



Parliament of Montenegro

# NEWSLETTER OPEN PARLIAMENT

Newsletter on the Parliament of Montenegro Performance ♦ No. 78 ♦ January 2018

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# OPEN PARLIAMENT



Parliament of Montenegro

Newsletter on the Parliament of Montenegro Performance ♦ Electronic format ♦ Release: monthly ♦ Year VIII ♦ No. 78 ♦ January 2018

## FOREWORD

*Dear readers,*

We present to you the key information on activities of the Parliament of Montenegro in the period from 1 to 31 January, which is, in the form of monthly newsletter "Open Parliament", prepared by Parliamentary Service.

During January, the Sitting of the First Extraordinary Session of the Parliament of Montenegro in 2018 convened, whereas, committees considered 11 proposals for a law, and performed other activities within their oversight role.

In focus of this month's newsletter is the Winter Session of the Parliamentary Assembly of the Council of Europe, held in Strasbourg. The newsletter is published monthly through which the Parliament endeavours to bring its work closer to Montenegrin citizens. We consider this publication to be very significant as a reliable source of information regarding the work of the Parliament and we hope that you will find it useful.

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

*Proposals for law deliberated in committees*

- **Proposal for a Law on Amendments to the Law on the Protection of Natural and Cultural Historical Heritage of the Kotor Region** was considered and proposed to the Parliament for adoption by the Committee on Education, Science, Culture and Sports and the Legislative Committee.
- **Proposal for a Law on Foreigners** 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 General Product Safety** was considered and proposed to the Parliament for adoption by the Committee on Economy, Finance and Budget and the Legislative Committee.
- **Proposal for a Law on Amendments to the Voluntary Pension Funds Law** was considered and proposed to the Parliament for adoption by the Committee on Economy, Finance and Budget and the Legislative Committee.
- **Proposal for a Law on Amendments to the Law on Investment Funds** was considered and proposed to the Parliament for adoption by the Committee on Economy, Finance and Budget and the Legislative Committee.
- **Proposal for a Law on State Aid Control** was considered and proposed to the Parliament for adoption by the Committee on Economy, Finance and Budget and the Legislative Committee.
- **Proposal for a Law on Amendments to the Law on Protection of Competition** was considered and proposed to the Parliament for adoption by the Committee on Economy, Finance and Budget and the

Legislative Committee.

- **Proposal for a Law on Trade Union Representation** was considered and proposed to the Parliament for adoption by the Committee on Health, Labour and Social Welfare and the Legislative Committee.
- **Proposal for a Law on Amendments to the Law on Health Insurance** was considered and proposed to the Parliament for adoption by the Committee on Health, Labour and Social Welfare and the Legislative Committee.
- **Proposal for a Law on Amendments to the Law on Transport of Hazardous Substances** was considered and proposed to the Parliament for adoption by the Committee on Tourism, Agriculture, Ecology and Spatial Planning and the Legislative Committee.
- **Proposal for a Law on Protection of Population against Communicable Diseases** was considered and proposed to the Parliament for adoption by the Legislative Committee.

#### *Other activities of working bodies*

- At the 29th meeting of the **Committee on Political System, Judiciary and Administration** that was held on 16 January, the Committee determined the list of candidates who had applied to the Public invitation for the selection of four members of the Prosecutorial Council from among respectable lawyers.
- At its 30th meeting held on 30 January, the Committee held a consultative hearing of candidates who applied to the Public Invitation for election of four members of the Prosecutorial Council from among respectable lawyers.
- At the 15th meeting of the **Security and Defence Committee**, held on 31 January, the Committee unanimously adopted the 2017 Performance Report of the Committee.
- At the 17th meeting of the **Committee on European Integration**, held on 31 January, members of the Committee adopted the 2017 Performance Report of the Committee.
- At the 37th meeting of the **Committee on Economy, Finance and Budget**, held on 17 January, the Committee considered the Draft Programme on Economic Reforms, covering the period 2018-2020.
- At the 11th meeting of the **Gender Equality Committee**, held on 19 January, the Committee adopted the 2017 Performance Report of the Committee.
- At the 20th meeting of the **Committee on Tourism, Agriculture, Ecology and Spatial Planning**, held on 18 January, the Committee adopted the 2017 Performance Report of the Committee.
- At the 29th meeting of the **Administrative Committee**, held on 19 January, the Committee determined the list of timely and complete proposals of candidates for one

member of the RTCG Council. The University of Montenegro, as an authorised proposer, has proposed Mr Bogdan Ašanin, PhD in medicine, for a member of the RTCG Council, while the University of Donja Gorica, as an authorised proposer, has proposed Mr Ivan Jovetić, Master of Economics, as a member of the RTCG Council.

