



Parliament of Montenegro

NEWSLETTER OPEN PARLIAMENT

Newsletter on the Parliament of Montenegro Performance ♦ No. 89 ♦ January 2019

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OPEN PARLIAMENT



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Newsletter on the Parliament of Montenegro Performance ♦ Electronic format ♦ Release: monthly ♦ Year IX ♦ No. 89 ♦ January 2019

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, Committees considered 12 proposals for a law, and performed other activities within their oversight role.

In focus of this month's newsletter is participation of the Permanent Delegation of the Parliament of Montenegro to the Parliamentary Assembly of the Council of Europe in the PACE Winter Session, which took place in Strasbourg, from 21 to 25 January.

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 Supplements to the Law on Public Enforcement Officers** was considered and proposed to the Parliament for adoption by the Legislative Committee.
- **Proposal for a Law on Amendments to the Law on Mediation** was considered and proposed to the Parliament for adoption by the Legislative Committee.
- **Proposal for a Law on Amendments to the Law on deployment of the Armed Forces of Montenegro units to the international forces and participation of members of civil defence, police and public administration employees in peacekeeping missions and other activities abroad** was considered and proposed to the Parliament for adoption by the Legislative Committee.
- **Proposal for a Law on Amendments to the Law on State Border Supervision** was considered and proposed to the Parliament for adoption by the Legislative Committee.
- **Proposal for a Law on Amendments to the Law on Tourism Organisations** was considered and proposed to the Parliament for adoption by the Legislative Committee.
- **Proposal for a Law on Amendments to the Law on working hours, mandatory rest periods of mobile workers and recording equipment in road**

transport was considered and proposed to the Parliament for adoption by the Legislative Committee.

- **Proposal for a Law on Amendments to the Law on Identity Card** was considered and proposed to the Parliament for adoption by the Legislative Committee.
- **Proposal for a Law on Ratification of the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects** was considered and proposed to the Parliament for adoption by the Legislative Committee.
- **Proposal for a Law on Amendments to the Law on State Symbols and the Statehood Day of Montenegro** was considered and proposed to the Parliament for adoption by the Legislative Committee.
- **Proposal for a Law on Amendments to the Law on Protection of Cultural Heritage** was considered and proposed to the Parliament for adoption by the Legislative Committee.
- **Proposal for a Law on Foreign and Invasive Foreign species of plants, animals and fungi** was considered and proposed to the Parliament for adoption by the Legislative Committee.
- **Proposal for a Law on Detective Activity** was considered and proposed to the Parliament for adoption by the Legislative Committee.

Other activities of working bodies

- At the 74th meeting of the **Legislative Committee**, held on 29 January, the Committee determined the 2019 Plan of Activities of the Committee and adopted the 2018 Performance Report of the Committee.
- At the 62nd meeting of the **Committee on Political System, Judiciary and Administration**, held on 18 January, members of the Committee haven't supported the request of the MP Group of the Social Democratic Party of Montenegro to hold a control hearing of the Supreme Public Prosecutor Ivica Stanković, Special Public Prosecutor Milivoje Katnić, Director of the Police Administration Veselin Veljović, and Director of the Agency for Prevention of Corruption Sreten Radonjić, on the work of these state authorities in the case of information announced to the public by Duško Knežević, owner of the Atlas Group.
- At the 34th meeting of the **Security and Defence Committee**, held on 18 January, members of the Committee haven't supported the request of the MP Group of the Social Democratic Party of Montenegro to hold a control hearing.
- At the 47th meeting of the **Committee on International Relations and Emigrants**, held on 24 January, members of the Committee unanimously adopted the 2018 Performance Report of the Committee and reached a decision to form new friendship groups of the Parliament of Montenegro with the Parliament of the United Kingdom of Great Britain and Northern Ireland as well as with the Parliament of Greece.
- At the 63rd meeting of the **Committee on Economy, Finance and Budget**, held on 15 January, the Committee conducted a consultative hearing on: "State of play in the banking sector of Montenegro".
- At the 37th meeting of the **Committee on Health, Labour and Social Welfare**, held on 30 January, there was a control hearing of Minister of Labour and Social Welfare Kemal Purišić, on the topic: "Implementation of the Law on Safety and Health at Work".
- At the 14th meeting of the **Anti-Corruption Committee**, held on 25 January, members of the Committee haven't supported the request of the MP Group of the Social Democratic Party of Montenegro to hold a control hearing of the Supreme Public Prosecutor Ivica Stanković, Special Public Prosecutor Milivoje Katnić, Director of the Police Administration Veselin Veljović, and Director of the Agency for Prevention of Corruption Sreten Radonjić, on the work of these state authorities in the case of information announced to the public by Duško Knežević, owner of the Atlas Group.
- At the 59th meeting of the **Administrative Committee**, held on 25 January, the Committee initiated the procedure for the appointment of members of the RTCG Council.



