariff on goods of foreign origin, as well as forbid import from a country, if it applies to goods of Montenegrin origin measures more severe than ones defined by the general customs tariff of that state.

Article 12

The Government of the Principality, at the proposal of Minister of Finance, can permit free import of food for people and livestock in case of bad crop in the country.

Cetinje, 6 December 1903

From the Law on Minimal Customs Tariff, Cetinje, 1903

Crnogorski zakonici 1796-1916, II, (eng. Montenegrin Codes, II), eds. B. Pavićević, R. Raspopović, Podgorica 1998.

FROM PARLIAMENTARY GALLERY

Nikola Vujošević: "Iz okoline Titograda" ("From the suburbs of Titograd"), 1954.

Creative work of Nikola Vujošević, painter, art theoretician and painting teacher, one of the protagonists of development of Montenegrin art in the second half of the 20th century, is characterised by his dedication to "totemic" magic of nature, which is why he is recognised as the most consistent Montenegrin landscape painter.

Nikola Vujošević found an eternal source of his half-century inspiration in the Morača River Canyon, in Platije. Linking the force of expression with lyricism, classics with romance, he managed to perpetuate secrets of the canyon, which are permeated by the elusive, changeable and mysterious, something which eludes the eye of the beholder, but returns to them through unity of man and nature.

In the parliamentary art gallery he is represented by the painting "Iz okoline Titograda", which belongs to his early creative phase.



CALENDAR



4 May

- Senior Foreign Policy Adviser to the CDU/CSU Parliamentary Group in the German Bundestag Hans-Joachim Falenski visited the Parliament of Montenegro. He was the guest speaker at the panel discussion on the topic: "Montenegro and the European Union – role and tasks of the parliament in the European integration process", organised by the Committee on International Relations and European Integration, in cooperation with the Konrad Adenauer Stiftung. Afterwards, he was received by the Secretary General of the Parliament Damir Davidović.

7 May

- The Ad Hoc Committee of the Parliamentary Assembly of the Council of Europe finished its work of monitoring parliamentary and presidential elections in Serbia on 4-7 May 2012. MP Zoran Vukčević, member of the parliamentary delegation of Montenegro to COE PA, participated in the work of the Ad Hoc Committee.

9 May

- President of the Parliament of Montenegro Ranko Krivokapić met with Eric Fournier, Director at the Continental Europe Department in the Ministry of Foreign and European Affairs of the French Republic.

Fournier welcomed Montenegrin efforts on the path towards the EU. Moreover, the interlocutors emphasised importance of further strengthening of ties between the parliaments of Montenegro and France.

- President of the Parliament Ranko Krivokapić received in a farewell visit Ambassador of the Republic of Turkey to Montenegro, H. E. Emine Birgen Keşoğlu.

10 May

- Vice President of the Parliament of Montenegro Rifat Rastoder, who is also President of the Montenegro-Turkey Parliamentary Friendship Group received in a farewell visit the Ambassador of the Republic of Turkey to Montenegro, H. E. Emine Birgen Keşoğlu. Ambassador Keşoğlu thanked to Vice President Rastoder for his enormous contribution to building friendly relations between Montenegro and Turkey. Vice President Rastoder expressed his utmost respect for the partner relationship of the Republic of Turkey with our country, emphasising that the ambassador will continue to be one of honorary members of the Montenegro-Turkey Friendship Group.
- Chairman of the Constitutional Issues and Legislative Committee Džavid Šabović met with the delegation of the Republic of Kyrgyzstan, which consisted, apart from MPs and representative of the service of the Kyrgyzstani parliament, of representatives of ministries, NGO sector and private entrepreneurs from the energy sector.

PARLIAMENTARY GLOSSARY

MAJORITY¹. In political science, as well as in political life, majority implies a larger number of those who opt for something within a relevant set. There are: simple, absolute, relative and qualified majority.

Simple majority can be expressed numerically as 50%+1, which means that a decision is valid if more than a half of participants in the decision making opt for it. Simple majority is not majority of the total electoral body, but majority of those who declared their opinion on a proposal.

