



# Open Government



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*Dear readers,*

You are reading the eighth Bulletin on the Government of Montenegro Performance. The Bulletin is prepared and distributed by the Center for Democratic Transition (CDT) in cooperation with the General Secretariat respectively the PR Office of the Government in the framework of the project "Open Government".

As same as the previous issues, this one also presents the work of the Government through the regular headings: Calendar, Government and Citizens, Legislative Activities of the Government, Public Discussions, History and Announcements.

Referring to the period to which the present Bulletin relates, we are actually emphasizing an active effort of the Government in improving good neighborly relations with the countries in the region. During the previous period, the President of the Republic of Croatia Mr. Ivo Josipović and the President of the Republic of Serbia Mr. Boris Tadić visited Montenegro.

President Josipović expressed the satisfaction with the fact that good political relations between Croatia and Montenegro, along with an important frequency of meetings at high governmental level, are characterized by an intensive bilateral cooperation. During the talks to the President Tadić, information is exchanged with regard to the implementation of strategic priorities in the integration processes, opportunities of improving economic cooperation and situation in the countries of the region.

As of the first issue of the Bulletin we have been receiving continuously readers' mails expressing compliments and suggestions, which we consider particularly important for improving our publication. Therefore, I am using this opportunity to thank once again to all who have been writing to us and who have been contributing to the initiative of ours.

We remain open for all your suggestions,

*Sincerely,  
Dragan Koprivica,  
Executive Director, CDT*

## Calendar



*July 1<sup>st</sup>*

- Head of the Permanent Mission of Montenegro to the EU, Ambassador **Aleksandar Pejović**, handed his credentials to the President of the EC, **José Manuel Barroso**.
- Prime Minister of the Government of Montenegro Mr. **Milo Đukanović** talked to the President of the Republic of Croatia, Dr. **Ivo Josipović**, who stayed in the two-day visit in Montenegro. The colloquutors expressed mutual satisfaction with the fact that good political relations, along with a significant frequency of meetings at high governmental level, are characterized by an intensive bilateral cooperation.



*July 2<sup>nd</sup>*

- The Delegation of SECI Center visited the Police Directorate.
- The 11<sup>th</sup> Meeting of the Council for Regulatory Reform and Business Environment Improvement, chaired by the Council Chairman, i.e. Deputy Prime Minister and Minister of Finance **Igor Lukšić**, PhD, was held.
- A meeting of the Coordination Body on the Preparation and Realization of the Plan of Transforming Informal Settlements into Formal Ones and the Building Regulation was held in the Ministry of Spatial Planning and Environment Protection.
- Minister of Interior Affairs and Public Administration Mr. **Ivan Brajović** talked to the Director of SECI Center Mr. **Gürbüz Bahadır**.
- Minister of Foreign Affairs of Montenegro Mr. **Milan Roćen** received H.E. Mr. **Jakov Gerasimov**, Ambassador of the Russian Federation.

*July 5<sup>th</sup>*

- Minister of Defense, Mr. **Boro Vučinić** received the Minister of Defense of the Republic of Croatia Mr. **Branko Vukelić**.

- The agreement for the lease of land and construction of wind power plant at the site Možura was signed.
- Minister of EU Integrations Prof. Dr **Gordana Đurović** talked to His Excellency, Ambassador of Switzerland Mr. **Erwin Hofe**.

*July 6<sup>th</sup>*

- Minister of Labor and Social Welfare, dr **Suad Numanović** participated in the AICESIS General Assembly.



- Minister of Tourism Mr. **Predrag Nenezić** talked to His Excellency, Mr. **Erwin Hofer**, Ambassador of Switzerland.
- The 1<sup>st</sup> Meeting of the Sub-Committee on Justice, Freedom and Security between Montenegro and the European Union was held. The Meeting was opened, on behalf of Montenegro, by Minister of EU Integrations Prof. Dr **Gordana Đurović** and by Ambassador **Leopold Maurer**, Head of the EU Delegation to Montenegro, on behalf of the European Union.

