



Parliament of Montenegro

NEWSLETTER OPEN PARLIAMENT

Newsletter on the Parliament of Montenegro Performance ♦ No. 50 ♦ June 2015

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OPEN PARLIAMENT



Parliament of Montenegro

Newsletter on the Parliament of Montenegro Performance ♦ Electronic format ♦ Release: monthly ♦ Year V ♦ No. 50 ♦ June 2015

FOREWORD

Dear readers,

We present to you the key information on activities of the Parliament of Montenegro in the period from 1 to 30 June, which is, in the form of monthly newsletter "Open Parliament", prepared by Parliamentary Service.

In June, fifth and seventh sitting, as well sixth and eighth special sittings of the first ordinary session of the Parliament of Montenegro in 2015, were held.

During June, committees considered 24 proposals for a law, one proposal for a decision, one proposal for conclusions, and held other activities within their oversight role.

In focus of this month's newsletter is the official visit of the Friendship Group of the National Assembly of France with Montenegro to Montenegro.

The newsletter is published monthly through which the Parliament endeavours to bring its work closer to Montenegrin citizens.

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

*Respectfully,
Parliamentary Service*



LEGISLATIVE AND OVERSIGHT ACTIVITY

At the Fifth Sitting of the First Ordinary Session of the Parliament of Montenegro in 2015, the following laws were adopted: Law on Compensation of Victims of Criminal Acts, and the Law on Amendments to the Law on Gender Equality. In addition, the Parliament elected members of the Council of the Agency for Prevention of Corruption.

At the Seventh Sitting of the First Ordinary Session of the Parliament of Montenegro in 2015, the following laws were adopted: Law on Amendments to the Criminal Procedure Code; Law on Amendments to the Law on Execution of Sentences of Imprisonment, Fines and Security Measures, as well as the Law on Prohibition of Discrimination against Persons with Disabilities.

Parliamentary questions and Prime Minister's Hour

At the Sixth Special Sitting of the First Ordinary Session of the Parliament of Montenegro in 2015, within the agenda item *Parliamentary Questions*, MPs questions were answered by the ministers in the Government. MPs posed 19 questions to the ministers.

At the Eighth Special Sitting of the First Ordinary Session of the Parliament of Montenegro in 2015, within the agenda item *Prime Minister's Hour*, MPs questions were answered by the Prime Minister of Montenegro Milo Đukanović. MPs posed seven questions to the Prime Minister.

Proposals for a law deliberated in committees

- **Proposal for a Law on Amendments to the Law on Primary Education** was considered by the Committee on Education, Science, Culture and Sports; however, the proposal did not obtain the required majority.
- **Proposal for a Law on Amendments to the General Law on Education** was considered by the Committee on Education, Science, Culture and Sports; however, the proposal did not obtain the required majority.
- **Proposal for a Law on settling obligations towards the workers of Aluminium Plant who retired early due to bankruptcy of the company**, submitted by MP Janko Vučinić, was considered by the Committee on Health, Labour and Social Welfare and the Legislative Committee; however, it did not obtain the required majority.
- **Proposal for a Law on Amendments to the Labour Law**, submitted by MPs: Branka Bošnjak, Milutin Đukanović, Vladislav Bojović, Janko Vučinić and Jelisava Kalezić was considered and proposed to the Parliament for adoption by the Legislative Committee.
- **Proposal for a Law on Amendments to the Bankruptcy Law**, submitted by MPs: Milutin Đukanović, Branka Bošnjak, Vladislav Bojović and Janko Vučinić was considered and proposed to the Parliament for adoption by the Legislative Committee. The same proposal was considered by the Committee on Economy, Finance and Budget; however, it did not obtain the required majority.
- **Proposal for a Law on Amendments to the Criminal Procedure Code** was considered and proposed to the Parliament for adoption by the Committee on Political System, Judiciary and Administration.
- **Proposal for a Law on Amendment to the Pension and Disability Insurance Law**, submitted by MP Janko Vučinić was considered by the Legislative Committee; however, the proposal did not obtain the required majority.
- **Proposal for a Law on Amendments to the Family Law**, submitted by MPs Danijela Marković and Aleksandar Damjanović, was considered by the Committee on Health, Labour and Social Welfare and the Legislative Committee; however, it did not obtain the required majority.
- **Proposal for a Law on Amendments to the Law on Higher Education** submitted by MPs Srđan Milić and Snežana Jonica was considered by the Committee on Education, Science, Culture and Sports; however, the proposal did not obtain the required majority.
- **Proposal for a Law on Amendments to the Law on Expropriation**, submitted by MPs: Azra Jasavić, Srđan Perić, Goran Tuponja and Darko Pajović was considered by the Committee on Economy, Finance and Budget; however, the proposal did not obtain the required majority.
- **Proposal for a Law on Execution of Sentences of Imprisonment, Fines and Security Measures** was considered and proposed to the Parliament for adoption by the Committee on Political System, Judiciary and Administration and the Legislative Committee.
- **Proposal for a Law on Amendments to the Law on Minority Rights and Freedoms** was considered by the Committee on Human Rights and Freedoms; however, it did not obtain the required majority. The same proposal was considered by the Legislative Committee which decided to propose it to the Parliament for adoption.
- **Proposal for a Law on Administrative Inspection** was considered and proposed to the Parliament for adoption by the Legislative Committee.
- **Proposal for a Law on Amendments to the Law on Temporary Residence Fee** was considered and proposed to the Parliament for adoption by the Committee on Economy, Finance and Budget.
- **Proposal for a Law on Ratification of the Safety and Health in Construction Convention, No. 167** was considered and proposed to the Parliament for adoption by the Committee on International Relations and Emigrants.
- **Proposal for a Law on Ratification of the Promotional Framework for Occupational Safety and Health Convention, No. 187** was considered and proposed to the Parliament for adoption by the Committee on International Relations and Emigrants.
- **Proposal for a Law on Ratification of the Paris Memorandum of Understanding on Port State Control** was considered and proposed to the Parliament for adoption by the Committee on International Relations and Emigrants.
- **Proposal for a Law on Ratification of the Protocol between Montenegro and Republic of Slovakia together with the Agreement between the Socialist Federal Republic of Yugoslavia and the Socialist Republic of Czechoslovakia on Regulation of Legal Relations in Civil, Family and Criminal Matters of 20 January 1964** was considered and proposed to the Parliament for adoption by the Committee on International Relations and Emigrants.
- **Proposal for a Law on Prohibition of Discrimination against Persons with Disabilities** was considered and proposed to the Parliament for adoption by the Committee on Human Rights and Freedoms and the Legislative Committee.
- **Proposal for a Law on Ratification of the Agreement on Establishing the Center of Excellence in Finance (CEF)** was considered and proposed to the Parliament for adoption by the Committee on International Relations and Emigrants and the Legislative Committee.
- **Proposal for a Law on Ratification of Social Security Agreement between Montenegro and the Republic of Turkey** was considered and proposed to the Parliament for adoption by the Legislative Committee.
- **Proposal for a Law on Ratification of Agreement**