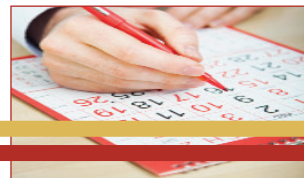
Absolute majority means majority of all members of the electoral body, in other words, those who have the right to participate in the decision making.

Relative majority signifies that the winner is a proposal or a candidate that won more votes than the others, which implies that relative majority can be achieved with less than half of total number of votes.

Qualified majority has two meanings. In one sense, it is a numerical quantity which presents a percentage or a portion larger than 50%+1. It is most frequently categorised as two-thirds, three-fourths, four-fifths etc. The other meaning is in terms of value – it is related to defining a share in decision making of those who are qualified as experts for the topic which is decided upon (e.g. class assemblies in the Middle Ages).

¹ Izvor: Radovan Radonjić, *Demokratija (Democracy)*, Centar za građansko obrazovanje, Podgorica, 2007.

CALENDAR



11 May

- Chairman of the Committee on International Relations and European Integration Miodrag Vuković met with the Ambassador of the Russian Federation to Montenegro on residential basis, H. E. Andrei Nesterenko. The interlocutors spoke about the election of the President and new Government of Russia, relations between the two countries and achievements of Montenegro on the path of the European integration. Moreover, topic of the conversation was recently celebrated 300th anniversary of good relations between the two countries, as well as need for further improvement of parliamentary cooperation.

14 May

- Chairman of the Committee on Human Rights and Freedoms Đorđe Pinjatić and the Committee members: Šefkija Murić, Halil Duković and Vasel Sinishtaj, with the Service of the Committee visited the institution of the Protector of Human Rights and Freedoms of Montenegro.

15 May

- Chairpersons Meeting of Environment and Foreign Affairs Committees, organised within the parliamentary dimension of the Danish EU Presidency, finished in Copenhagen. Participants of the Chairpersons Meeting were MPs: Branko Čavor, Chairman of the Committee on Tourism, Agriculture, Ecology and Spatial Planning and Miodrag Vuković, Chairman of the Committee on International Relations and European Integration.
- Secretary General of the Parliament Damir Davidović spoke with Advisor to the Government of Montenegro in the European and Euro-Atlantic integration process and reform of the defence system Paige Riffe. The Secretary General informed the interlocutor on the most significant changes in the Parliament in the recent period, with special attention paid to adoption of the Amendments to the Rules of Procedure.



- President of the Parliament Ranko Krivokapić spoke with President of the Chamber of Commerce of Montenegro Velimir Mijušković. Topic of the conversation was organising the Montenegrin Parliament of Enterprises, modelled after the European Parliament of Enterprises, which is held every second year in the European Parliament in Brussels.
- Vice President of the Parliament Rifat Rastoder participated at the panel discussion on topic of Montenegrin-Turkish relations, which was organised within official visit of the mixed delegation of the Grand National Assembly of Turkey to Montenegro. The panel discussion was held in the Multimedia Hall of KIC "Budo Tomović".

16 May

- Delegation of the Defence and Security Committee, composed of: Chairman of the Committee Mevludin Nuhodžić, Committee members, Obrad Mišo Stanišić and Mehmet Bardhi and Advisor in the Committee Slaviša Šćekić, participated at the Adriatic Charter Conference in Sarajevo. Topic of the conference was: "Role of national parliaments in informing the public on the Euro-Atlantic integration".
- Vice President of the Parliament of Montenegro Rifat Rastoder, as President of the Montenegro-Turkey Parliamentary Friendship Group, spoke with representatives of the Friendship Group from the Grand National Assembly of Turkey, who stayed in an official visit to Montenegro. Vice President Rastoder accentuated the advantages of Montenegro, such as its multiethnic and multi-religious harmony, emphasising that relations between Montenegro and Turkey are excellent. Vice President of the Parliamentary Friendship Group from Turkey Şenol Gürşan also pointed out the importance of interstate cooperation, especially in field of tourism, education and health.