- At the 30th meeting, held on 25 January, the Committee determined a List of candidates for one member of the RTCG Council, by authorised proposer - universities of Montenegro, and decided to propose to the Parliament of Montenegro to appoint Ivan Jovetić, Master of Economics and candidate of the University of Donja Gorica (UDG), as a member of the RTCG Council. Furthermore, the Committee established a working group composed of: Marta Šćepanović, Ana Nikolić and Adrijan Vuksanović, members of the Committee. The group was tasked to inspect documentation by authorised proposers upon public invitations for appointing members of the Agency for Electronic Media Council and RTCG Council, in order to explore the timeliness and accuracy of the proposals. The group members decided to send an invitation to all MP groups in the Parliament of Montenegro, as well as to parliamentary parties which have not formed MP groups, to deliver their proposals of candidates for the future Committee on monitoring the application of the Law on Election of Councillors and MPs in the part relating to the media, in accordance with Article 64b of the Law on Election of Councillors and MPs and Article 9 of the Law on Election of the President of Montenegro.
- At the 31st meeting of 29 January, the process of determining nomination of candidates for the election of the Chairperson, Deputy Chairperson and members of the Committee on monitoring the application of the Law on Election of Councillors and MPs in the part relating to the media has continued. The Committee noted that it was not able to determine the proposal of the decision, since the representatives of the opposition did not submit the nominations of candidates until the beginning of the meeting, so the proposal that would provide the majority for the work of the Committee could not be determined. Also, it was decided that instead of Ana Nikolić, a member of the Committee, Bogdan Fatić, a member of the Committee, be determined as the member of the Working Group with the task to examine the documentation of the authorised proposers following current public calls for appointment of a member of the Council of the Agency for Electronic Media and a member of the Council of the Radio and Television of Montenegro.
- At the First meeting of the **Commission for Monitoring and Control of the Privatisation Procedure** held on 19 January, its members agreed on further manner of their work. In order to prepare and adopt its work plan for the current year, the Commission has decided to address the Privatisation and Capital Projects Council for submitting information on planned and implemented privatisations in 2017, as well as on privatisations planned for 2018.

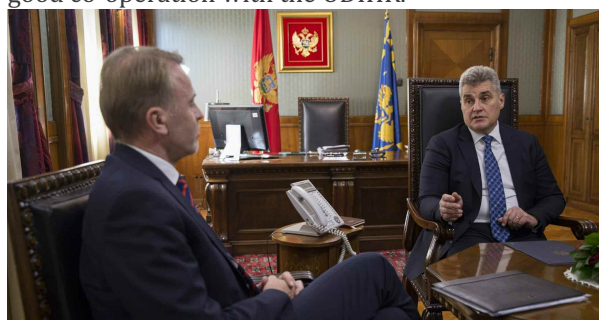
## NEWS FROM PARLIAMENT



### *Brajović and Orav on European agenda of Montenegro*

President of the Parliament of Montenegro Ivan Brajović talked on 24 January with the Head of the EU Delegation to Montenegro Aivo Orav, about the upcoming activities related to the integration process of our country, with the emphasis on 2018 as a very significant year for the Western Balkans. President Brajović welcomed the European Union's significant commitment to the countries of the Western Balkans and said that Montenegro was firmly committed to staying persistent with reform activities in order to complete the process of accession negotiations in a quality way and become the next member of the Union. The interlocutors expressed their expectation that the integration strategy of the Western Balkans, to be announced by the European Commission on 6 February, would emphasise the enlargement policy

with its measures and be further encouraging for candidate countries. The meeting was also about the upcoming presidential and part of local elections, and the President Brajović emphasised the importance of additionally improved election legislation, as well as good co-operation with the ODIHR.