between the Government of Montenegro and the Republic of Albania on Economic Cooperation was considered and proposed to the Parliament for adoption by the Legislative Committee.

- **Proposal for a Law on Amendments to the Law on Plant Health Protection** was considered and proposed to the Parliament for adoption by the Committee on Tourism, Agriculture, Ecology and Spatial Planning.
- **Proposal for a Law on Amendments to the Veterinary Law** was considered and proposed to the Parliament for adoption by Legislative Committee and the Committee on Tourism, Agriculture, Ecology and Spatial Planning.

Proposal for which a committee began deliberation during June is the following:

- Following the discussion, the Legislative Committee postponed voting on the Proposal for a Law on Amendments to the Law on Civil Servants and State Employees, submitted by MPs: Branka Bošnjak, Milutin Đukanović, Vladislav Bojović, Janko Vučinić and Jelisava Kalezić.

Proposals for other acts deliberated in committees

- **Proposal for a Decision on launching the parliamentary inquiry and forming the Inquiry Committee for collecting information and facts on the events relating to the actions of competent state authorities in the protection of state property and public interest during the sale of assets of the SC Tobacco Plant Podgorica in bankruptcy** was considered once again by the Legislative Committee, which assessed that there weren't any obstacles to launching the parliamentary inquiry and forming the Inquiry Committee for collecting information and facts on the events relating to the actions of competent state authorities in the protection of state property and public interest during the sale of assets of the SC Tobacco Plant Podgorica in bankruptcy.
- **Proposal for Conclusions regarding the current situation in the Bauxite Mines SC Nikšić** was considered by the Legislative Committee and the Committee on Economy, Finance and Budget; however, it did not obtain the required majority.

Other activities of working bodies

- At the 123rd meeting, held on 8 June, **Legislative Committee** supported the 2014 Performance Report of the Committee and 2015 Work Plan of the Committee.
- At the 92nd meeting of the **Committee on Political System, Judiciary and Administration**, held on 4 June, a consultative hearing was held, concerning the

Proposal for a Law on Amendments to the Criminal Procedure Code. For the purpose of obtaining expert opinions on the proposal for the law, in addition to representatives of the proposer, the meeting was also attended by members of the working group for drafting the Proposal for the law, representatives of state authorities and non-governmental organizations.

- At the 56th meeting of 26 June, **Committee on International Relations and Emigrants**, by a majority of votes, gave a positive opinion on the proposal to appoint Vladimir Radulović as Ambassador Extraordinary and Plenipotentiary of Montenegro to the Kingdom of Belgium, on a residential basis, seated in Brussels.



At the 57th meeting, held on the same day, Committee members unanimously supported the proposal to appoint Damir Grbović as Ambassador Extraordinary and Plenipotentiary of Montenegro to the Swiss Confederation, on a residential basis, seated in Bern.

- At the 37th meeting of the **Committee on European Integration**, held on 8 June, members of the Committee were informed about the contents of the following documents: Fifth Quarterly Report on the Overall Activities within Montenegro's Integration Process to the European Union, for the period January – March 2015; Montenegro's Accession Programme to the EU, for the period 2015-2018 (PPCG), First Quarterly Report on the Implementation of Commitments arising from the PPCG, and the Appendix to the 2015 Progress Report on Montenegro by the European Commission, for the period 1 September 2014 – 1 April 2015.
- At the Fifth Joint meeting of the **Committee on International Relations and Emigrants** and the **Committee on European Integration**, held on 30 June, members of both committees supported, by the majority of votes, 2014 Performance Report of the Ministry of Foreign Affairs and European Integration.
- At the 101st meeting of the **Committee on Economy, Finance and Budget**, held on 1 June, there was a control hearing of Petar Ivanović, Minister of Agriculture and Rural Development; Radoje Žugić, Minister of Finance; Vladimir Kavarić, Minister of

Economy; Ivan Bošković, President of the Commission for Concessions; Božidar Vuksanović, Director of Administration for Inspection Affairs; Milan Lakićević, Director of Tax Administration, Radoš Šućur, Director of the Forest Administration, and Zoran Janković, Director of Water Administration, on the topic of "Implementation of policy, or law in the field of concessions, with reference to implementation of conclusions of the Parliament of Montenegro adopted regarding consideration of 2013 Performance Report of the Commission for Concessions".