*July 7<sup>th</sup>*

- The Regional Conference dedicated to the development of the Study "Control and Supervision of Air Space" was held.
- The Presentation titled "Accession to Internal Market" was held.
- The 16<sup>th</sup> Meeting of the Subsidiary Coordination Body for Preparation and Monitoring of Tourism Season was held
- Deputy Prime Minister and Minister of Finance **Igor Lukšić**, PhD, met with Mr. **Michael Haltzel**, Senior Fellow at the Center for Transatlantic Relations of Johns Hopkins University's School of Advanced International Studies.
- Prime Minister of the Government of Montenegro Mr. **Milo Đukanović** received Mr. **Michael Haltzel**, Senior Fellow at the Center for Transatlantic Relations of Johns Hopkins University's School of Advanced International Studies. Prime Minister acquainted the collocutor with the progress Montenegro has made, despite global economic crisis, in the implementation of the strategic priorities and macroeconomic stability and with the planned investments - of which particularly with those to be infrastructure, energy and tourism.

*July 8<sup>th</sup>*

- Ambassadors and Permanent Representatives of Montenegro and of the Republic of Honduras to the United Nation

in New York respectively, H.E. **Milorad Šćepanović** and H.E. Ms. **Mary Elizabeth Flores Flake** signed the Memorandum on Establishing Diplomatic Relations at ambassador level between the two countries.

- The Presentation on "Strengthening of External Audit in Montenegro" was held..
- The 3<sup>rd</sup> Meeting of the Common Committee on Monitoring Cross-Border Program of Serbia and Montenegro funded by the IPA funds, was held.
- Minister of Spatial Planning and Environment Protection Mr. **Branimir Gvozdenović** opened the Conference on the theme of „Western Balkan Initiative for Social Housing”.
- Minister of Defense, Mr. **Boro Vučinić** received Military Attaché of the Republic of Bulgaria, lieutenant-colonel **Emil Šipočki**, due to his appointment to the duty.
- Prime Minister of the Government of Montenegro Mr. **Milo Đukanović** talked to the Leader of the HDZ of Bosnia and Herzegovina Mr. **Dragan Čović**.
- Minister of Foreign Affairs of Montenegro Mr. **Milan Ročen** received the High Representative and the Special Representative of the EU for Bosnia and Herzegovina Mr. **Valentin Inzko** who, in the capacity of a lecturer, participated in „Gavro Vuković“ the 3<sup>rd</sup> Montenegrin Summer School for Young Diplomats in Berane.
- Deputy Prime Minister for Political System, Internal and Foreign Policy Mr. **Svetozar Marović** talked to Ambassador of the Russian Federation, H.E. Mr. **Jakov Gerasimov**.
- Minister of EU Integrations Prof. Dr **Gordana Đurović** talked to Ambassador of Belgium, H. E. **Denise De Hauwere**.
- Prime Minister of the Government of Montenegro Mr. **Milo Đukanović** talked to the President of the Republic of Serbia Mr. **Boris Tadić**, who stayed in the two-day visit to Montenegro. Collocutors exchanged information concerning the implementation of the strategic priorities in the integration processes, opportunities to improve economic cooperation, and situation in the countries of the region.



- Minister of Foreign Affairs of Montenegro Mr. **Milan Ročen**, in the margins of "Croatia Summit 2010" in Dubrovnik, met with Minister of Foreign Affairs and European Integrations of the Republic of Croatia Mr. **Gordan Jandroković**.



*July 9<sup>th</sup>*

- Ministers of Justice of Montenegro and of Bosnia and Herzegovina respectively, Mr. **Miraš Radović** and Mr. **Bariša Čolak** signed, in Sarajevo, two bilateral agreements in the area of legal aid: Agreement on Mutual Execution of Court Judgments in Criminal Matters and Agreement on Legal Assistance in Civil and Criminal Matters.



- Deputy Prime Minister and Minister of Finance **Igor Lukšić**, PhD, received, in the valedictory visit, Ambassador of the Kingdom of the Netherlands Mr. **Ronald van Dartel**.
- Minister of Defense, Mr. **Boro Vučinić** received Resident Military Representatives accredited to Montenegro, on the occasion of the forthcoming Sovereignty Day.

*July 12<sup>th</sup>*

- Director General of the World Trade Organization Mr. **Pascal Lamy** received in the valedictory visit the Permanent Representative of Montenegro to the Organization, H.E. Mr. **Milomir Mihaljević**, Ambassador.

*July 13<sup>th</sup>*

- On the occasion of July 13<sup>th</sup>, i.e. Sovereignty Day of Montenegro, the Government Delegation led by Minister of Defense Mr. **Boro Vučinić** placed a wreath at the "Partisan Soldier" Monument on the Gorica Hill in Podgorica. In addition to Minister Vučinić, the Government delegation comprised also Minister of Interior Affairs and Public Administration Mr. **Ivan Brajović** and Deputy Minister for Defense Policy Mr. **Draško Jošanović**.