NEWS FROM PARLIAMENT



President of the Montenegrin Parliament the first official in the Macedonian Assembly following the constitutional changes

President Brajović is the first foreign official who addressed Macedonian parliamentarians on 23 January after the adoption of constitutional changes. The ceremonious sitting of the Macedonian Assembly, attended by the diplomatic corps, was convened in honour of the visit of President Brajović to Skopje. President Brajović expressed his wish that the Parliament of Montenegro gets an opportunity to ratify the NATO Accession Protocol for Macedonia as soon as possible, and thus, as he stressed, welcomes this country with open arms as the 30th Alliance member. Speaker of the Macedonian Assembly Talat Xhaferi said that Macedonia and Montenegro have no open issues, the countries have the same strategic and foreign policy priorities, which create prerequisites for further strengthening of parliamentary and economic cooperation. President Brajović also met other top officials of the Republic of Macedonia - Prime Minister Zoran Zaev, President of the State Đorđe Ivanov, Minister of Foreign

Affairs Nikola Dimitrov and members of Parliamentary Group of the Macedonian Assembly for cooperating with the Parliament of Montenegro. Prime Minister Zoran Zaev stressed that Montenegro's successes during the last years have motivated and encouraged the Republic of Macedonia for its further progress.



Delegation of the Committee on International Relations and Emigrants paid an official visit to the Parliament of Republic of Albania

Delegation of the Committee on International Relations and Emigrants composed of: Chair of the Committee Andrija Nikolić and members of the Committee Luid Škrelja, Halil Duković, Miloš Nikolić, and Ervin Ibrahimović paid an official visit to the Parliament of the Republic of Albania on 28-29 January, at the invitation of the Committee on Foreign Policy. Delegation had several meetings with President of the Republic of Albania Ilir Meta, President of the Parliament of Albania Gramoz Ruçi, Prime Minister Edi Rama, State Minister for Diaspora Pandeli Majko, as well as with the Committee on Foreign Policy and Sub-Committee on Diaspora and Human Rights. During the meeting with the President of Albania Ilir Meta, they noted that both countries fostered a solid long-term relationship which had developed with the formalisation of the alliance within NATO, and that the upgrading of economic

cooperation would also improve the already existing excellent political relations, with special focus on border areas. During the talks with Prime Minister Rama, they considered specific projects which would enable greater connection between both peoples. During the meeting with the Committee on Foreign Policy, the Montenegrin delegation expressed gratitude for the support and assistance Albania had provided to Montenegro in its accession process to NATO. MPs from Montenegro and Albania discussed the Albanian Law on Protection of national minorities which recognises the Montenegrin minority, and exchanged views and good practice involving electoral legislation. Ambassador of Montenegro to Albania Dušan Mrdović and Embassy Consul Danilo Brajović also attended. Second day of the visit, the Delegation met with representatives of Montenegrin emigrant associations.