At the 102nd meeting of the Committee, held on 8 June, the Committee considered and decided to propose to the Parliament to adopt 2014 Annual Performance Report of the Central Bank of Montenegro. During the discussion, the Committee took into consideration the supporting documents, which according to the Law were submitted for the purpose of information, namely: 2014 Price Stability Report, 2014 Financial System Stability Report and the 2014 Annual Financial Report of the Central Bank of Montenegro together with the opinion of the independent external auditor. In addition, the Committee got informed about the 2014 Annual Performance Report of the Banking Ombudsman of Montenegro.

At its 103rd meeting held on 12 June, the Committee considered Implementation of five conclusions of the Parliament of Montenegro of 16 July 2014 relating to the Saltworks "Bajo Sekulić" SC Ulcinj. Regarding consideration of the degree of implementation of the said conclusions, the Committee was also informed on the official letters by: Labour Fund, Investment and Development Fund, Electric Power Plant of Montenegro SC Nikšić, and Municipality of Nikšić.

At the 104th meeting, held on 15 June, the Committee considered and supported two reports by independent regulatory bodies for 2014: Performance and Financial Operations Report of the Agency for Medicines and Medical Devices and Performance and Financial Operations Report of the Agency for Electronic Media.

- At the 51st meeting of the **Committee on Human Rights and Freedoms**, held on 10 June, the Committee considered and supported the 2014 Performance Report of the Protector of Human Rights and Freedoms

of Montenegro.

At the 54th meeting, held on 24 June, the Committee considered and supported the 2014 Report on the Development and Protection of Rights of Minorities and Other Minority Communities. Within current items, Committee members were informed of inquiries submitted to the Committee, by Dalibor Stanković and the Association of Gambling providers.

- At the 47th meeting, held on 30 June, **Committee on Tourism, Agriculture, Ecology and Spatial Planning** determined the Proposal for conclusions on the occasion of the implementation of Conclusions of the Parliament of Montenegro of 27 December 2014, relating to the current state of the environment in the Municipality of Pljevlja.
- Third Joint meeting of the **Committee on Education, Science, Culture and Sports and Gender Equality Committee**, was held on 5 June, on the topic "Women and Sports and School Sports", aimed at making the Parliament of Montenegro, respectively its responsible committees, give contribution to the promotion of sports, as a field of exceptional importance which needs constant investment.
- At its 38th meeting, held on 23 June, the **Anti-corruption Committee** decided to propose to the Parliament a list of five candidates for election of members of the Council of the Agency for Prevention of Corruption.
- At the 21st meeting, held on 12 June, **Commission for Monitoring and Control of the Privatisation Procedure** considered the current state of the privatization procedure of the Institute "Dr Simo Milošević" SC Igalo. The meeting of the Committee was also attended by President of the Tender Commission Branko Vujović, Secretary of the Tender Commission Ivana Šaranović - Jovičević, Secretary of the Ministry of Health Zoran Kostić, Executive Director of the Institute "Dr Simo Milošević" SC Igalo Zoran Bošnjak, President of the Board of Directors of the Institute "Dr Simo Milošević" SC Igalo Đuro Marić, President of the Trade Union Organisation of the Institute "Dr Simo Milošević" SC Igalo Vuko Šabović and the coordinator of the Research Center of MANS Ines Mrdović.



NEWS FROM PARLIAMENT



Summer Session of the PACE held in Strasbourg

Delegation of the Parliament of Montenegro, composed of Predrag Sekulić, Head of Delegation, Goran Tuponja, Marija Maja Čatović, Damir Šehović and Snežana Jonica, members of Delegation, participated in the Summer Session of the Parliamentary Assembly of the Council of Europe, which took place from 22 to 26 June in Strasbourg.

The first day of the session, members of PACE were addressed by President of Malta Marie Louise Coleiro Preca, who focused on the issue of migration and pointed out the significance of defining an effective and comprehensive migration policy based on principles of upholding human rights.



MPs were also addressed by Minister for Foreign Affairs of Bosnia and Herzegovina Igor Crnadak, as Chairperson of the Committee of Ministers of the Council of Europe who stated that the Chairmanship of Bosnia and Herzegovina will continue to work on implementation of the common priorities drawn up in co-ordination with the outgoing Chairmanships of Azerbaijan and Belgium.

First day of the session, the PACE marked its 60th anniversary of the Europe Prize with a series of activities.

In addition, the meetings of the following were held: Committee on Political Affairs and Democracy; Committee on Legal Affairs and Human Rights; Committee on Equality and Non-Discrimination; Committee on Social Affairs, Health and Sustainable Development, and Monitoring Committee, as well as meetings of political groups.

Second day of the session, debates were held on improvement of protection of whistle-blowers, partnership for democracy in respect of the Parliament of Morocco, and functioning of democratic institutions in Azerbaijan, after which three resolutions were adopted.

During the session, the Parliamentary Assembly was addressed by the United Nations Secretary General Ban Ki-moon, whereas in the afternoon part of the Session, Thorbjørn Jagland, Secretary General of the Council of Europe, answered questions from the parliamentarians.

Within elections and appointments, PACE elected judges of the European Court of Human Rights in respect

of Armenia, Latvia, Luxembourg, and Monaco, and appointed Deputy Secretary General of the Council of Europe.

Third day, regarding consideration of the issue of credentials of the delegation of the Russian Federation, as a sign of commitment to an open and constructive dialogue, and bearing in mind the sanctions currently in effect, the PACE has decided not to annul the credentials of this delegation.

Within today's session, they discussed the situation in Hungary following the adoption of Assembly Resolution 1941 (2013) on request for the opening of a monitoring procedure in respect of this country. PACE called for Hungarian authorities to persevere in resolving the remaining issues and decided that separate consideration of those issues by the Parliamentary Assembly should be concluded.