### *Delegation of the Committee on European Integration attended the COSAC meeting*

On behalf of the Committee on European Integration, Chair Adrijan Vuksanović and member Nikola Rakočević took part in the Meeting of the Chairpersons of the Conference of Parliamentary Committees for Union Affairs of Parliaments of the EU (COSAC), held on 21-22 January 2018 in Sofia, in the framework of the parliamentary dimension of the Bulgarian Presidency of the Council of the European Union.



The meeting was marked by a discussion on priorities of the Presidency, the future of European Union, and the role of macro-regional EU strategies in sustainable development, stability and security. Within the first session, dedicated to the priorities of the presidency, the participants were addressed by Adrijan Vuksanović, Chair of the Committee on

European Integration. In his speech, Chair Vuksanović thanked European partners for the support that the EU has offered to Montenegro on its path to membership, which has been provided from various European addresses. Member of the Committee on European Integration Nikola Rakočević spoke about the future of the European Union. In his presentation, Rakočević pointed out that, at the time of the current crisis, which the EU has been facing, it needed to show willingness to fight for competitiveness by encouraging the countries of the Western Balkans to become members as soon as possible. In addition, it is necessary that the candidate countries and Member States be prepared for solidarity and joint action.



## IN FOCUS



### Winter Session of the Parliamentary Assembly of the Council of Europe held in Strasbourg

Delegation of the Parliament of Montenegro, composed of Head of Delegation Predrag Sekulić and members Marija Ćatović, Sanja Pavićević, and Ervin Ibrahimović, participated in the Winter Session of the Parliamentary Assembly of the Council of Europe, held on 22-26 January, in Strasbourg.



On day one of the session, Head of Italian Delegation Michele Nicoletti was elected President of the Parliamentary Assembly for a term of one year with the possibility of re-election. The Parliamentary Assembly of the Council of Europe (PACE) also elected 18 Vice Presidents from among its members. The seats for Vice Presidents in respect of the Russian Federation and Italy remain vacant.

During the session, MPs discussed the protection of children affected by armed conflicts, the protection of regional and minority languages, and the activities carried out the previous year within the monitoring procedure. The agenda of the session included the discussions on the role of the Council of Europe in the Israeli-Palestinian peace process, establishing a framework for modern sports governance and good football governance, the honouring of the Council of Europe membership obligations by Bosnia and Herzegovina, as well as on the need for adopting the Convention on the profession of lawyer.

The Parliamentary Assembly adopted several resolutions and recommendations on issues that were on the agenda of the session, with special attention being paid to those related to the establishment of a framework for modern sports governance, activities carried out during the previous year in the framework of the monitoring process, and protection of regional or minority languages.

The Winter Session was marked by addresses delivered by Serzh Sargsyan, President of Armenia, Alexander Van der Bellen, President of Austria, Lars Løkke Rasmussen, Prime Minister of Denmark and the Crown Princess of Denmark. Minister for Foreign Affairs of

Denmark, Anders Samuelsen, in the capacity of the Chairman of the Committee of Ministers of the Council of Europe, informed about the decisions made by the Committee since the previous PACE session and announced forthcoming activities closely related to the priorities of the Danish Presidency: the continuation of reforms of the European system of human rights protection, equality of opportunity, the rights of persons with disabilities, the inclusion of young people in democracy and the fight against torture. Samuelsen also announced the organisation of a ministerial meeting on the future of the Council of Europe and the priorities of this organisation in May this year in Denmark.

In his regular address to the Parliamentary Assembly, the Secretary General of the Council of Europe, Thorbjørn Jagland, called on the member states to remain committed to meeting the obligations of membership and cooperation with Council of Europe bodies.

At this session, the Parliamentary Assembly elected a judge of the European Court of Human Rights from Spain, and in the second round of voting, the new Commissioner of the Council of Europe for Human Rights.



Aside from the Plenary Session, the members of the delegation of the Parliament of Montenegro participated in the meetings of political groups in the Parliamentary Assembly, the meetings of the Committee on Political Affairs and Democracy, the Committee on Legal Affairs and Human Rights, the Committee on Migration, Refugees and Displaced Persons and the Committee on Equality and Prevention of Discrimination, as well as at the first meeting of the Ad Hoc Committee on the role and mission of the PSSE.

Parliamentary Assembly of the Council of Europe, in the frameworks of the Winter Session, has accepted the invitation of the President of the Parliament of Montenegro, Ivan Brajović, to send a delegation that will observe the upcoming presidential election in Montenegro to be held on 15 April 2018.