PARLIAMENTARY GLOSSARY

Election Legislation comprises a set of laws regulating the manner and the procedure for conducting the election of representatives to the legislative and executive branches of power. The issues regulated in the laws that belong to the election legislation include: number and size of constituencies, voting rights, voters' list, lists of candidates, election material, election campaigning, the procedures for the opening and closing of polling stations, the voting procedure, the allocation of seats, violations of procedure, the financing of elections and various other issues. In Montenegro, the issues regulated by the election legislation include: the manner and procedure of the election of MPs to the Parliament of Montenegro; the organization, composition and competencies of the bodies in charge of conducting and election, establishing the results of voting and the allocation of seats; the protection of voting rights and other issues important for the organisation and conducting of elections. The election legislation deals with the issue of exercising voting rights which is in Montenegro based on the principles of freedom, equality, direct election and secret voting. Amendments to the election legislation can be adopted only by a two-thirds majority of the total number of MPs in the Parliament of Montenegro.

¹ Doc. dr Komar, Olivera, Prof. dr Ivana Jelić, Nataša Komnenić, Irena Mijanović, Jelena Radonjić, Vlatko Šćepanović, Parlamentarni leksikon, Podgorica, Skupština Crne Gore 2016, p. 203

IN FOCUS



Permanent Delegation of the Parliament of Montenegro to PACE participated in the Winter Session

The Delegation of the Parliament of Montenegro participated in the First Ordinary Session of the Parliamentary Assembly of the Council of Europe in 2019, which took place from 21 to 25 January, in Strasbourg. At the beginning of the session, MPs mandates were determined, a new management was appointed, and the composition of permanent working bodies of the parliamentary assembly was also determined. Liliane Maury Pasquier, member of Swiss Delegation to the Parliamentary Assembly of the Council of Europe was re-elected President of the Parliamentary Assembly.

The Winter Session was dedicated to the following issues: compatibility of Sharia law with the European Convention on Human Rights, combating impunity for offenders who commit grave violations of human rights, combating discrimination in employment, more effective implementation of recommendations by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, and harmonisation with the principles of protection of human rights and withdrawing nationality as a measure to combat terrorism.



The session's agenda also included a comprehensive debate on the role of public service media in preventing disinformation and propaganda and media freedom as a condition for democratic elections, as well as the debate under urgent procedure on the escalation of tensions between the Ukraine and Russia at the Sea of Azov and the worsening situation of opposition politicians in Turkey.

In addition, MPs considered and supported the proposed recommendations to the Venice Commission for updating its Code of Good Practice on Referendums, and the findings of the observation missions of PACE on the presidential elections in Georgia and the parliamentary elections in Armenia.

The guests of the Parliamentary Assembly during this session included the President of Finland Sauli Niinistö, President of the Venice Commission Gianni Buquicchio, and Minister of Foreign Affairs of Finland Timo Soini, who addressed the Parliamentary Assembly in his capacity as the Chair of the Committee of Ministers of the Council of Europe. MPs were also addressed by Thorbjørn Jagland, Secretary General of the Council of Europe.

The Montenegrin Delegation at the PACE Winter Session consisted of Head of Delegation Predrag Sekulić and members Sanja Pavićević, and Ervin Ibrahimović.

FROM THE HISTORY OF MONTENEGRIN PARLIAMENTARISM



**Excerpts from the Law on the Elections of MPs for the
Constituent Assembly of the People's Republic of
Montenegro, 1946 – Official Gazette of People's
Republic of Montenegro, N° 18 as of 18 September
1946**

XII PUNITIVE PROVISIONS

Article 57

The following individuals will face charges, pursuant to the law:

- 1) A person who in any way tries to disrupt another person from performing his/her electoral right or from performing the duty proscribed by this law;
- 2) Whoever attempts to, by the means of force or threats, persuade a voter to vote for a certain list of candidates or to sign or renounce his/her signature;
- 3) Whoever attempts to bribe a voter into voting for a certain list of candidates or to sign or renounce his/her signature;
- 4) members of the electoral committee that take advantage of their position and attempt to influence the voter or in any manner jeopardise the freedom of the voter with regard to his/her right to vote;
- 5) A voter who votes more than once or attempts to do so during the elections;
- 6) who votes instead of another person or attempts to do so;
- 7) whoever attempts in any manner to breach the secrecy of voting;
- 8) Whoever physically assaults the members of the electoral committee, electoral commission representatives of lists of candidates or attempts to disrupt in any manner the work of the electoral committee or the electoral commission;
- 9) whoever shows up at the polling station with a firearm or a deadly weapon except in cases when the President of the electoral committee requires assistance from the competent authorities;
- 10) who intentionally demolishes or takes away any materials or items intended for voting or alters the number of votes by the means of adding and subtraction or any other manner;
- 11) the guard who is in charge of safety of the polling station respectively its premises, if he allows any of the activities referred to in the previous item;
- 12) any unauthorised person who modifies the list of candidates upon being signed by the submitters;
- 13) member of the electoral committee, in case he allows a person who is not contained in the electoral register to vote or a person who already cast his/her vote; or