*July 15<sup>th</sup>*

- Deputy Prime Minister and Minister of Finance **Igor Lukšić**, PhD, participated in the Conference on "The 2011 Population Census in Montenegro – Assessment" arranged by MONSTAT.
- Minister of EU Integrations Prof. Dr **Gordana Đurović** received today the Head of the EU Delegation to Montenegro, Ambassador **Leopold Maurer**.



From July 1<sup>st</sup> to July 15<sup>th</sup>, the Government of Montenegro held two ordinary sessions.

At the session held on **July 1<sup>st</sup>**, which was chaired by Prime Minister Mr. **Milo Đukanović**, the Government of Montenegro approved, i.e. adopted:

- Proposal Law on Amendments and Supplements to the General Law on Education,
- Proposal Law on Amendments and Supplements to the Law on Primary Education,
- Proposal Law on Amendments and Supplements to the Law on Vocational Education,
- Proposal Law on Amendments and Supplements to the Law on High School,
- Proposal Law on Amendments and Supplements to the Law on Higher Education,
- Proposal Law on Amendments and Supplements to the Law on Free Access to Information,

- Proposal Law on Amendments and Supplements to the Law on Professional Rehabilitation and Employment of Disabled Persons,
- Proposal Law on Amendments and Supplements to the Law on Road Transportation
- Proposal Law on Amendments and Supplements to the Law on Public Rewards,
- Proposal Law on Amendments and Supplements to the Law on Theatre Activity and
- Decision on Drawing Up Detail Spatial Plan for Adriatic – Ionian Highway.

**Proposal Laws on Amendments and Supplements to the General Law on Education, the Law on Primary Education, the Law on Vocational Education, Law on High School and the Law on Higher Education** respectively are intended to ensure a high-quality education for all citizens of Montenegro; rationalize management bodies in educational institutions; introduce the private – public partnership system in the educational system; have all beneficiaries acquiring the rights stemming from education more effectively; make a possibility to involve in the work of the school all the entities observed as potential partners for improving education. Instead of the Council for General Education, Council for Vocational Education and Council for Adult Education, it has been planned to establish National Council for Education, so the consolidation of duties and compe-



tences will create conditions for a higher-quality performance and decision making.

The Government approved also **Proposal Law on Amendments and Supplements to the Law on Free Access to information**. As practice has shown, certain provisions under the Law in force are not quite clear. That induces dilemmas during their enforcement, so the amendments will additionally detail the provisions relating to the Guide for the Access to Information, Public Registers and Records; contents of the request for the access to information; procedure to act upon the request; supervision of the Law enforcement; and responsibilities for not acting pursuant to the Law.



At the session held on **July 8<sup>th</sup>**, which was chaired by Deputy Prime Minister Mr. **Svetozar Marović**, the Government of Montenegro approved, i.e. adopted, i.e. enacted:

1. Information of the Need to Enter Into Bilateral Agreements with the Republic of Croatia and the Republic of Serbia on the Extradition,
2. Proposal Law on Amendments and Supplements to the Law on Criminal Procedure,
3. Regulation on the Procedure of Acquiring the Right by Displaced Persons from Former Yugoslav Republics and by Internally Displaced Persons from Kosovo who Reside in Montenegro,
4. Regulation on Establishing Measuring Points for Air Quality Monitoring,
5. Regulation on the Content, and Method of Keeping Space Related Documentation and Information System,
6. Proposal Law on Working Hours, Breaks During the Working Hours for Mobile Workers,
7. Proposal Law on Traffic Flow Recording Devices in Road Transportation.

The Government approved **Information of the Need to Enter Into Bilateral Agreements with the Republic of Croatia and the Republic of Serbia on the Extradition**. Starting both from the fact that Montenegro does not have an absolute Constitutional prohibition on extradition of its own nationals and from its determination to have an effective fight against all forms of crime and particularly against the cross-border ones, the Government has entrusted Ministry of Jus-

tice with initiating negotiations with the Republic of Croatia and the Republic of Serbia for entering into bilateral agreements on extradition.