17 May

- Chairman of the Committee on Human Rights and Freedoms Đorđe Pinjatić participated at the meeting of the Children's Rights Ombudspersons' Network in South Eastern Europe (CRONSEE), on the topic: "Protection of children against sexual exploitation and abuse". The meeting was organised by institution of the Protector of Human Rights and Freedoms of Montenegro, which is presiding over the CRONSEE this year.
- President of the Parliament of Montenegro Ranko Krivokapić hosted the delegation of the National Assembly of the Republic of Korea, lead by Vice President of the National Assembly Hong Jae-Hyong. President

CALENDAR



Krivokapić and Vice President Jae-Hyong expressed mutual interest for intensifying political contacts on the highest level and promotion of bilateral cooperation in all areas.



- Chairman of the Committee on International Relations and European Integration Miodrag Vuković met with the State Secretary at the Secretariat for European Affairs of the Government of the Republic of Macedonia Jovan Andonovski. The interlocutors exchanged experiences of the two countries on the European integration path, particularly in regard to institutionalisation of the negotiation structures, as well as adjustment of the parliaments to dynamics of different phases of the European integration.

18 May

- Chairman of the Committee on International Relations and European Integration Miodrag Vuković met with newly appointed Ambassador of the Lao People's Democratic Republic to Montenegro on residential basis, H. E. Khamkheuang Bounteum.
- President of the Parliament of Montenegro Ranko Krivokapić met with H. E. Falah Abdulhasan Abdulsada, newly appointed Extraordinary and Plenipotentiary Ambassador of the Republic of Iraq to Montenegro.
- President of the Parliament Ranko Krivokapić opened in the parliamentary hall the exhibition "Restoration of the Montenegrin kingdom and the jubilee ceremony 1910", by the author Srđa Pejović, which was organised by the Parliament of Montenegro in cooperation with the State Archives of Montenegro. At the reception, which was attended by representatives of MP groups, diplomatic corps and international organisations, the present were greeted by the Director of the State Archives of Montenegro Stevan Radunović.
- Towards the Independence Day, the Parliament of Montenegro was visited by around 70 fifth-grade students of primary schools in Podgorica "Maksim Gorki" and "Savo Pejanović", who presented President Krivokapić with congratulation cards on occasion of the state holiday. After the tour of the Parliament, stu-

dents drew relief, flag and coat of arms of Montenegro, hearts, flowers and other motives with chalks, on the plateau in front of the Parliament building, which they gave as a gift to their country for the holiday.



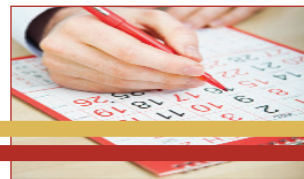
- President Krivokapić hosted H. E. Abdullah Zagour, newly appointed Ambassador Extraordinary and Plenipotentiary of the Kingdom of Morocco to Montenegro.
- MP Valentina Radulović-Šćepanović, Head of the Delegation of Montenegro to the Council of Europe Parliamentary Assembly and National Coordinator of the CoE campaign "One in Five" opened a lecture on the topic: "Sexual abuse of children in tourist centres", which was organised as a part of the CoE campaign, aimed at decreasing and stopping sexual violence over children.
- MP Radulović-Šćepanović participated at the thematic meeting of the Children's Rights Ombudspersons' Network in South Eastern Europe, named "Protection of children from sexual exploitation and abuse".

21 May

- President Krivokapić congratulated the Independence Day, 21 May, to citizens of Montenegro from the top of the mountain Lovćen. Afterwards, he was the guest speaker of the gathering "Šednik na gumnu", which was organised for the first time under Lovćen by the Student Council of the Law Faculty and the ELSA. At the beginning of his speech on the topic "Montenegro and Europe", the President thanked all those who climbed to the top of Lovćen and paid tribute to great Njegoš.