Within the consolidated discussion on increasing transparency of media ownership, and media responsibility and ethics in a changing media environment, it was especially emphasised that the freedom of expression was a prerequisite of a democratic society and a necessary requirement of its progress, but also that it entailed certain commitments and responsibilities.

Meetings of the following committees were held: Committee on Political Affairs and Democracy, Committee on Migration, Refugees and Displaced Persons, Committee on Social Affairs, Health and Sustainable Development, and Committee on Culture, Science, Education and Media, as well as meetings of political groups. There was also a meeting between the President and the Chairpersons of national delegations of the region, where opinions were shared on current issues and cooperation of all delegations within PACE.

Fourth day of the PACE session, the debates were held on the need for a common European response to migration challenges, missing persons during the conflict in Ukraine, and a new European Social Model.

Meetings of the following committees were held: Committee on Migration, Refugees and Displaced Persons; Committee on Social Affairs, Health and Sustainable Development; Committee on Culture, Science, Education and Media; Committee on Equality and Non-Discrimination; Committee on Legal Affairs and Human Rights, and Joint Committee. Furthermore, a meeting was held between the President of the PACE and the Chairpersons of national delegations to PACE.

Last day of the session was dedicated to covering the following topics: recognising and preventing neo-racism, and increasing co-operation against cyberterrorism and other large-scale attacks on the Internet.

The 800th Anniversary of Magna Carta Libertatum marked in the Parliament of Montenegro

Committee on Political System, Judiciary and Administration of the Parliament of Montenegro, in cooperation with the NGO Civic Alliance, Constitutional Court of Montenegro, Protector of Human Rights and Freedoms of Montenegro and the Embassy of the Great Britain to Montenegro, on 16 June, hosted the conference on the occasion of marking 800 years since the adoption of “Magna Carta Libertatum”.



The gathering was attended by representatives of diplomatic corps in Montenegro, representatives of national bodies and institutions, representatives of NGO sector as well as members of the Committee on Political System, Judiciary and Administration of the Parliament of Montenegro.

The conference was opened by MP Snežana Jonica, Deputy Chair of the Committee on Political System, Judiciary and Administration, who, at the same moderated the gathering.

The following spoke at the gathering: Ranko Krivokapić, President of the Parliament of Montenegro, Desanka Lopičić, President of the Constitutional Court of Montenegro, Zoran Pažin, Minister of Justice, Šučko Baković, Protector of Human Rights and Freedoms, Ian Whitting, Ambassador of the Great Britain to Montenegro, and Boris Raonić, President of NGO “Civic Alliance”.

In his address, President of the Parliament of Montenegro Ranko Krivokapić, reminded of the

importance that Magna Carta Libertatum had in contemporary constitutional systems even eight centuries after its adoption. Krivokapić said that in Slavic languages the sense of constitutions was to limit the power, prevent any misuse and ensure that no interest of an individual or government could be above the constitution. Additionally, he said that the rule of law provided stability and security of every citizen. Finally, he emphasised that only absolute respect of the law and the rule of law resulted in economic growth and prosperity of every state.

Desanka Lopičić, President of the Constitutional Court of Montenegro, said that Magna Carta Libertatum was a legal and political document, representing the cornerstone of constitutionality, i.e. a legal act that the modern legal states were built upon, whereas Minister of Justice Zoran Pažin stressed that Magna Carta Libertatum was European and world’s lighthouse of freedom and in the same time British contribution to cultural map of humanity.

Šučko Baković, Protector of Human Rights and Freedoms, said that Magna Carta Libertatum was a document guaranteeing three key values: life, freedom and dignity, which were universal values; whereas Ian Whitting, Ambassador of the Great Britain to Montenegro, reminded of historical aspect of this document, which introduced the principle of equality before the law, i.e. created preconditions for holding everybody to account.

Boris Raonić, President of the NGO Civic Alliance, referred to aspects of the rule of law in contemporary legal systems, adding that Magna Carta represented a cornerstone of legal state and that a special attention must be devoted to development of culture of human rights, aimed at economic prosperity.

By marking this important date, Montenegro has joined the global action of celebrating “Magna Carta Libertatum”.

PARLIAMENTARY GLOSSARY

Working bodies. “A part of parliamentary activities are organised within parliamentary working bodies of parliament. The work of parliament in plenary is preceded by work organised within working bodies. The working bodies are established in order for the Parliament to achieve a better quality and more efficient work. The criteria which applies during their establishment involves expertise in certain areas falling under the competence of the parliament. In addition to MPs, representatives of the government, as well as experts in certain areas may also participate in the activities of working bodies, having no right to decide. The number of working bodies is determined by the rules of procedure of parliament.”¹

¹ Prof. dr Marijana Pajvančić, *Ustavno pravo-Ustavne Institucije*-, Novi Sad: Pravni fakultet 2007, p. 228

IN FOCUS



Friendship Group of the National Assembly of France with Montenegro paid an official visit to Montenegro

Friendship Group of the National Assembly of France with Montenegro paid an official visit to Montenegro, from 15 to 18 June.

During the visit, members of the Friendship Group of the French Parliament Patrice Verchère, Philippe Gosselin and Genevieve Gosselin-Fleury met with President of the Parliament of Montenegro Ranko Krivokapić. Krivokapić informed his interlocutors about the dynamics of the Parliament and said that the work of MPs was extremely dynamic. He added that, in the opinion of many, the Montenegrin Parliament stood as the leading one in the region in terms of openness, access to information, but also by the number of parliamentary hearings and investigations. Krivokapić spoke about the social cohesion that existed in Montenegro on the issue of European integration, adding that when it came to aspirations for membership to NATO, the country was committed to fulfilling obligations that laid ahead by the end of the year. The interlocutors also evaluated as commendable current cooperation between Montenegro and France through the OSCE PA.