conscientiously allows to vote someone who falsely impersonates another person; or unjustifiably alters the time designated for voting or changes the headquarters of the polling station upon already notifying the public of the headquarters in which the elections are to take place;

- 14) Persons who have been notified of being appointed as members of the electoral committee and fail to show in designated time and place to perform the duty and fail to justify the absence, or renounce their duty unjustifiably, or refuse to sign the minutes on the electoral work;

- 15) who intentionally keeps irregular records of the electoral minutes or modifies its content upon already being signed;
- 16) whoever fails to acquire consent from the President of the electoral committee prior to ordering or summoning the armed guards in the electoral station;
- 17) authorities demanding from the citizens explanations in regards to their voting in accordance with the Law or who require the information on who was the person they endorsed at the elections;
- 18) Whoever in any other manner malintentionally breaches the provisions of this Law, shall face charges in accordance with the following article.

An action shall be punishable in accordance with its level of severity:

- 1) A pecuniary fine in the amount up to 20 000 dinars;
- 2) Imprisonment

A pecuniary amount and the prison sentence may be simultaneously imposed.

In much severe cases, aside from the aforementioned punitive measures, the said person may also be deprived of political rights and certain civic rights.

Article 58

A pecuniary amount up to 5000 dinars or forced labour up to six months may be imposed on the following, excluding the prison sentence:

- 1) Whoever fails to meet the requirements during the voting or upon voting, respectively when determined that a person is not contained in the electoral registry and even upon receiving a warning by the electoral committee to leave the electoral station premises, refuses to do so;
- 2) Whoever insults the electoral committee or any member of the electoral committee;
- 3) Whoever serves or offers any type of alcohol beverages, and thus breaching the provisions contained in the Article 21 of the Law.

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13 January

- President of the Parliament of Montenegro Ivan Brajović paid an official visit to the Principality of Andorra, upon the invitation of the Speaker of the General Council of this country, Viçenc Mateu Zamora. The aim of the visit was to exchange experience with small successful countries with which Montenegro cooperates within the Conference of Presidents of the Parliaments of European States with population of less than a million. President Brajović met with Prime Minister Antoni Martí, the Foreign Minister of Andorra Maria Ubah Font, as well as the Minister of Economy Gilbert Saboya Sunyé. Interlocutors agreed that small countries in terms of area and population are obliged to make additional efforts in their development, as well as to achieve cooperation that can serve as an example in Europe.



16 January

- Chair of the Committee on International Relations and Emigrants Andrija Nikolić met with Ambassador of Republic of Slovenia to Montenegro Mitja Močnik. In order to continue the successful parliamentary cooperation, Chairperson of the Committee Andrija Nikolić handed Ambassador Močnik a letter of invitation addressed to the Chairperson of the Committee on Foreign Policy of the Slovenian National Assembly Matjaž Nemeč, inviting him to visit the Parliament of Montenegro along with his colleagues in the first quarter of the current year.