CALENDAR



23 May

- The European Commission published the Report on Montenegro's Progress in the Implementation of Reforms.
- MP Valentina Radulović-Šćepanović, as a National Coordinator of the Council of Europe campaign "One in Five", opened a panel discussion in Rožaje on the topic: "Sexual violence over children in context of prevention of human trafficking in borderlands and tourist centres". The panel discussion was organised by the Ministry of Sustainable Development and Tourism and the Union of Municipalities.

24 May

- Secretary General of the Parliament of Montenegro Damir Davidović met with Head of the Political, European Integration and Trade Section of the EU Delegation to Montenegro Alberto Cammarata. The Secretary General expressed his satisfaction by realistic assessments of the European Commission in the Report on Montenegro's Progress in the Implementation of Reforms, where it recognised progress in the Parliament's work. During the conversation on adoption of the Amendments to the Rules of Procedure, the Secretary General stated that the Parliament has chosen a unique model for monitoring harmonisation of legislature, which denotes that each working body will monitor and assess level of harmonisation of legislature, within the field of its competence. Cammarata reiterated the EU Delegation's readiness to help in defining joint projects, which can support the Parliament in realisation of future plans.
- In scope of Ukrainian presidency over the Central European Initiative, a meeting of the Parliamentary Committee of the CEI-PD was held in Kiev, on topic: "Tourism and citizen mobility as important instruments for intensifying interaction among the CEI member states". The meeting was attended by member of permanent delegation of the Parliament of Montenegro to CEI-PD, MP Vasilije Lalošević.

25 May

- President of the Parliament Ranko Krivokapić met with Deputy Chairman of the Council of Ministers and Minister of Foreign Affairs of Bosnia and Herzegovina H.E. Zlatko Lagumdžija. The interlocutors assessed that bilateral relations between Montenegro and Bosnia and Herzegovina represent an excellent example of good neighbourly relations and a model of successful cooperation for the region.
- Regular session of the Standing Committee of the Council of Europe Parliamentary Assembly held in Tirana. MP Valentina Radulović-Šćepanović partici-

pated at the session.

27 May

- IX South-East European Gathering, which was held on 25-27 May 2012 in hotel "Splendid" in Bečići, is finished. The gathering was opened by President of the Parliament of Montenegro Ranko Krivokapić.

28 May

- The NATO Parliamentary Assembly's Spring Session, which was held in Tallinn, Estonia on 25-28 May, finished its work. Permanent members of the delegation of the Parliament of Montenegro, MPs Borislav Banović and Vasilije Lalošević participated in the work of the Parliamentary Assembly.
- Delegation of the Committee on Human Rights and Freedoms composed of MPs: Đorđe Pinjatić, Šefkija Murić, Husnija Šabović, Ervin Spahić, Budimir Aleksić and Vasel Sinishtaj visited the Children's Home "Mladost" in Bijela.

29 May

- Members of the Friendship Group of the Parliament of Montenegro with the Federal Republic of Germany, lead by Vice President of the Parliament Željko Šturanović, met with delegation of members of the Parliamentary Friendship Group for Relations with the countries of Southeast Europe of the Bundestag, lead by CDU/CSU MP, Chair Peter Weiß. The delegation of members of the Parliamentary Friendship Group of the German parliament was also hosted by President of the Parliament Ranko Krivokapić.
- Members of the Committee on International Relations and European Integration met with members of the Parliamentary Friendship Group for Relations with the countries of Southeast Europe of the Bundestag. The parliamentarians discussed Montenegro's progress in terms of fulfilment of obligations on the path of accession to the EU.

30 May

- President Krivokapić hosted Gianni Buquicchio, President of the Venice Commission. The President pointed to usefulness of cooperation of the Parliament with the Venice Commission, particularly during work on adopting the Constitution of Montenegro and during process of adopting new electoral legislation, as well as acquainted his interlocutor with the activities within the reform process of judiciary. The Venice Commission expert complimented existing cooperation with the Parliament of Montenegro, expressing his expectation that the work on amending the Constitution will end in success.