Vice President of the Parliament of Montenegro and Chair of the Friendship Group for cooperation with the Parliament of France Branko Radulović held a meeting with French MPs. The meeting was focused on Montenegro's progress in integration processes, but also on manners for more comprehensive and intensive cooperation of the two parliaments. Chair of the Friendship Group of France with Montenegro Patrice Verchère expressed openness for support and help of France to Montenegro in the fields important for achieving full democracy and creating society based on rule of law, as well as fulfilling foreign policy priorities.

The participants jointly stated that unique form of bilateral parliamentary cooperation within friendship groups confirmed good relations among states and

represented important continuation of official diplomacy; hence, it was necessary to improve the existing parliamentary mechanisms.



The French officials met with Chair and members of the Committee on International Relations and Emigrants. Chair of the Committee Miodrag Vuković informed the French parliamentarians on responsibilities of the Committee, particularly its activities related to the issues of general parliamentary bilateral and multilateral diplomacy, and cooperation achieved in friendship groups formed by the Committee.

Members of the Committee on International Relations and Emigrants Goran Danilović, Danko Šarančić, Jasmin Sutović and Milan Knežević informed the French counterparts about their political objectives and directions for further development of Montenegro.

Members of the French Delegation also met with Chair of the Committee on European Integration Slaven Radunović, Deputy Chair Marija Maja Čatović and Committee members: Srđa Popović, Šefkija Murić, Nada Drobnjak, Obrad Mišo Stanišić and Genci Nimanbegu.

Chair Radunović briefed about the role of the Committee, the ongoing activities and competencies prescribed for by the Rules of Procedure of the Parliament and the Resolution on Manner, Quality and Dynamics of the Integration Process of Montenegro to the European Union. He particularly emphasised the oversight role of the Committee. Radunović pointed out that Montenegro was facing equally complex tasks as other aspirant countries which have significantly larger administration, but the country was trying to use positive experiences of others, in order to make progress faster and more efficiently using the principle of lessons learned, with honouring Montenegrin specific features.

FROM THE HISTORY OF MONTENEGRIN PARLIAMENTARISM



Law on Judicial Proceedings involving Criminal Offences

20 January/ 2 February 1910

**WE
NIKOLA I**

By the grace of God

PRINCE AND SOVEREIGN OF MONTENEGRO

**Declare and announce to each and every person
that the National assembly has decided to order
and we are ordering this**

LAW ON JUDICIAL PROCEEDINGS INVOLVING CRIMINAL OFFENCES

SECTION I

§1

A person shall not be convicted or punished for any crimes or offences until he/she is investigated and tried in accordance with the provisions of this law.

§4

All criminal offences are to be investigated ex officio, unless otherwise specified by law.

§5

All competent authorities and certain officials in charge of conducting criminal proceedings are obliged

to ensure that the innocent persons are not prosecuted, and that perpetrators receive their deserved punishment.

When investigating criminal offences, they are obliged ex officio to take into account all circumstances, aggravating ones which increase the sentence, as well as mitigating circumstances, and the ones that reduce or don't involve any punishment.

§7

Crimes and offences committed by civil servants ex officio shall be tried by the court upon a lawsuit filed by the State Prosecutor or a person appointed by the Minister.

Cetinje, 20 January 1910

Nikola, handwritten signature

From the Law on Judicial Proceedings
involving Criminal Offences

**Pavićević, B, Raspopović, R, ur. Crnogorski
zakonici 1796-1916, knj. IV, Podgorica
(Montenegrin Codes 1796-1916, Book IV),
Istorijski institut Crne Gore, 1998, pp. 900-976**

FROM PARLIAMENT'S GALLERY

Declaring Montenegro a kingdom and its sovereign a king in 1910, was the second most important historic event. In the rationale behind the ranking, inter alia, the effort to establish historic and state continuity was also emphasised, linking this period of Montenegro with the analogue event in 1077, on which occasion Mihajlo Vojislavljević was awarded the insignia of royal power. Transition of Montenegro from a principality to a kingdom, was followed by modifications in the state coat of arms. On the lambrequin of the coat of arms of the Kingdom of Montenegro there is a double-headed eagle holding in its talons the royal insignia, and crowned with a royal crown.

On the chest of the eagle, in the red field of the baroque shield, there is a golden lion walking to the right with its upper paw lifted.

The cloak is gold and red, with a royal crown on the top, covered with gold, pearls and jewels.



CALENDAR



1 June

- Chair of the Committee on European Integration Slaven Radunović and member of the Committee Nada Drobnjak, participated in the Conference of Parliamentary Committees for Union Affairs of Parliaments of the European Union (COSAC), which took place from 31 May to 2 June in Riga. During the Conference, the current state of play of the Latvian presidency of the Council of the EU was presented. There was also a discussion on the EU energy policy, trade policy, and negotiations with the USA on the trade agreement, and on the future of parliamentary control within the EU.



- MPs Marta Šćepanović and Vladislav Bojović attended the Fourth International Conference of Legislative Parliamentary Committees, held from 31 May to 2 June in Berlin. The topic of the Conference was “Human Rights and Possible Limitations, as well as the Protection of Consumers on the Internet”.
- At the meeting of the Commission for conducting election of members of the Council of Anti-corruption Agency, held in accordance with Article 86 paragraph 1 of the Law on Prevention of Corruption, a list was determined consisting of eight candidates who meet the requirements from Articles 83 and 84 of the Law. It was agreed that, in accordance with Article 86 paragraph 3 of the Law on Prevention of Corruption, the candidates should submit their written and elaborated view on the future work of the Agency in the prevention of corruption, by 8 June 2015.