20 January

- Meeting of the Chairpersons of the Conference of Parliamentary Committees for Union Affairs of Parliaments of the EU (COSAC) took place in Bucharest, in the framework of the parliamentary dimension of the Romanian Presidency of the Council of the European Union. Deputy Chairperson Adrijan Vuksanović and member Ranko Krivokapić took part

in the meeting on behalf of the Committee on European Integration. During the discussion on the priorities of the presidency Adrijan Vuksanović, Deputy Chair of the Committee on European Integration, used the opportunity to emphasise the progress of Montenegro in the negotiation process so far, reflected in the opening of 32 and interim closings of three chapters, and expressed his expectation that in 2019 the closing of some of the chapters would follow. Vuksanović welcomed the priorities of the Romanian Presidency and expressed hope that parliamentary cooperation would be constructive, especially in the area of enlargement policy.

21 January

- Permanent Delegation of the Parliament of Montenegro to the Parliamentary Assembly of the Council of Europe participated in the PACE Winter Session, which took place in Strasbourg, from 21 to 25 January. The Montenegrin Delegation at the PACE Winter Session consisted of Head of Delegation Predrag Sekulić and members Sanja Pavićević, and Ervin Ibrahimović.
- President of the Parliament Ivan Brajović spoke with the President of the Republic of Albania Ilir Meta, who paid an official visit to Montenegro. Montenegro and Albania are two neighbouring and friendly countries that have no open issues and should continuously work on boosting and strengthening cooperation in all areas, especially in the field of economy - this a joint assessment of the interlocutors. Significance of parliamentary ties was also stressed as well as strengthening of parliamentary cooperation within NATO, and continuous improvement of national minorities' position, since they represent a bond of cooperation between the two countries. The meeting was attended by Vice President of the Parliament and Chairperson of the Friendship Group with the Albanian Parliament Genci Nimanbegu as well as chairpersons of the Administrative and Committee on International Relations and Emigrants of the Parliament of Montenegro and members of the Friendship Group Luigi Shkreli and Andrija Nikolić.

23 January

- President Brajović is the first foreign official who has addressed Macedonian parliamentarians after the adoption of constitutional changes. The ceremonious sitting of the Macedonian Assembly, attended by the diplomatic corps, was convened in honour of the visit of President Brajović to Skopje. President Brajović also

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met other top officials of the Republic of Macedonia - Prime Minister Zoran Zaev, President of the State Đorđe Ivanov, Minister of Foreign Affairs Nikola Dimitrov and members of Parliamentary Group of the Macedonian Assembly for cooperating with the Parliament of Montenegro.

- Chair of the Committee on Education, Science, Culture and Sports Radule Novović and Ambassador of the PR China to Montenegro H. E. Liu Jin visited the Štampar Makarije primary school in Podgorica. The meeting was organised within the cooperation between the Committee on Education, Science, Culture and Sports and the Embassy of the PR China with a goal of planning the future joint activities which would contribute to providing the students with a safer, better and more pleasant stay in school, as well as learning about different experiences in implementing the education system reform in Montenegro.



24 January

- Chair of the Committee on International Relations and Emigrants Andrija Nikolić met with delegation from the Ministry of Temporarily Occupied Territories and Internally Displaced Persons of Ukraine, headed by Minister Vadym Chernysh. Nikolić stated that Montenegro and Ukraine share the same foreign and political goals, maintain regular political dialogue and have excellent interstate relations. They jointly pointed to the importance of establishing more intensive contacts at parliamentary level. Vice-President of the Parliament and Chairman of the Friendship Group Genci Nimanbegu also met with Vadym Chernysh. The interlocutors agreed that Montenegro and Ukraine did not have any open issues and that therefore there was interest for further improvement of relations in the fields of tourism and economy, and that the current high-quality cooperation both at bilateral and international level, could and must be strengthened through the cooperation of the parliaments, representing the only

legitimate political address for dialogue and resolving the current issues.