## FROM THE HISTORY OF MONTENEGRIN PARLIAMENTARISM



### Excerpts from the Constitution of the Principality of Montenegro(1905) involving the System of State Government -(ART III)- Area of competence of the Assembly<sup>1</sup>

The Prince shall convene a sitting of the Parliament every year on 18th October. The Rules outline that the sittings of Parliament shall be convened each year, and that the parliamentary elections shall take place every four years, which is of paramount importance. Except during war, the parliamentary sittings were convened every year. They took place continuously for several months, not including Sundays and holidays. Most commonly, they lasted from October of the said year up until mid March of the following year. The Parliament may also be convened for extraordinary sessions.

The area of competence of the Parliament is proscribed in Article 3 of Constitution, which stipulates that the

Parliamentary Assembly and the Prince are the legislative authority. No laws may be passed, abolished, amended or interpreted without the approval of the Assembly (Article 73). The Assembly may initiate the process for adopting, amending or interpreting a law, however, formal law proposals, shall originate solely from the Government (Article 78). In accordance with Articles 219 and 220 of the Constitution, the Assembly is entitled to propose amendments to a law or legal interpretations to the Constitution. It was the only institution that was given a great amount of authority, as opposed to other European countries at that time, which, when it came to constitutional issues, the Assembly and the Head of State were either equally in charge of the decision-making or the Head of State had

the final say on these matters. Without the approval of the Assembly, no taxes or other duties would be imposed (Article 77), nor the territory of Montenegro could be claimed, altered in size or exchanged among someone (Article 35). The Assembly is in charge of adopting the yearly budget (Article 158). If the budget is not adopted prior to the fiscal year, the existing budget will remain valid, until the adoption of a new budget (Article 161). The State may be issued a loan only when approved by the Assembly, trade agreements shall be signed upon obtaining the approval of the Assembly, including agreements whose realisation is funded by the State. The Assembly is entitled to summon ministers or certain representatives to provide needed information, and the Government shall be obliged to provide such information to parliamentary committees, at their request (Article 85). The Assembly may also conduct inquiries and investigation on electoral and administrative matters (Article 95), may receive written complaints and written requests, state its position on them, and submit them to relevant authorities (Article 96).

*The competences of the Assembly were comprehensive, encompassing the most important areas of power - adoption of laws, constitution, the budget, managing material obligations of citizens, state debts, had under its disposal the state goods and the control of managing the state finances, as well as other goods, through the inquiry bodies. The Assembly had authority over the most important area of legislative power - the freedom to alter the concept and content of the law, and the law shall enter into force only after the Assembly approves of it and its content.*

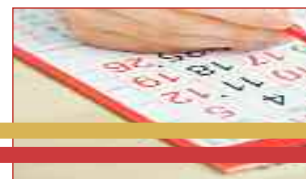
<sup>1</sup> Izvor: Šuković, Mijat, „Istorija zakonodavstva Crne Gore 1796 – 1916.“, CID, Podgorica, 2007, str. 341-347.

## PARLIAMENTARY GLOSSARY

**Council Of Europe.** “The Council of Europe is the oldest and largest regional European organisation consisting of 47 member states. The seat of the Council of Europe is in Strasbourg. The three main pillars of its activities are: human rights, democracy and the rule of law. It has a developed system for the protection of human rights and, according to experts, the most developed international system for the judicial implementation of human rights. The Council of Europe has adopted a large number of conventions and other acts in the field of human rights, democracy and the rule of law. The main legal instruments of the Council of Europe are the European Convention on Human Rights and its 14 Protocols and the European Social Charter. The main body for judicial implementation is the European Court of Human Rights. The parliamentary body is the Parliamentary Assembly, and the executive body is the Council of Ministers. Other important bodies of the Council of Europe include the Congress of Local and Regional Authorities, the Commissioner for Human Rights and the Conference of International Non-Governmental Organisations.”<sup>1</sup>

<sup>1</sup> Doc. dr Komar, Olivera, Prof. dr Ivana Jelić, Nataša Komnenić, Irena Mijanović, Jelena Radonjić, Vlatko Šćepanović, *Parlamentarni leksikon*, Podgorica, Skupština Crne Gore 2016, p. 193-194.