4 June

- President of the Parliament of Montenegro Ranko Krivokapić received the Minister of Foreign Affairs of Georgia Tamara Beruchashvili. President Krivokapić emphasised at the meeting that Montenegro has good cooperation with the Parliament of Georgia, as

confirmed by the friendship groups of parliaments of Montenegro and Georgia, and added that the good parliamentary cooperation between the two countries continued through constructive cooperation within the OSCE. The interlocutors agreed that mutual cooperation between the two countries in the Euro-Atlantic integration was of great significance. Krivokapić expressed his gratitude to Beruchashvili on the support to open - door policy, based on the individual performance of each of the candidate countries.

- President of the Parliament of Montenegro Ranko Krivokapić met Speaker of the Croatian Parliament Josip Leko. The interlocutors spoke on Euro-Atlantic Integration of Montenegro. In that context, Leko stressed that Montenegro had a partner support of Croatia in its aspirations to become a member of the EU and NATO. The interlocutors also spoke on strengthening cooperation between the two countries in the field of economy.
- President of the Parliament of Montenegro Ranko Krivokapić spoke with Deputy Assistant Secretary of State at the US State Department Hoyt Brian Yee. It was pointed out in the meeting that the USA had been following the progress in the key area for Montenegrin NATO membership – the rule of law, and it was emphasised that the USA remained a strong advocate and supporter to Montenegro’s path towards the Alliance. Krivokapić stressed that Montenegro was working intensely on meeting the criteria for NATO membership, and expressed his belief that those efforts would be appreciated on the occasion of sending the invitation to Alliance membership.



5 June

- President of the Parliament of Montenegro Ranko Krivokapić met with Special Presidential Envoy for

CALENDAR



the Global Coalition to Counter ISIL General John Allen. In his conversation with President Krivokapić, General Allen commended a committed and partnership relationship of Montenegro towards NATO. The interlocutors pointed out as especially significant the adoption of amendments to the Criminal Code punishing recruitment, enlistment and training of people to go into foreign battlefields. The focus of conversation between President Krivokapić and Allen was also on the upcoming commitments of Montenegro awaiting the NATO membership invitation.

6 June

- Vice-President of the Parliament of Montenegro Suljo Mustafić paid an official visit to the Republic of Slovenia, where he met with officials of the Slovenian Parliament and representatives of associations of emigrants from Montenegro who live in Slovenia. Vice-President Mustafić met with President of the Upper House of the Parliament of Slovenia (National Council) Mitja Bervar, the Vice-President of the Lower House (*Državni zbor*) Primož Hainz, Chairmen and members of the Committee on Foreign Policy and the Committee on Defence of the National Assembly of Slovenia and the Head of the Inter-Parliamentary Friendship Group with the Parliament of Montenegro in the Parliament of Slovenia Uroš Prikl.



- President of the Parliament of Montenegro participated in the 2BS Forum, where he addressed all the participants. The participants of the Forum, were also addressed by President of Croatia Kolinda Grabar-Kitarović, President of Montenegro Filip Vujanović and Minister of Foreign Affairs of Serbia and OSCE Chairperson-in-Office Ivica Dačić.

7 June

- Gender Equality Committee of the Parliament of

Montenegro held the first bilateral meeting with the Work, Social Issues and Health Committee of the Albanian Parliament, on the topic: “Women’s entrepreneurship – Towards Cetinje Parliamentary Forum”, in Budva. The meeting was focused on the economic empowerment of women, as one of the important issues. The interlocutors discussed the access to funds for women entrepreneurs, positive practices, recommendations and initiatives that should be undertaken for the development of women entrepreneurship.

- Parliament of Montenegro, in cooperation with the Organisation for Security and Cooperation in Europe, Regional Cooperation Council and Regional Center for Gender Equality organized the XVIII Cetinje Parliamentary Forum, on the topic “Women in Business”. The Forum was opened by Chair of the Committee on Economy, Finance and Budget Aleksandar Damjanović and Chairwoman of the Gender Equality Committee Nada Drobnjak. During the Forum, several sessions took place on the following topics: “Planned and achieved results”, “The role of local self-government in the development of women business”, and “Positive practice and recommendations for development of women entrepreneurship”.



9 June

- Chair of the Anti-Corruption Committee Predrag Bulatović participated in the conference held on the topic “Chapter 23 – State of reforms and how to ensure progress”, organised by the Center for Development of Non-Governmental Organisations with the support of the British Embassy to Montenegro. Reforms achieved so far in the field comprising this chapter were presented in details at the conference, namely: judiciary, corruption, fundamental rights and cooperation with civil society, problems in implementation of reforms and all

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challenges in the further implementation of the Action Plan for this chapter.

10 June

- Fifth grade primary school students from Trpezi in Petnjica visited the Parliament of Montenegro, and, in this manner improved their theoretical knowledge about the Parliament of Montenegro, democracy, children's rights and national symbols. Additionally, they were provided with a lot of new and interesting facts about the Montenegrin Parliament, its manner of functioning and historical background.



- Vice President of the Parliament of Montenegro Suljo Mustafić met with the Delegation of co-rapporteurs of the Monitoring Committee of the Congress of Local and Regional Authorities of the Council of Europe, headed by Gaye Doganoglu and Henrik Brade Johansen, who had been staying in Montenegro within the monitoring visit aimed at assessment of the state of local democracy. The meeting addressed the issues of the European standards in the field of local democracy, European Charter of Local Self-Government ratified by Montenegro in 2008 and assessment of the state of local democracy in the Council of Europe member states.
- Chair of the Committee on Political System, Judiciary and Administration Rifat Rastoder and Deputy Chair of the Committee Snežana Jonica met with the co-rapporteurs of the Monitoring Committee of the Congress of Local and Regional Authorities of the Council of Europe Gaye Doganoglu and Henrik Brade Johansen. The focus of conversation was the state of local self-government in Montenegro.
- Chair of the Committee on European Integration Slaven Radunović paid an official visit to Polish Parliament-Sejm, on which occasion he met with Vice Marshal of the Sejm Eugeniusz Grzeszczak, as well as

with the Chairman and members of the National and Ethnic Minorities Committee Miron Sycz, Eugeniusz Czykwin, Ryszard Galla and Danuta Pietraszewska.