**Amendments to the Law on Criminal Procedure** provides for a gradual application of the Law on Criminal Procedure in such manner that it will be applicable, as of August 26<sup>th</sup> of the current year, to criminal offences of organized crimes, corruption, terrorism and war crimes, whereas the application of the remaining part thereof will be postponed for one year. Taking into account that the new Law established the system of prosecutor's investigation

**Regulation on the Procedure of Acquiring the Right by Displaced Persons from Former Yugoslav Republics and by Internally Displaced Persons from Kosovo who Reside in Montenegro** prescribes that these persons, until acquiring the status of foreigners with permanent residence as provided for under the Law on Foreigners, shall exercise the same rights as the nationals of Montenegro in the areas of labor relations and employment, education, social and child protection, health protection and insurance, and pension and disability insurance. For reaching the said rights, the status of displaced persons coming from the former Yugoslav Republics shall be evidenced by a certificate released by the Ministry of Interior Affairs and Public Administration, i.e. by the Office for Asylum, whereas internally displaced persons from Kosovo shall present a certificate released by the Bureau for the Care of Refugees.

## Public discussions

### PUBLIC DISCUSSIONS UNDERWAY CONCERNING...

#### **Draft National Programme for Culture Development**

Duration: July 2<sup>nd</sup> August 1<sup>st</sup> 2010

Organizer: Ministry of Culture

Draft National Programme for Culture Development is available at:

<http://www.ministarstvokulture.gov.me/vijesti/98014/Javna-rasprava-o-Nacrtu-Nacionalnog-programa-razvoja-kulture.html>.

#### **Draft Strategy for the Fight against Corruption and Organized crime for 2010 – 2014**

Duration: June 24<sup>th</sup> – July 20<sup>th</sup> 2010

Organizer: Ministry of Interior Affairs and Public Administration

Draft Strategy for the Fight against Corruption and Organized crime for 2010 – 2014 is available at:

<http://www.mup.gov.me/vijesti/97853/Nacrt-Strategije.html>.

## Government and citizens

July 5<sup>th</sup>

- Minister of Spatial Planning and Environment Protection Mr. **Branimir Gvozdenović** held a meeting with the representative of the civil engineering sector.
- Press Conference due to the current situation in "Vaso Čuković" Special Hospital of Risan was held.

July 9<sup>th</sup>

- "Gavro Vuković", The 3<sup>rd</sup> Montenegrin Summer School for the Young Diplomats was closed solemnly.
- Memorandum on Cooperation for the "Eco Bike – Solar Station" Project which deals with the promotion of the usage of alternative energy sources and transportation vehicles.

- Minister of Defense, Mr. **Boro Vučinić** stayed in a working visit to the Port of Bar, where he talked to the Port management led by the Board of Directors Chair Mr. **Predrag Ivanović**.
- During the participation in AICESIS General Assembly and the visit to New York, Minister of Labor and Social Welfare dr. **Suad Numanović** met with the representatives of the associations of Montenegrins in New York, namely "Fondacija za Gusinje" (Foundation for Gusinje) and "Bošnjački Saveza Crne Gore" (Bosniak Association of Montenegro), organizers of the "Montenegro Golf Open 2010".

July 12<sup>th</sup>

- Prime Minister of the Government of Montenegro **Milo Đukanović** opened the newly constructed building of the Oncology and Radiotherapy Clinic.

## History

Of 64 Articles included in the Treaty of Berlin, eight refer to Montenegro (Articles as of 26 to 33 inclusive). Article 26 defines international and legal status of Montenegro. Article 28 establishes new borders of Montenegro extending the space of Montenegro from 4,400 km<sup>2</sup> to 8,665 km<sup>2</sup>.

### ARTICLES UNDER THE TREATY OF BERLIN, REFERRING TO MONTENEGRO

(Berlin, July 13, 1878)

...

#### Article 26

The independence of Montenegro is recognized by the Sublime Porte and by all those of the High Contracting Parties who had not hitherto admitted it.

#### Article 27

The High Contracting Parties shall agree as regards the following requirements: In Montenegro, a difference based on religion and religious rituals may not be any cause to exclude or declare anybody as incapable of exercising civil and political rights, employment with public services, status and tribute or performing diverse professions or crafts, wherever a place thereof it be. The freedom in practicing all the religious rituals shall be ensured to all the nationals of Montenegro and to for-

eigners; there may not be any obstacle, either in hierarchy organization of various church communities or in their relations with their spiritual heads.

...

#### Article 32

Montenegrin Army shall be under an obligation to leave the territories the Principality conquered, within 20 day as of the amendments to the ratification of the present Treaty. Within the same deadline, Turkish Army shall leave the territories that have been referred to Montenegro hereunder. The troops shall be give 15-day deadline to leave the fortress, take food and materials and to make inventory of arms and things they cannot bring with them immediately.

...

*The Treaty of Berlin, 1878, Historical Institute of Montenegro, Podgorica 2009.*



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