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## 10 January

- Vice President of the Parliament of Montenegro and Head of the Friendship Group with France Genci Nimanbegu today has met with member of the National Assembly of the French Parliament Frédéric Petit, who is staying in Montenegro within his official visit to the countries of the Balkans. Nimanbegu said that the reforms in Montenegro, although difficult and demanding, were being implemented in a good quality manner, and that Montenegro was steadily progressing towards its membership in the Union. MP Petit, as a representative of the French immigrant community from 16 countries of Central and East Europe, showed interest in strengthening the good relations between the two countries to which he would fully contribute from his position.



## 12 January

- The President of the Parliament of Montenegro Ivan Brajović met with the Ambassador of the United States of America, Margaret Ann Uyehara. The interlocutors agreed that the media in Montenegro have been facing the challenges of further professionalisation and objective reporting. Both sides agreed that the return of the part of the opposition would contribute to better political dialogue. President Brajović used this opportunity to thank the United States for their continued support to reform processes aimed at continuing democratisation of Montenegrin society, which has been given special confirmation with the NATO membership.

## 16 January

- President of the Parliament of Montenegro Ivan Brajović met with the First Deputy Prime Minister and Minister of Foreign Affairs of the Republic of Serbia Ivica Dačić. A mutual commitment was noted for the development of good relations between Montenegro and Serbia, which was significantly contributed by frequent meetings of officials at the highest and high level. The co-operation within European integration was also discussed at the

meeting, the advocacy for the principle of assessing the individual progress of states, and encouraging messages from EU and officials of Bulgaria, the country currently holding the presidency, that 2018 was key to the countries of the Western Balkans.

## 17 January

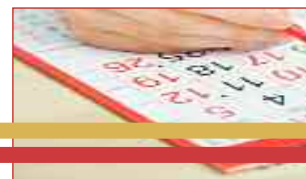
- President of the Parliament of Montenegro Ivan Brajović talked with representatives of the ODIHR Mission Richard Lappin, Deputy Head of the ODIHR Election Department and Tamara Otiashvili, ODIHR Election Adviser. The ODIHR Mission will be assessing the pre-election environment and preparations for the upcoming parliamentary elections in Montenegro, on the basis of which the ODIHR will bring a decision on carrying out the



necessary activities in the observation process, upon the invitation of Montenegrin state authorities. The President of the Parliament expressed his gratitude to ODIHR for continued good cooperation, positive report and recommendations after the last parliamentary elections. In addition to the amendments to the electoral legislation, the manner of work and procedures within certain committees and parliamentary plenum was also discussed at the meeting.

- Upon the invitation of President of the Parliament Ivan Brajović, a consultative meeting of presidents of parliamentary political parties about presidential elections, that will be called for on Friday - 19 January, was held today in the Parliament of Montenegro. The meeting was attended by presidents of the ruling parliamentary political parties, who discussed the conditions and circumstances under which the upcoming presidential elections will be held.
- Friendship Group of the Parliament of Montenegro with the Parliament of Palestine met with Ambassador of the State of Palestine to Montenegro Rabii Alhantouli. The key topic of the meeting was the Israeli-Palestinian conflict. The interlocutors voiced their expectation that

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traditionally good bilateral relations between Montenegro and the State of Palestine would be further enhanced in the upcoming period. They especially voiced willingness to strengthen economic and cultural cooperation, as well as joint work on attracting investors



from Palestine and Palestinian diaspora to Montenegro. The meeting was attended and actively participated in by the members of the Friendship Group of the Parliament of Montenegro with the Parliament of Palestine, the following MPs: Mr Nedžad Drešević, Mr Sanja Pavičević, and Mr Momčilo Martinović.

## 22 January

- Delegation of the Committee on European Integration, composed of Chair Adrijan Vuksanović and member Nikola Rakočević, participated in the meeting of the Chairpersons of the Conference of Parliamentary Committees for Union Affairs of Parliaments of the EU (COSAC).
- Delegation of the Parliament of Montenegro participated in the Winter Session of the PACE, in Strasbourg.