- Chair of the Committee on Human Rights and Freedoms Halil Duković, Chair of the Committee on Political System, Judiciary and Administration Rifat Rastoder, and Deputy Chair of the Committee on Political System, Judiciary and Administration Snežana Jonica met with co-rapporteurs of the Monitoring Committee of the Congress of Local and Regional Authorities of the Council of Europe Gaye Doganoglu and Henrik Brade Johansen, who paid a three-day monitoring visit to Montenegro. The representatives of the CE were interested in the relationship between the Parliament and local authorities, and whether there were a sufficient number of mechanisms for transferring certain tasks from the central to the regional level.

11 June

- President of the Parliament of Montenegro Ranko Krivokapić met with NATO Secretary General Jens Stoltenberg. President Krivokapić expressed gratitude regarding all the support that the NATO has been giving to Montenegro and, highlighted the contribution of the Secretary General of the Alliance. He emphasised that Montenegro was doing everything to justify the received support and to strive, through continuation of intensive reforms, towards fulfilling the state strategic goal – receiving the NATO invitation in December of this year.



President Krivokapić conveyed to Stoltenberg the maximum dedication of Montenegro to everything that represented the Euro-Atlantic values, as well as that our country was proud to share those values with free, democratic and prosperous countries that made up the NATO Alliance. NATO Secretary General Jens Stoltenberg acknowledged the results that Montenegro

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had achieved on its path towards the NATO and expressed expectation that the country would continue to implement the necessary reforms within the intensified and focused dialogue. The interlocutors emphasised that Montenegro was on the right track and that it was necessary to hold a high level of commitment towards the common Euro-Atlantic goals as a necessary requirement for membership to the Alliance.

12 June

- Vice President of the Parliament of Montenegro Milutin Simović awarded certificates to attendees of Democracy workshops „Barbara Pramer”, which attended workshops in the period from December 2014 to June 2015. Vice President Simović stated that in the course of less than three years, a total of 14.620 students and 878 teachers participated in Democracy Workshops and visited the Parliament of Montenegro. Simović emphasised that the aforementioned data indicated that the Parliament of Montenegro has the capacities to successfully organise activities of this type, which provides additional stimulation for further strengthening the relations between the Parliament and the citizens.



- Vice President of the Parliament of Montenegro Branko Radulović paid an official visit to Lithuania. Radulović met with his counterparts: First Deputy Speaker of the Parliament of Lithuania (Seimas) Vydas Gedvilas, Deputy Speaker of the Parliament of Lithuania Irena Degutienė, and Deputy Speaker of the Parliament of Lithuania Algirdas Sysas, as well as with Česlovas Juršėnas, long term MP and former Speaker of the Parliament, signer of the Act of the Re-Establishment of the State of Lithuania and chief reformer, and also with Audronius Ažubalis, former Minister of Foreign Affairs and current MP.

16 June

- Friendship Group of the National Assembly of France

with Montenegro paid an official visit to Montenegro, in the period 15-18 June, during which several meetings were held with representatives of the Parliament of Montenegro.

- President of the Parliament of Montenegro Ranko Krivokapić received members of the Friendship Group of the French Parliament Patrice Verchère, Philippe Gosselin and Genevieve Gosselin-Fleury.
- MP Group of Albanian parties (FORCA, AA), HGI and LPCG and MP Group of Bosniak Party met with Head of the EU Delegation to Montenegro Mitja Drobnic and Advisor for European Integration and Human Rights in the EU Delegation to Podgorica Barbara Rotovnik. The discussion was about the rule of law, political scene in Montenegro, as well as political priorities in the period until the upcoming elections, economic issues and issues of education.
- Committee on Political System, Judiciary and Administration, in cooperation with NGO Civic Alliance, Constitutional Court of Montenegro, Protector of Human Rights and Freedoms of Montenegro and British Embassy to Montenegro, hosted the conference held on the occasion of marking 800 years since the signing of Magna carta libertatum. The following spoke at the meeting: Ranko Krivokapić, President of the Parliament of Montenegro; Desanka Lopičić, President of the Constitutional Court of Montenegro; Zoran Pažin, Minister of Justice; Šučko Baković, Protector of Human Rights and Freedoms of Montenegro, Ambassador of the United Kingdom of the Great Britain and North Ireland to Montenegro Ian Whitting, and Boris Raonić, President of NGO Civic alliance.
- Chair of the Committee on European Integration Slaven Radunović, Deputy Chair of the Committee Marija Maja Čatović, and Committee members: Srđa Popović, Šefkija Murić, Nada Drobnjak, Obrad Mišo Stanišić and Genci Nimanbegu met with members of the Friendship Group with the Parliament of France; who paid an official visit to Montenegro from 15 to 18 June.
- Chair of the Security and Defence Committee Mevludin Nuhodžić met with the Director of the Security Policy Department at the Ministry of Foreign Affairs of the Czech Republic Tomáš Szunyog. The meeting was attended by the Charge d'Affaires of the Embassy of the Czech Republic in Podgorica Petr Šmejkal. The subject of the meeting was integration of Montenegro to NATO

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and the security situation in the region, discussing the role of the Security and Defence Committee of the Parliament of Montenegro in this process, as well as the issue of public support relating to Montenegro's membership to NATO.