25 January

- The Conference on the occasion of marking the 27 January - International Holocaust Remembrance Day, established by the UN General Assembly of 1 November 2005, was held today in the Parliament of Montenegro. The conference was organised by the Committee on Human Rights and Freedoms and the Committee on Education, Science, Culture and Sports. Aside from President of the Parliament of Montenegro Ivan Brajović, Vice President Genci Nimanbegu, chairpersons and members of the Committee on Human Rights and Freedoms and the Committee on Education, Science, Culture and Sports, the conference was attended by Deputy Protector of Human Rights and Freedoms of Montenegro, Minister of Culture, representatives of the Ministry of Education, Ministry for Human and Minority Rights, Vice President of the Federation of Associations of Veterans of the People's Liberation War and Anti-fascists of Montenegro, non-residential Ambassador of Israel to Montenegro, Rabbi of the Jewish community of Montenegro, and President of the Jewish community of Montenegro. The participants in this conference joined the campaign #WeRemember whose goal is to raise awareness on Holocaust and all types of xenophobia and genocide.



- Chair of the Gender Equality Committee Nada Drobnjak participated in a two-day regional meeting on national mechanisms for gender equality and the Balkan region, which took place on 25-26 January, in Zagreb. During the meeting, there was discussion on activities involving the drafting of Baseline Study on Gender Policies in the Western Balkans countries, cooperation in the field of gender equality with special

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focus on the status of institutional mechanisms at the national level, comprising the following countries: Montenegro, Croatia, Serbia, Macedonia, Bosnia and Herzegovina; drafting of local activity plans aimed at achieving gender equality, as well as establishing cooperation with international organisations.

28 January

- Delegation of the Committee on International Relations and Emigrants composed of: Chair of the Committee Andrija Nikolić and members of the Committee Luid Škrelja, Halil Duković, Miloš Nikolić, and Ervin Ibrahimović paid an official visit to the Parliament of the Republic of Albania, at the invitation of the Committee on Foreign Policy. Delegation had several meetings with President of the Republic of Albania Ilir Meta, President of the Parliament of Albania Gramoz Ruçi, Prime Minister Edi Rama, State Minister for Diaspora Pandeli Majko, as well as with the Committee on Foreign Policy and Sub-Committee on Diaspora and Human Rights.

29 January

- Delegation of the Parliament of Montenegro, composed of Predrag Sekulić, Nikola Rakočević, Anka Vukićević and Danijela Pavićević participated at the Conference on "Communicating with citizens: how to develop a comprehensive communication strategy of a parliament", held at the European Parliament in Brussels. The conference had the aim of improving the transparency and communication strategy of the parliament, and the representatives of parliaments had the opportunity to exchange views and experiences during the conference. Participants of the conference jointly noted that the exchange of practice gave great contribution in defining the best communication strategies of national parliaments.

31 January

- Chair of the Committee on Education, Science, Culture and Sports Radule Novović met in the Ministry of Sports with Nikola Janović, Minister of Sports and Youth in the Government of Montenegro. Novović and Janović discussed the directions of future cooperation between the Committee on Education, Science, Culture and Sports and the Ministry of Sports and Youth regarding further cooperation in the field of sports and

youth policy. One topic of the meeting was also the Proposal for the Law on Youth, which is in the parliamentary procedure, and which significantly improves the youth policy segment, while the activities of authorities are directly oriented towards specific needs of youth, but also the strengthening of the role of youth clubs and centres.

- Committee on International Relations and Emigrants held a meeting with ambassadors of EU member states, attended by President of the Parliament of Montenegro Ivan Brajović. Chair of the Committee on International Relations and Emigrants Andrija Nikolić informed the diplomatic representatives that on 15 and 16 April Montenegro will host international gathering: "Conference of young parliamentarians from the EU and Western Balkan countries". Diplomatic representatives attending the meeting have welcomed the idea for organising the conference which would gather young parliamentarians from the EU members states and the WB, expressing readiness to provide logistic and other support in implementing this, as they assessed, exceptionally important event. The meeting, organised upon the initiative of the Committee on International Relations and Emigrants, was also an opportunity for exchange of opinion on the achieved in the integration process in the previous year.
- President of the Parliament of Montenegro Ivan Brajović hosted Head of the EU Delegation to Montenegro H.E. Aivo Orav, discussing with him the topical issues in our country, with an emphasis on the upcoming parliamentary activities. The meeting discussed further work of the Committee on Further Reform of Electoral and Other Legislation and possibility for scheduling an extraordinary sitting of the Parliament, as publicly announced by the opposition.