## 23 January

- President of the Parliament of Montenegro Ivan Brajović met with President and Vice President of the Media Trade Union of Montenegro Ms Marijana Camović and Mr Radomir Kračković, on the occasion of marking 23rd January - Journalists' Day. They discussed modalities for improving solutions that would make the status of the employees, particularly in the private and local media outlets, more appropriate to accountability and preservation of professional dignity, as well as long-term sustainable financial model for the work of local media. The President of the Parliament announced the formation of a new parliamentary body that would contribute, within its powers, to further investigation of the attacks against journalists in order to ensure that the entire media community in Montenegro has greater

safety and can act in accordance with the highest professional standards.

- President of the Parliament of Montenegro Ivan Brajović met with representatives of the Association of Montenegrin Managers, Budimir Raičković, the President, Anđela Radosavović, the Executive Director, and Radovan Radulović, the Vice President of the Executive Board. The meeting dealt with the support of the Parliament of Montenegro to the business community of the state, through the organisation of the session of the Business Parliament among others things, that would bring together the Chamber of Economy, the Union of Employers, the Association of Managers and other related organisations, where current issues of improvement of business environment in Montenegro would be discussed with representatives of the legislative and executive authorities in the country. Signing of a Memorandum of Cooperation between the Parliament and the Association of Montenegrin Managers was also agreed, which would set guidelines and a framework for future cooperation.
- Chair of the Security and Defence Committee Obrad Mišo Stanišić hosted newly-appointed Ambassador of the Czech Republic to Montenegro H.E. Karel Urban. Stanišić and Urban noted that cooperation between Montenegro and the Czech Republic was at a satisfactory level, and that security and defence committees of the two countries would continue to collaborate intensively.

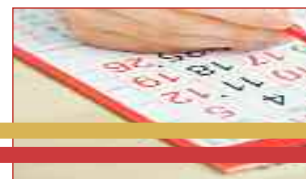


## 24 January

- President of the Parliament of Montenegro Ivan Brajović talked with the Head of the EU Delegation to Montenegro, Aivo Orav about the upcoming activities related to the integration process of our country.



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## 29 January

- President of the Parliament of Montenegro Ivan Brajović met with United Nations Under Secretary and Special Adviser on the Prevention of Genocide Adama Dieng. At the meeting they also discussed the role of women in democratisation of a society, fight against violence against women, legal solutions stimulating active participation of women in political life, on which Montenegro was working with dedication. Bearing in mind the commitment of the Parliament of Montenegro to the strengthening of the legislative framework and other forms of promotion



of women's rights, Special Adviser Dieng invited Brajović to address the United Nations at the event dedicated to Prevention of Violence against Women.

## 30 January

- President of the Parliament of Montenegro Ivan Brajović met with newly-appointed non-residential Ambassador of Canada to Montenegro Kati Csaba. It was noted that relationship between Montenegro and Canada is good and friendly, and that it should be developed and intensified in the future through intensification of political contacts and dialogues at the high level. The President of the Parliament thanked to the Ambassador for the strong support that Canada provided to Montenegro on its path to NATO membership, as one of the most important foreign policy priorities. Bearing in mind the previous positive experience with Canadian investments in Montenegro, the interlocutors agreed that there is a significant area for further development of cooperation in the field of economy, tourism, science and culture.
- Member of the Gender Equality Committee Maja Bakrač participated at the Regional Conference on Gender Equality and Public Administration Reform

in the Western Balkans, that was held in Belgrade on 30 and 31 January 2018. The Conference was aimed at the development of gender equality policies that should be connected with the public administration reform among the ReSPA members. The discussion covered gender-responsible budgeting, while the results of the regional research on gender equality in public administration were also presented, with special emphasis on the state of affairs in Montenegro, Serbia, and Bosnia and Herzegovina. The conference is organised by the Regional School for Public Administration (ReSPA) in cooperation with the Coordination Body of the Government of the Republic of Serbia for Gender Equality and the team of the Government of the Republic of Serbia for Social Inclusion and Poverty Reduction.



## 31 January

- President of the Parliament of Montenegro Ivan Brajović met with Ambassador of the People's Republic of China to Montenegro Cui Zhiwei. It was noted that the two countries have excellent relations, and that a special dynamic for further development of cooperation comes from the joint implementation of capital projects in Montenegro. They agreed to work continuously and with joint efforts, in the forthcoming period, on developing international relations through the continuation of high-level contacts, cooperation among working bodies and friendship groups.