18 June

- MP Borislav Banović participated in the 89th Rose Roth seminar of the NATO Parliamentary Assembly on the topic "Security and Stability in the South Caucasus: Fostering Enduring Regional Peace", which took place in Yerevan, Republic of Armenia. During the seminar, several sessions took place on the following topics: "Armenian Co-operation with the Euro-Atlantic Community: Security, Politics, and Economics", "The Rise of ISIS in the Middle East and Beyond (Impact on the Armenian Diaspora)", "Nagorno Karabakh: The Role of Mediation", "NATO's Partnerships in the South Caucasus", "Building Integrity as Part of Defence Reform in Armenia", "Closed borders: Challenges for Economic Development, Stability and Peace", "Energy Security in the South Caucasus", "Political Developments and Civil Society in the Region".
- Pursuant to Article 86 paragraph 4 of the Law on Prevention of Corruption, the Commission for conducting the election of members of the Council of the Agency for Prevention of Corruption, submitted to the Anti-corruption Committee of the Parliament of Montenegro the following list of five candidates for the election of members of the Council of the Agency for Prevention of Corruption: Vanja Čalović, Ristan Stijepović, Radule Žurić, Goranka Vučinić and Bojan Obrenović.
- Vice President of the Parliament of Montenegro Suljo Mustafić, Chair of the Committee on Political System, Judiciary and Administration Rifat Rastoder and Deputy Chair Snežana Jonica, as well as Committee members Marta Šćepanović and Slaven Radunović opened a two day conference in Budva, on the topic "Towards independent and modern judicial systems in the enlargement countries", which was organised by the Parliament of Montenegro and the European Parliament. During the conference, the following was discussed: the rule of law and judiciary independence as basic criteria for EU membership, modernisation of the judicial systems, including eJustice, as well as experiences of other pre-

accession countries.



19 June

- Vice President Mustafić met with members of the Parliament of Azerbaijan, Deputy Chairperson of the Committee on Security and Defence MP Aydin Mirzazadeh, and MP Ilham Mammadov. Mustafić emphasised that special significance was held by our two parliaments and their cooperation, which should be intensified in the following period through direct contact in bilateral relations and international initiatives, and that our parliamentary friendship groups are an important bridge of cooperation between the two countries, creating prerequisites for developing relations in areas of economy, industry, culture, and sports.
- Representatives of the Committee on Economy, Finance and Budget of the Parliament of Montenegro MPs Aleksandar Damjanović, Veljko Zarubica and Strahinja Bulajić, and representative of the Committee on European Integration MP Šefkija Murić met with representatives of the National Assembly of the Republic of Srpska. During the meeting, the focus was on the process of harmonisation of national legislation with the European acquis, overview of possibilities for intensifying a joint approach of the Republic of Srpska/Bosnia and Herzegovina and Montenegro towards the EU funds, especially in the field of crossborder cooperation or in the context of promoting economic cooperation and attracting foreign investments.

22 June

- Delegation of the Parliament of Montenegro, consisted of Predrag Sekulić, Head of Delegation, Goran Tuponja, Marija Maja Čatović, Damir Šehović and Snežana Jonica, members of Delegation; participated in the Summer Session of the

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Parliamentary Assembly of the Council of Europe, held from 22 to 26 June in Strasbourg.

26 June

- Chair of the Committee on European Integration Slaven Radunović participated in a public debate dedicated to action plans for Chapters 23 and 24. It was emphasised that the negotiations represented joint action of the candidate country and the European Union in finding the most adequate manner for full implementation of legislation, as well as that the key thing for implementation of regulations was to raise awareness of the citizens regarding the need for implementation of the said laws, and that the civil sector played a very important role in the matter.



- Vice President of the Montenegrin Olympic Committee Andrija Popović, who is also a member of the Committee on Education, Science, Culture and Sports, met newly-appointed Ambassador of Algeria to Montenegro based in Belgrade H.E. Abdelhamid Chebchoub. The occasion for the meeting was Mediterranean Games, which will be held in 2021, and the official candidate is Algerian Oran.
- Chair of the Committee on International Relations and Emigrants Miodrag Vuković met Ambassador of the State of Kuwait Yousef Abdulsamad. Chair Vuković emphasised that the Committee was devoted to parliamentary cooperation with other countries at the bilateral and multilateral level through participation in meetings of international organisations, primarily by cooperation with national parliaments, with ambition for Montenegro to be recognised in the region and also wider as a good partner. Speaking on the relations of the State of Kuwait and Montenegro, Yousef Abdulsamad stressed the need for strengthening economic and trade relations of the two countries, placing an accent to investment potential of his country. The Ambassador

also said that during his mandate he would be devoted to strengthening relations and connections of the two states, as well as widening cooperation to other fields.

- President of the Parliament of Montenegro Ranko Krivokapić met with Nikos Kotzias, Minister of Foreign Affairs of the Hellenic Republic. President Krivokapić expressed gratitude for all the support and understanding that the Hellenic Republic gave and had towards Montenegro on its Euro-Atlantic path. The President informed Minister Kotzias on the efforts and results achieved by our country while awaiting the NATO membership invitation, as well as on the integration process towards the European Union. He also pointed out the role of the Parliament in these processes, as the institution which was constantly raising its constitutional capacity, aimed at strengthening the democracy and the rule of law. Minister Kotzias said to Krivokapić that Greece was giving strong support to our country in the Euro-Atlantic integration, and that Greece was willing and ready to demonstrate its support through various forms of sharing experiences and experts. The interlocutors agreed that Montenegro was on a good path, and that it was necessary to hold a high level of dedication towards the joint Euro-Atlantic goals, as a necessary requirement for NATO and EU membership.



29 June

- Member of the Security and Defence Committee Darko Pajović participated in the conference titled “Annual Meeting of the Representatives from Defence and Security Committees from SEE Parliaments: Flood Relief”. The main aim of the conference was to develop political support and identify best practice towards the effective regional policy and coordination procedures in case of protection and rescue from floods.